

SPECIAL EDUCATION PARENT HANDBOOK

Information and Resources

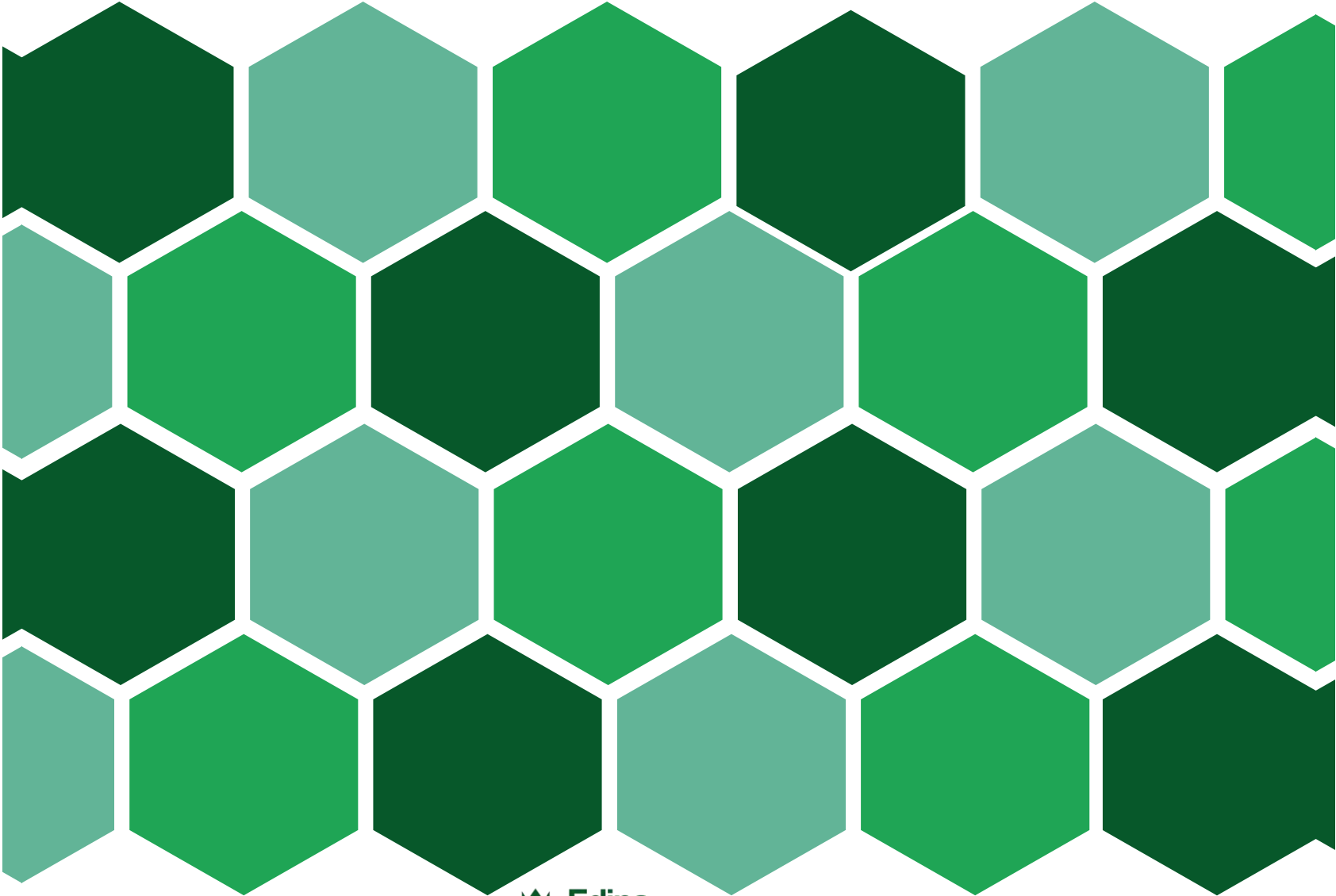


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Special Education Parent Handbook

A Resource for Parents of Students with Special Education Needs in
Edina Public Schools

Welcome

Edina Public Schools' mission is to deliver educational excellence and prepare all students to realize their full potential. This commitment to an excellent education for your child is one that we hold dear. At times, students encounter challenges to their learning. Edina's Department of Student Support Services partners with teachers and parents to identify the nature of those challenges. When an educational disability is discovered, we lend support to child, family and teacher as we navigate that hurdle together.

We want you to know that we see your "whole child" and cherish who they uniquely are, whatever their assets and struggles. It is our hope that this handbook will serve as a helpful reference for you. It provides information about resources in our schools, community, and beyond to help you navigate what can sometimes feel like a complex educational system. The handbook was created in partnership by parents of students who have disabilities and the Edina staff who serve them.

What Is Special Education?

Under the Individuals with Disabilities Education Act (IDEA), special education means, “Specially designed instruction, at no cost to parents, to meet the unique needs of a child with disability.” Children who receive special education and related services are entitled to a free and appropriate public education (FAPE). This includes opportunities to participate in the school’s general curriculum and to make progress towards meeting annual goals. Children who receive special education must also have opportunities to take part in other typical school activities that are appropriate to their individual needs.

In Minnesota, schools are required to serve eligible children from birth until the age of 21, or graduation from high school, whichever comes first. Services are provided by licensed personnel and include special teaching, materials, and techniques.

Edina Public Schools provide students with special education needs access to appropriate services in the following disability areas:

Autism Spectrum Disorder (ASD): A behaviorally defined group of disorders characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication and repetitive and stereotyped patterns of behavior, interests and activities, with onset in early childhood.

Developmental Cognitive Disability (DCD): significantly sub-average general intellectual functioning resulting in or associated with concurrent deficits in adaptive behavior: either, *Mild to Moderate (MMI)* or *Severe-Profound (MSMI)*.

Developmentally Delayed (Early Childhood Special Education, Birth through Age 6 only): a substantial delay or disorder in development or an identifiable sensory, physical, cognitive, social/emotional conditions or other conditions known to hinder normal development.

Emotional/Behavioral Disorder (EBD): an established pattern of interaction characterized by one or more of the following:

- severely aggressive behavior
- impulsive behaviors
- severely withdrawn behaviors
- anxious behaviors
- generally pervasive unhappiness
- depression
- severe mood swings
- severely disordered thought processes manifested by unusual behavior patterns, atypical communication styles or distorted interpersonal relationships.

Other Health Disabilities (OHD): a broad range of medically diagnosed chronic and associated acute health conditions that adversely affect educational performance to the extent special education and related services may be needed.

Physically Impaired (PI): a medically diagnosed chronic physical impairment, either congenital or acquired, that adversely affects physical or academic functioning.

Severely Multiply Impaired (SMI): student has severe learning and developmental problems resulting from two or more disabling conditions.

Specific Learning Disability (SLD): a condition in which a significant discrepancy between one's general intellectual ability and academic achievement in one or more of the following areas:

- Oral expression
- Listening comprehension
- Mathematical calculation
- Mathematical reasoning
- Basic reading skills
- Reading comprehension
- Written expression.

Speech/Language Impairment (SLI): A communication disorder in fluency, voice, articulation or language.

Traumatic Brain Injury (TBI): an acquired injury to the brain caused by external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance.

What are Related, Direct and Indirect Services?

Related services are the supportive services or activities necessary for some students with disabilities to maximize their educational outcomes. Related services may include but are not limited to:

- occupational therapy
- physical therapy
- psychological services
- school health services and school nurse services
- speech-language pathology services
- transportation

Some related services such as occupational therapy and developmental adapted physical education (DAPE) cannot be provided as a stand-alone service. In order to receive the support of some related services, the student must be eligible for special education services under a primary disability other than speech-language. In addition, the team must determine that the need for a related service is necessary to support the student's IEP goals and objectives.

These services may be direct or indirect. Direct services are provided directly to the student by a special education teacher or related service professional. Indirect services are provided from the professional to the teacher, parents, or others that work directly with the student.

PACER's website (an advocacy group with students with disabilities) further describes indirect services as "special education services which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe. Indirect services may be provided by a teacher or related services professional to another regular education, special education teacher, related services professional, paraprofessional, support staff, parents, and public and nonpublic agencies to the extent that the services are written in the pupil's IEP and IFSP."

What is IDEA-97?

The Individuals with Disabilities Act (IDEA-97) is the federal special education law. Congress will revise and reauthorize the IDEA statute periodically. You should be aware of your rights under these regulations, as they may affect the placement of your child and the curriculum in the school. The most recent reauthorization was in 2004, the Individual with Disabilities Educational Improvement Act (IDEIA-2004). Children with disabilities are entitled to receive a free, appropriate public education (FAPE). There are procedural safeguards in place so each student receives an appropriate evaluation and an individualized education program that meets specific needs. Parent and student participation are encouraged.

Your child should be educated with his or her peers as closely as possible. You should only consider alternative programming when the needs of your child cannot be met within the regular school setting with supplementary aid and services. This is referred to as the least restrictive environment (LRE).

What is a Referral?

Children may be eligible for special education services at birth. Identification of school-age children is usually based on the child's performance in school.

Pre-referral: Before referring a school-aged student for an evaluation, the classroom teacher may plan strategies to see if the student's performance improves with simple changes in curriculum or environment. These are called "pre-referral interventions." At least two pre-referral interventions must be tried and documented. If your child's performance improves, an evaluation may not be needed. If problems continue, an evaluation will help identify more specific ways to help your child learn. A pre-referral intervention does not require parent permission. It is important for parents to know what interventions are to be tried and the amount of time that they will be attempted before it is decided if they are working or not.

Referral: When classroom interventions are not successful, the classroom teacher may make a referral for a Child Study Team to consider whether the child should receive further evaluation. This team decides the areas to be evaluated and the types of evaluation(s) to be completed.

The referral is the starting point of the special education process. A referral is simply a written document requesting an evaluation. This referral can be made by a parent or guardian, the classroom teacher, any member of the school district (public or private), a judicial officer, or a student (18 years or older, or an emancipated minor). A meeting

may be scheduled to voice concerns. Parents may initiate a request for an evaluation. In order to do this, you should submit a **written** request for an evaluation to the school. One copy of the letter should go to the school principal and classroom teachers and one should be kept for your files. This document should include the reason for the referral and details describing academic or behavioral concerns.

You also may be asked to provide additional details regarding concerns about school performance. Once the request is made, the team will determine if interventions need to be implemented or if the assessment process should begin.

A referral does not mean the student has a disability. It is the first step to determine if concerns are due to a disability. Following the referral, the school district will invite you to an evaluation planning meeting. You will work with the school team to determine what areas will be evaluated, what tests will be used and who will do the testing. The evaluation cannot take place without your written consent. Once the school district receives consent, the evaluation must be completed within 30 school days.

What is an Evaluation?

When an evaluation is recommended, it means that you or your child's academic teacher team feels your child may have challenges at school that are interfering with his or her ability to learn.

Your child's teachers may not have identified any particular area of concern, but they would like to have a team of learning/behavioral specialists (the Child Study Team) review your child's records and make recommendations to them about how best to work with your child or how a special education evaluation might be helpful.

The purpose of the evaluation is to determine if the student qualifies for special education. This starts with the evaluation of your child in all areas of concern. The evaluation should examine all areas of suspected disability and provide a detailed description of your child's current educational performance and needs. This evaluation may include:

- formal tests
- informal measures
- direct observations
- educational history and
- medical

Several professionals may be involved with the evaluation. Evaluations may include, but are not limited to: the general education teacher, a special education teacher, the school nurse, the school psychologist, a speech-language pathologist, an adapted physical education teacher, occupational therapist, or physical therapist.

Teachers can refer a student to a Child Study Team without your authorization; however, no special education evaluation can take place without your written consent. The school district will include you in evaluation planning. You will work with the school team to determine what areas will be assessed, what tests will be used and who will do the testing. A form requesting permission to evaluate your child will be sent to you for your signature after evaluation planning is complete.

The school district has 30 school days (not including holidays and weekends) to complete the testing. This time period is determined by state rules in order to provide schools with enough time to conduct an appropriate evaluation of your child's needs.

After the Evaluation

After the evaluation, a member of the school team will contact you. This person will coordinate a date and time for you to discuss the results of your child's evaluation with members of the evaluation team along with at least one classroom teacher. The student's participation is determined on an individual basis and is up to you.

The assessment results will be summarized in an evaluation report. You will receive a copy of the final report. Your child's eligibility for special education services is determined by very specific criteria outlined by State and Federal Law.

If your child is found to meet the eligibility criteria for any of the identified educational disabilities the evaluation team can recommend moving on to the development of an Individualized Education Plan or IEP.

If your child does not qualify for special education and still struggles in school, there are other options that may be available to him or her. General education supports include:

- student advocates
- school counselors
- 504 Plans
- reading/math interventionists

What is an IFSP or IEP?

The student's plan is formalized using a document called the Individual Family Services Plan (IFSP) for children in Early Childhood Special Education (birth through age 2) or the Individualized Education Program (IEP) for school-age children.

Development of the "Team"

The first step in the development of an IEP is the identification of the IEP Team. IDEA-97 emphasizes the importance of working cooperatively as a team. The team is facilitated by the school district. The team brings together parents, the student, general educators, special educators and administrators.

The following people are required to be on the IEP team and in attendance at the meetings:

- At least one parent
- At least one general education teacher
- Special education teacher
- District representative (This person is qualified to provide or supervise the provision of specially designed instruction, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of school district resources).
- The student, if appropriate

There may be other team members as appropriate. These may include Adapted Phy-ed Teachers, Assistive Technology Specialists, School Nurses, Occupational Therapists, Physical Therapists, Paraprofessionals, Psychologists, Social Workers, or Speech Language Pathologists. Parents can bring anyone they wish to the IEP meetings. As a courtesy, advise the school district if you are bringing additional guests or participants.

What is the Role of the Team?

The IEP team process has important, integrated steps. Under IDEIA-2004, the IEP process is an important mechanism for reaching improved outcomes for students with disabilities. This process must be carefully managed to ensure that the unique needs of the student are addressed. Conducting an appropriate evaluation, developing an IEP, providing appropriate services and sharing periodic progress reports are crucial aspects to the IEP team's work.

The work of the IEP is a collaborative process between parents, school staff members, and other professionals involved with your student. As a parent, you have a unique and critically important perspective on your student's learning, strengths, and needs. School staff should ensure you feel comfortable throughout the process and identify specific contact people for you to connect with throughout the year.

You have the right to be involved in ALL meetings that discuss the identification, evaluation, IEP development, and educational placement of your children. The law ensures you and school personnel are equal partners in all steps during the team process.

Student participation is important and students are considered important members of their IEP team. As students get older, they should become more and more active at team meetings; their interests and preferences should determine the direction for the identified goals and services in the IEP. Supporting active student participation in the team process assists students in developing self-advocacy skills which are necessary in adult life. If the student does not attend the meeting, the district must take other steps to ensure the student's preferences and interests are considered. It is not mandatory for the student to attend. The decision to attend is up to the student and his or her parents.

Your Role as a Parent

It is suggested that you know and understand your own role in the IEP process. This role can be defined by the actions you take before, during, and after IEP team meetings. We suggest the following:

Before the meeting think about...

- What concerns do you have moving forward?
- What are the educational goals you have for your student, short and long term?
- How does your student learn? What does and doesn't work?
- How does your student's disability affect his or her education?
- What are your student's strengths, interests, and needs?
- Do you want your student to participate in the meeting?
- Do you want to bring someone with you such as a friend, relative, spouse or advocate? It's okay.
- Do you want to invite other professionals involved in your child's care such as doctors, therapists, or Personal Care Assistant (PCA)?

During the meeting...

- Share your thoughts.
- Ask for clarification to ensure understanding.
- You are welcome to take notes.

After the meeting...

- Review your notes.
 - If you have questions or concerns you may contact a team member for clarification.
-

What are the Contents of an IEP?

By law, there are certain things an IEP must include about the student and the educational program designed to meet his or her needs. This information includes:

Present Levels of Academic Achievement and Functional Performance (PLAAFP): The IEP must state how the student is currently doing in school. This information comes from many sources which may include data from classroom tests and assignments, data from the formal tests used to determine special education eligibility and/or observations from staff, teachers, and parents.

Goals and Objectives/Benchmarks: This section defines the areas of focus for educational planning. Goals describe what the student is expected to accomplish within a year of writing the IEP. As a parent you should let the team know what goals are important to you. Short-term objectives or benchmarks are the steps that help the student reach the goals.

Special Education and Related Services: This area lists all services the district has agreed to provide. This is where direct and indirect services would be defined.

- Direct services are provided directly to the student by a special education teacher or related service professional.
- "Indirect service" means special education services which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe. Indirect services may be provided by a teacher or related services professional to another regular education, special education teacher, related services professional, paraprofessional, support staff, parents, and public and nonpublic agencies to the extent that the services are written in the pupil's IEP and IFSP.
- This section also defines the special education service, where the child will receive his/her services, the amount of time for each service, the frequency of the service, when services will begin and how long they will last.

Least Restrictive Environment (LRE) Explanation: This section is here to remind us all that we need to consider how much time a student is spending outside of the general education classroom. Teams should report the amount of time and the rationale for removal.

Course of Study: When the student reaches grade 9 (or before, if appropriate), the IEP must address the courses, services, etc., planned to help the student reach his or her post-high school goals.

Transition Activities and Services: During a student's 9th grade year (or younger if appropriate), the IEP must state what transition activities and/or services are needed to help the child prepare for leaving school.

Transfer of Rights at Age of Majority: Beginning at least one year before your student reaches the age of majority (18 years old), the IEP must state the student has been informed of any rights that will transfer to him or her at that time.

Progress Reporting: The IEP must indicate the frequency and manner in which the team will report on your student's progress on their goals. You should be informed of progress at least as often as parents of children without disabilities.

Program Placement Decisions: Once all the elements of the IEP are determined, including services and supports, a placement decision must be made.

- The first placement option considered for each student with a disability must be the general education classroom with the provision of needed aids and services.
- The law requires that students not be placed outside of the general education classroom unless their disability requires another setting.
- The team must always consider the educational needs of the student before making the final placement determination.

While the goal is to have children taught in their neighborhood school, this is not always appropriate. A student with specific needs may be placed in a program that best addresses his or her needs.

Accommodations and Modifications: Some students with disabilities may be able to participate in the general classroom and be successful with the use of accommodations or modifications.

- An accommodation allows students to do the same work as the other students but with a change that allows them to be more successful.
- A modification lowers the rigor of the material and changes what a test or assignment measures, as compared to the rest of the class.
- Accommodations and modifications should be written into a student's IEP.
- It is important to involve the student, as appropriate, in this process to get his or her ideas on what changes would be helpful.

Participation in State and District-Wide Tests: Most states require achievement tests to be given at various grade levels. The IEP must state what accommodations (if any) are to be provided when the test is administered to the student. If the team determines the test is not appropriate, the IEP must state the reasons why and what alternative testing will be used instead.

Extended School Year: School districts are required to provide extended school year services (ESY) to students if the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education.

The criteria used to determine ESY eligibility should be reviewed with the student's case manager annually. A student qualifies for ESY if any of the following criteria are met:

- Evidence of significant regression of a skill or acquired knowledge from the student's level of performance on an annual goal that requires more than the length of the break to recoup.
- Services are necessary to attain and maintain self-sufficiency goals on the IEP.
- The IEP team determines that given a unique situation affecting the student's progress toward goals, the student needs ESY.

The team ultimately decides eligibility for ESY using information from prior observation of the student's regression and recoupment over breaks, either summer break or scheduled breaks in the school year. The team also may look at the student's degree of impairment and rate of progress, among other things.

Service Delivery Models

Edina Public Schools offers a range of services to meet students' needs. These services fall on a continuum based on the student's level of need. Brief descriptions are listed below.

Direct Services

Direct services are provided directly to the student by a special education teacher or related service professional. Those services may be "pushed in" to the classroom or provided in a "pullout" resource room model where the student goes to the special education room to receive service.

Indirect Services

Indirect service means special education services which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe. Indirect services may be provided by a teacher or related services professional to another regular education, special education teacher, related services professional, paraprofessional, support staff, parents, and public and nonpublic agencies to the extent that the services are written in the pupil's IEP and IFSP.

Team Teaching

This model of service provides extra support in the general education classroom. Two teachers (one general education and one special education) share the teaching responsibilities for their class. Both teachers collaborate to provide accommodations and individual support to facilitate the success of all students.

Resource Room Instruction

This model of service provides pull out support for students. The students leave the general education classroom for assistance with general curriculum, specialized curriculum, and/or behavioral support. Time spent in this setting depends on student need.

Site-Based Program

This model of service provides instruction for students who need to spend part of their school day in a highly specialized program. Needs addressed in these programs vary, including academic, functional, adaptive, physical, and behavioral programming. These programs operate in conjunction with general education, with future mainstreaming as the goal. These programs are not offered at every site, so student placement may occur based on student skills and needs as determined by the IEP team.

Out-of-District Services

On some occasions, student needs surpass what our district can offer within its schools. In this event, our district contracts with programs outside of Edina Public Schools on a case-by-case basis.

Vocational Education Program

EHS vocational education programming serves students in our site-based programs at Edina High School. The program teaches students essential work skills including following routines, staying on task, and working cooperatively with peers and adults, that are necessary for success in life after high school. An exciting component at our vocational programming is called ArtWork Studio. Students learn work skills while creating artisan gifts that will be available for purchase at the school and in the community.

Non-Public Services

Edina Public Schools designates special education and related services professionals to serve students with disabilities who attend non-public schools within Edina's attendance boundaries. The Edina Public School service providers develop an Individual Service Plan (ISP) in partnership with the child's non-public teachers, administrator, and parent/guardian. Location of services (whether at an EPS site or the non-public school) is determined on an annual basis.

Site-Based Program Descriptions

Functional Academic Development

Purpose: To provide specific, evidence-based strategies effective for students who have educational needs primarily related to a developmental or cognitive disability.

Target Population: Students that require substantial support due to the unique needs related to a developmental or cognitive disability. This includes students who have limited acquisition of adaptive skills. Areas of focus include:

- independent living skills
- social and interpersonal skills
- communication skills
- academic skills
- recreation and leisure skills
- community participation skills
- work and work-related skills

Some students may also have additional needs related to physical impairments or multiple disabilities.

Service Characteristics: Students in site-based programs receive direct special education services for a significant part of their school day. Direct services are provided in a structured educational environment with planned integration opportunities into general education classes. Interventions are designed based on individual preferences and needs and may include visual strategies, structured routines and work systems, augmentative communication tools and other assistive technology, a proactive approach to understanding behavior, sensory integration approaches and the use of structured physical environments. Relationship development and disability awareness are facilitated between program students and mainstreamed peers. Students participate in meaningful ways within the general education curriculum and community to the fullest extent possible. Each student's services and goals are individualized and based on general education standards.

Academic Social Communication Development

Purpose: To provide specific, evidence-based strategies effective for students who have educational needs primarily related to Autism Spectrum Disorder (ASD) including associated cognitive and adaptive challenges. Students require a specially-designed, small- group environment for the majority of the school day with planned integration into regular classes.

Target Population: Students that require substantial support in an environment specifically designed to address unique needs related to autism. Students may have significant challenges in verbal and nonverbal social communication skills that limit adaptive functioning, interfere with initiation of social interactions, and/or produce highly unique or limited responses to social engagement from others. They may demonstrate inflexibility of behavior, extreme difficulty coping with change, or other restricted/repetitive behaviors that markedly interfere with functioning in many settings. They have significant difficulty shifting focus or changing activities.

Service Characteristics: Using specific, evidence-based practices known to be effective for students with autism, students receive direct instruction and support in the areas of social skills, communication, emotional and behavioral management, and sensory integration and regulation. Interventions are designed around individual needs and may include visual strategies, structured routines and work systems, augmentative communication tools and other assistive technology,

a proactive approach to understanding behavior, sensory integration approaches and the use of structured physical environments. Relationship development and disability awareness are facilitated between program students and typical peers. Students participate in meaningful ways within the general education curriculum and community to the fullest extent possible. Each student's goals are individualized and based on general education standards.

Transition Programming

(Locations: Intermediate District 287 and Eden Prairie)

Purpose: Transition programs are for students who have completed the academic requirements of high school but have continuing special education needs in developing independent functional skills. The purpose of all programs is to transition a student to the next level of training/education.

Guidelines:

- Students receive special education and have a current IEP with unmet transition needs.
- Serves post high school students (18 to 21 years old)
- The programs are not credit based and are not a continuation of high school but a time period for completion of transitional goals.
- Students receive their diploma when they complete their transition program or the student "ages out" (July 1 after their 21st birthday).
- Transition programming does not have specific requirements for time or location, as it is community based focusing on employment and independent living.
- It is not required that students be enrolled full time as it can be part time and less than 5 days a week.
- Students are taught marketable employment skills and are supported in their efforts to find meaningful employment.
- The program does not guarantee job placements.

Statewide Testing Guidelines for Students with IEPs

Minnesota measures school and student progress with tests called the Minnesota Comprehensive Assessments (MCAs). The MCAs are accountability tests to measure a schools' performance. At the high school level, districts are required to offer a nationally recognized college entrance exam, but students are not required to achieve a specified score in order to graduate. For more detailed information about student assessments, please refer to the Edina Public School website or contact your case manager.

Students with special education services are included in the state and district testing requirements and it is up to the IEP team to determine what is appropriate for the student regarding these tests. If the team determines the material has been taught to the student and the student is capable of taking the test without any necessary accommodations, then the test will occur under standard conditions. The team may decide the student would not be able to participate in the testing without accommodations. If that is the case, the appropriate accommodations need to be implemented. An accommodation does not alter the rigor or reliability of the tests and it must be outlined in the student's IEP when it is not a support that is available to all students. Examples of areas that are allowed accommodations include:

- Timing/scheduling
- Presentation
- Response format

All students must be included in the statewide accountability system. Alternate assessments are for the very few students whose goals and objectives on their IEPs do not address the material on the MCA.

What if I Disagree or Have Concerns with My Child's IEP?

Parents are a valued partner in the IEP process. It is their right to actively participate in planning their child's IEP. Items agreed to at a team meeting should be included in writing in the IEP document. If services documented in the IEP are not administered, the school district is in non-compliance. You may:

- Contact the IEP manager if the IEP is not being followed.
- If the IEP manager is unable to help, the next step is to speak with the building principal.
- If necessary, contact the Student Support Services Office and ask to speak with one of the Assistant Directors of Student Support Services.
- Contact a parent advocacy group to request their assistance.
- A final option would be to contact the Minnesota Department of Education (MDE). The Department will provide you with information on the next steps to address the non-compliance.

You also have the right to disagree with the school district's recommendations concerning the IEP document, evaluations and educational placements for your child. It is not uncommon for differences to arise between members of the student's IEP team. It is important to remember that everyone on the team has the child's best interest in mind and wants the student to be successful. With that said, disputes do arise. There are many options available to help resolve differences. These options are available to you and the school district. It is important you put your requests in writing and keep a copy for yourself. The following are options available for resolving disputes:

Conciliation

A conciliation conference is a discussion between the parents and school staff, often following an IEP team meeting that did not result in an agreed upon IEP. Conciliation is a process in which the parents sit down with the building administrator and your student's case manager to work through a resolution process. Most conciliations are successful!

Facilitated IEP Meeting

A facilitated IEP team meeting is an IEP meeting that is facilitated by a neutral party. This process is useful when the IEP team is having communication difficulties that prevent agreement over one or more issues concerning the IEP. A facilitator can help the team improve communication and come to agreement.

Mediation

Mediation is a process for resolving disagreements between parents and school staff over any number of special education issues. A trained, neutral mediator assists the parties in resolving the underlying conflicts and problems creating barriers to agreement.

Complaint Investigation

A complaint is a formal, state investigation process used when any person believes an education agency has violated state or federal special education law. A complaint is generally a less expensive, less adversarial and faster option to resolve a perceived violation of law than a due process hearing.

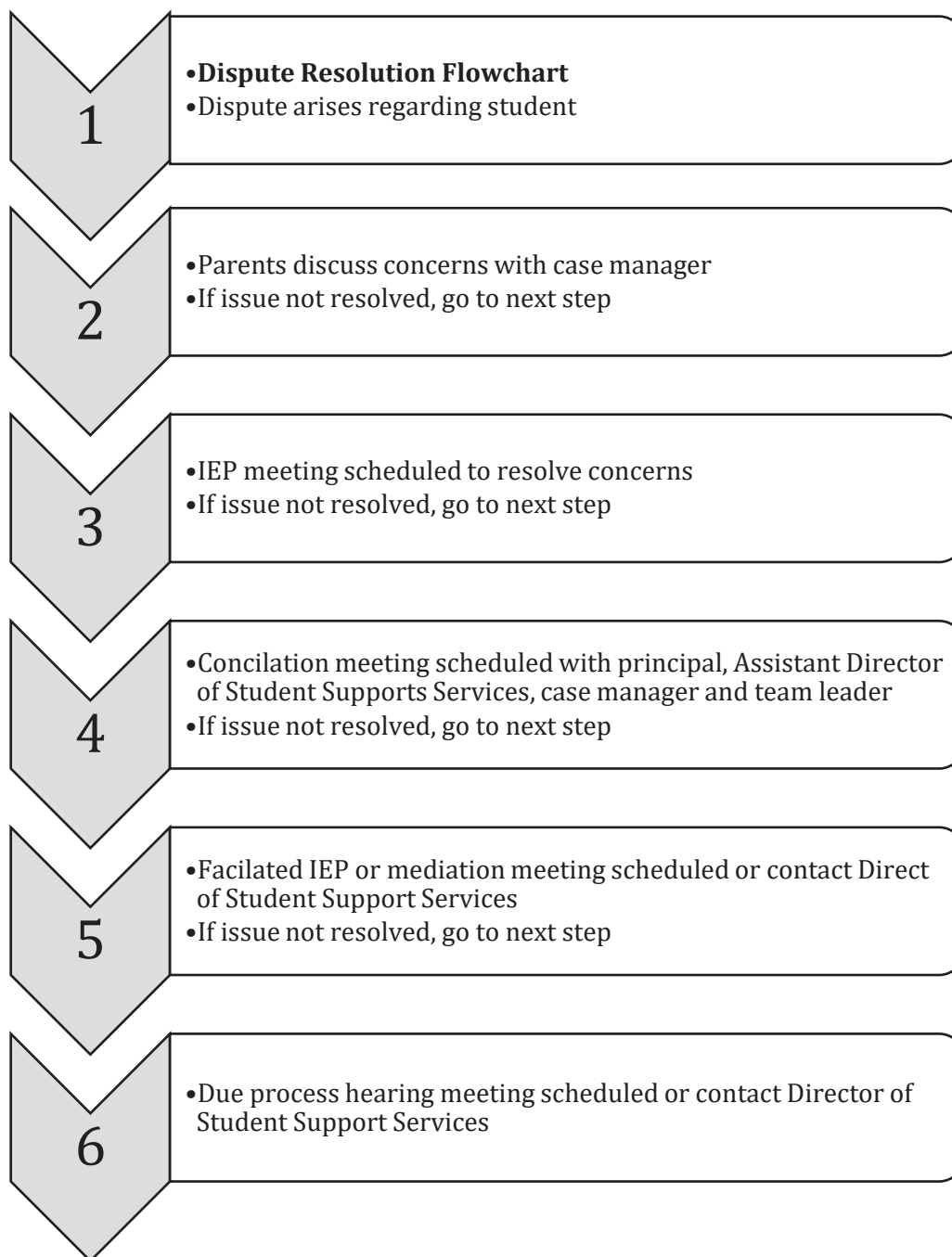
- Anyone can file a signed written complaint with MDE alleging a school district is violating, or has violated, special education law.
- A complaint may be filed regarding an issue that arose within the past year.
- An attorney is not required to file a complaint.
- The complaint will be resolved by MDE within 60 days of its filing in most cases.

Due Process Hearing

A due process hearing takes place when other measures have failed to resolve the issues. A hearing is a formal process in which legal representatives present evidence to an impartial hearing judge to make a ruling on the issue(s) in dispute.

- Parents and districts have the right to a due process hearing when reconciliation efforts have failed.
- Parties have the right to be accompanied by a lawyer and individuals with special knowledge or training with respect to the problems of children with disabilities.
- A decision must be issued by the hearing officer, and mailed to the parties, within 45 days of the request for hearing.

****Throughout this process, you as a parent have the right to contact the Student Support Services Office directly to discuss your particular situation and options for next steps with either an Assistant Director or the Director of Student Support Services..**



Disciplining Students with Disabilities

There is nothing in IDEA-97 that restricts schools from disciplining a student with a disability. School systems have the legal responsibility to provide a safe, violence-free environment including a code of conduct containing specific consequences for violating the code. School systems have the legal right and responsibility to discipline students and to ensure all students and parents are familiar with the discipline code.

Some students may need specialized services to change disruptive or dangerous behavior and to prevent reoccurrences. Consequently, it may be necessary to develop some goals to achieve proper behavior, which would then be included in the student's IEP. Special education students are subject to the same rules and codes of conduct as non-special education students. The only difference is the consequences for misbehavior by students in special education are decided on an **individual basis**.

The IEP team determines if the misconduct is related to the disability and if the current placement is appropriate. When a suspension exceeds 10 consecutive days or 10 days of suspension cumulatively in a school year, the district must provide alternative educational services to students with IEPs. A special education student may be placed in a 45-day interim placement by the school if a drug or weapons violation occurs. A team meeting will be conducted to complete a manifestation determination and to discuss a functional behavioral assessment prior to the interim placement.

Functional Behavior Assessment

A Functional Behavior Assessment (FBA) is the process to gathering information to assist IEP teams in developing appropriate and individualized positive behavior interventions and supports. An FBA's purpose is to determine when and why a student exhibits problem behavior, what reinforces the problem behavior, and what types of positive behavior supports and interventions would reduce negative behaviors and increase desired behaviors.

An IEP team must meet to develop an FBA plan in the following situations:

- Parent request
- Student is being referred for a more restrictive special education placement.
- Student exhibits a pattern of behavior that results in self-injury or injury to others, causes damage to the physical environment, disruption of learning by the student or others, or that socially isolates the student.
- Student has had two restrictive procedures on two separate days within a 30-day calendar period and there is no existing FBA.
- An evaluation is initiated to consider eligibility under the emotional or behavior disorders category.
- Disciplinary change of placement has been made upon determining the behavior is a manifestation of the student's disability and there is no existing FBA and Behavior Intervention Plan.

A Behavior Intervention Plan (BIP) is developed by the IEP team utilizing data collected in the FBA. A BIP will include proactive interventions and needed accommodations that will help promote desired behavior change. The BIP may include a protocol for the use of restrictive procedures should the student demonstrates behaviors where immediate intervention is needed to protect a child or other individual from physical injury. Restrictive procedures include the use of physical holding or seclusion and are used only as a last resort. Staff are trained in Nonviolent Crisis Prevention Intervention strategies to assist in de-escalation of a student's behavior. Minnesota Statutes, sections 125A.0941 and 125A.0942

Transition

In Minnesota, there are laws that require school districts to prepare students with disabilities to progress and move from high school to community life and employment. The first part is the planning for a student's future, which is written into the IEP. The second part of the transition is the provision of transition services.

Transition Planning

When a student with a disability receiving special education services and reaches 9th grade, the IEP will begin to incorporate three transition areas. These transition areas are to help plan what skills the student will need to work on to prepare for life beyond high school. The three transition areas are:

1. Education or Training
2. Employment
3. Independent Living
(Incorporates home living, recreation and leisure, and community participation)

The student and the IEP team will establish the present level of academic achievement and functional performance (PLAAFP) in each of the three transition areas and the individual educational needs of the student.

When the IEP team determines a student has a transition need, it must be written into the IEP. Support for these needs may include instruction, services, activities, accommodations, supplementary aids, resources, community experience and other assistance.

Transition Services

During a student's 9th grade year (and sometimes younger), a student receiving special education services may need significant services outside of the school district to help with the functional skills necessary to move from high school to adult life. Services focus on the student's needs, interests, education or training goals, employment and independent living skills. Examples of transition services may include but are not limited to: transportation, community links with other services, job skills and supported employment experience. Transition services may be provided for students younger than the 9th grade if the student is at risk of dropping out of school or if services could help with other educational needs.

Transfer of Parental Rights

Before a student in special education legally becomes an adult (in Minnesota the legal age is 18), the school district must notify the student and the student's parents or guardians that the parental rights and procedural safeguards will transfer to the student at the age of majority.

Special Education Services for Ages 18-21

Students continue to work on transition IEP goals in the three transition areas: education or training, employment and independent living (including community, recreation and leisure and home living). Students are able to earn their high school diploma by achieving their IEP goals.

Sites for Special Education Programs

- **Early Learning Center**
 - Early Childhood Special Education
- **Concord Elementary**
 - Resource Rooms
- **Cornelia Elementary**
 - Resource Rooms
 - Site-Based Program focused on a functional curriculum for teaching adaptive skills that promote independence (*see also Service Delivery*)
- **Countryside Elementary**
 - Resource Rooms
 - Site-Based Program focused on a functional curriculum for teaching adaptive skills that promote independence (*see also Service Delivery*)
- **Creek Valley Elementary**
 - Resource Rooms
 - Site-Based Program focused on academic and social communication development (*see also Service Delivery*)
- **Highlands Elementary**
 - Resource Rooms
- **Normandale Elementary**
 - Resource Rooms
- **South View Middle School**
 - Resource Rooms
 - Moderate Program focused on academic and social communication development
 - Site-Based Program focused on a functional curriculum for teaching adaptive skills that promote independence (*see also Service Delivery*)
- **Valley View Middle School**
 - Resource Rooms
 - Moderate Program focused on academic and social communication development
 - Site-Based Program focused on academic and social communication development (*see also Service Delivery*)
- **Edina High School**
 - Resource Rooms
 - Moderate Program focused on academic and social communication development
 - Site-Based Program focused on functional curriculum for teaching adaptive skills that promote independence (*see also Service Delivery*)

Questions to Consider Asking

Evaluation

- Why do you want to do an evaluation?
- Can you explain the reason for evaluating my child?
- What kind of information will we receive from an evaluation?
- What kind of testing will be done? What areas will be tested?
- How long will it take to evaluate?
- Who will complete the testing?
- Where will the testing take place?
- Will my child be pulled from his/her regular classes to complete the testing?
- Would you like to know what medications my child is taking?
- What will happen if I say no to the evaluation?
- What does “qualify” mean? How does a child qualify and what happens if they don’t?
- Will I get a copy of the evaluation results?
- What do I do if I disagree with the evaluation results?
- If the evaluation indicates that my child is eligible for special education, do I have to agree to special education services?

IEP Services

- What is an IEP? What is the process? What does this do for my child?
- Who will be on my child’s team?
- Will my child be pulled out of their classroom to receive services?
- How much time spent away from general education peers? Will he/she be pulled from core classes (i.e. reading/math)?
- Would you like to know what outside therapies my child receives? How will the IEP team communicate with outside therapies/agencies?
- Are students with disabilities accepted in the culture of the school?
- What are related services? How can students access related services?
- How do I best communicate with special education staff? Who do I contact if I have questions?
- How is progress reported to parents? How many times a year is progress reported?
- How will my child’s accommodations and needs be communicated to the classroom teacher?
- Will my child’s special education information be kept confidential and given out on a need to know basis?

General

- How are the Early Childhood Special Education programs different from the elementary programs?
- How are elementary programs different from secondary programs?
- Are there community or private services and how do I access them?
- What do I do with all of the paperwork I am given?
- Can I remove my child from special education services if I want to, and if so, what would happen?

Frequently Used Terms

Accommodation – allows the student to do the same work as the regular education students with a change (i.e. taking tests in a quiet room). This change does not change the rigor of the material being taught.

Adaptations – word used interchangeably with accommodation.

Assistive Technology Device – any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

Assistive Technology Service – any service that directly assists a student in the selection, acquisition, or use of an assistive technology device.

Case Manager – the person who coordinates a student’s IEP and sees that it is carried out. This person is the first point of contact for any issues or concerns.

Child Study Team – team that determines if an evaluation is warranted.

Consent – means that you say “yes.” Consent means that you understand and agree in writing to the activity that is being requested, such as an evaluation or an IEP.

Curriculum – the coursework being taught.

Direct Service – service provided directly to the student from the professional.

Evaluation – testing and observations used to determine the eligibility of the student for special education services.

Inclusion-Full – student that qualifies for special education and spends the entire school day in the general education classroom.

Inclusion-Partial - student that qualifies for special education and spends part of the school day in the general education classroom.

IEE (Independent Educational Evaluation) - an evaluation provided by a mutually agreed upon independent professional at no cost to you. The school district is required to give you several choices of qualified professionals to perform the IEE. You can then choose which professional conducts the IEE. To request an IEE, you need to notify, in writing, the Director of Special Services that you disagree with the district’s evaluation and are requesting an IEE. Keep a copy for yourself as well. You also have the right to a second opinion at any time at your own expense. The school district must consider this information.

IEP (Individualized Education Plan) – an educational service plan for a student aged 3 up to age 21. Services need to begin within 30 calendar days from the date the student was found eligible.

IEP Team – the group of people responsible for defining a student’s educational plan. The Team must include:

- A parent
- A representative of the district who is authorized to assign resources
- At least one of the student’s special education teachers
- At least one of the student’s general education teachers
- Student, if appropriate
- There may be more team members as appropriate.

IFSP (Individual Family Service Plan) - a plan is for children in Early Childhood Special Education (birth through age 2). The development of the IFSP should be completed within 45 calendar days from the initial referral.

Indirect Service – time spent conferring and coming up with ideas to help the student.

LRE (Least Restrictive Environment) – the educational setting appropriate to meet the individual student’s needs that provides the opportunity to be educated with non-disabled peers, to the greatest extent appropriate.

Modification – a change that lowers the rigor of the material and changes what a test or assignment measures.

PCA (Personal Care Assistant) – an individual helping a child learn skills so he or she can be more independent at school, home and in the community.

Positive Behavior Intervention – a plan to address problem behaviors; it addresses both the source of the behavior and ways to deal with the behavior so the student can behave more appropriately.

Pre-Referral Interventions - before referring a child for an evaluation, the classroom teacher may plan strategies to see if your child’s behavior or academic skills improve with simple changes in curriculum or environment. These are called “pre-referral interventions.” At least two pre-referral interventions must be tried and documented. If the child’s performance improves, an evaluation may not be needed. If problems continue, an evaluation will help identify more specific ways to help the child learn.

Referral - anyone can make a referral for a special education evaluation. When classroom interventions are not successful, the classroom teacher may make a referral for a Child Study Team to consider whether the child should receive further evaluation. The team decides the areas to be evaluated and the types of evaluation to be completed.

Related Services – services required to ensure a child benefits from special education. An example may be transportation or occupational therapy.

Respite Care – care provided for the child so parents can have a break.

Response to Intervention (RtI) - a tiered model of instructional support available for all elementary students. It includes providing high quality instruction and interventions matched to student need, monitoring progress frequently to make changes in instruction, and applying child response data to important educational decisions.

Resource Room – a room other than a general education classroom where a student may receive his or her special education services. The room is a special education setting.

Section 504 – a Federal Civil Rights Law. It protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance. Section 504 falls under the responsibility of the general education program. A student is considered to have a disability within the definition of Section 504 if he or she: has a mental or physical impairment that substantially limits one or more of such person's major life activities; has a record of such impairments; or is regarded as having such impairment. If your child is evaluated and does not qualify for special education, he or she may qualify under Section 504 if the disability substantially limits one or more major life activities. A team decision is required to make this determination. A 504 plan may provide for regular or special education and related aids and services designed to meet the student's needs as adequately as the needs of nondisabled students are met. Contact the 504 Coordinator in your child's building for additional information.

Parent Support Information

Procedural Safeguards

Procedural Safeguards Notices, also referred to as Parental Rights, give general guidance regarding special education rights afforded to parents of children with special education needs. These rights are provided to parents under the Individuals with Disabilities Education Act (IDEA). It is provided to parents of students receiving special education services at least one time per year. It also is provided the first time your child is referred for a special education evaluation.

Procedural Safeguards Notice Part C is for birth through age 2; Part B is for age 3 through 21.

Website:

www.education.state.mn.us/MDE/SchSup/SpecEdComp/ComplMonitor/ProcSafe

The Arc of Minnesota

Private, non-profit, statewide voluntary organization to promote and protect the human rights of people with intellectual and developmental disabilities and actively support their full inclusion and participation in the community throughout their lifetimes.

Phone: 1-800-582-5256 or 651-523-0823

Website: www.thearcofminnesota.org

Autism Society of Minnesota (AuSM)

Organization of families, educators, caregivers and professionals committed to supporting individuals with autism spectrum disorders.

Phone: 651-647-1083. Website: www.ausm.org

Brain Injury Association of Minnesota

Non-profit organization dedicated to enhancing the quality of life for Minnesotans affected by brain injury.

Phone: 800-669-6442 or 612-378-2742. Website: www.braininjurymn.org

Children and Adults with Attention Deficit/Hyperactivity Disorder (CHADD)

Non-profit organization serving individuals with ADHD and their families.

Phone: 952-922-5761. Website: www.chadd.org

Down Syndrome Association of Minnesota

Non-profit organization dedicated to provide information, resources and support to individuals with Down syndrome, their families and their communities.

Phone: 800-511-3696 or 651-603-0720. Website: www.dsamn.org

Epilepsy Foundation of Minnesota

Non-profit organization that offers programs and services to educate, connect and empower people affected by seizures.

Phone: 800-779-0777 or 651-287-2300. Website: www.efmn.org

Minnesota Association for Children's Mental Health (MACMH)

Organization focused on promoting positive mental health for all infants, children, adolescents and their families.

Phone: 800-528-4511 or 651-644-7333. Website: www.macmh.org

Minnesota Association of Deaf Citizens (MADC)

Non-profit organization that advocates for and promotes a better quality of life and social wellness of Deaf people through its membership, activities and advocacy.

Website: www.minndeaf.org

Minnesota Children and Youth with Special Needs (MCYSHN)

Public, statewide program that seeks to improve the quality of life for children with special health needs and their families. They promote the optimal health, well-being, respect and dignity of children and youth with special health needs and their families.

Phone: 800-728-5420 or 651-201-3651.

Website: www.health.state.mn.us/mcshn

Minnesota Department of Education (MDE)

State agency responsible for providing laws and rules regarding special education in Minnesota, disability definitions and criteria, information for parents and students, and much more.

Phone: 651-582-8200. Website: www.education.state.mn.us

Minnesota Department of Human Services (DHS)

State agency that provides Minnesotans with a variety of services intended to help people live as independently as possible.

Phone: 651-431-2000. Website: www.dhs.state.mn.us

Minnesota Speech-Language-Hearing Association (MSHA)

Non-profit professional organization of speech-language pathologists and audiologists that promotes the welfare of individuals with communication disorders and represents the professionals who serve them.

Phone: 651-290-6292. Website: www.msha.net

Tourette Syndrome Association of Minnesota

Non-profit organization formed within the state of Minnesota focused on helping the individuals and families affected by Tourette Syndrome.

Phone: 718-224-2999. Website: www.tsa-mn.org

Muscular Dystrophy Association (MDA)

Non-profit health agency dedicated to curing muscular dystrophy, ALS and related diseases by funding worldwide research. The association also provides comprehensive health care and support services, advocacy and education.

Phone: 800-572-1717 or 952-832-5517. Website: www.mdaua.org

National Alliance on Mental Illness Minnesota (NAMI Minnesota)

Non-profit organization dedicated to improving the lives of adults and children with mental illness and their families through education, support and advocacy.

Phone: 651-645-2948. Website: www.namihelps.org

MN Office of the Ombudsman for Mental Health and Developmental Disabilities

Independent state agency that promotes the highest attainable standards of treatment, competence, efficiency, and justice for persons receiving services or treatment for mental illness, mental retardation or a related condition, chemical dependency, or emotional disturbance.

Phone: 800-657-3506 or 651-757-1800. Website: www.ombudmhm.state.mn.us

National Federation of the Blind of Minnesota (NFBM)

Non-profit organization provides self-help programs for blind people of all ages and activities.

Phone: 612-872-9363. Website: www.nfbmn.org

PACER Center (Parent Advocacy Coalition for Educational Rights)

Non-profit organization provides training and information for families of children and youth with all disabilities from birth through 21 years old. Parents can find publications, workshops, and other resources to help make decisions about education, vocational training, employment, and other services for their children with disabilities.

Phone: 800-537-2237 or 952-838-9000. Website: www.pacer.org

Spina Bifida Association of Minnesota

Non-profit organization dedicated to increase awareness about Spina Bifida and enhance the lives of those affected.

Phone: 651-222-6395. Website: www.sbamn.com

United Cerebral Palsy of Minnesota (UCP of MN)

Non-profit organization driven to educate, advocate and provide support services to ensure a life without limits for people with a spectrum of disabilities. UCP of MN serves the residents of Minnesota in all counties except Stearns, Benton and Sherburne counties. These counties receive services from UCP of Central Minnesota.

Phone: 877-528-5678 or 651-646-7588. Website: www.ucpmn.org

Minnesota State Council on Disability (MSCOD)

Agency that collaborates, advocates, advises and provides information to expand opportunities, increase the quality of life and empower all persons with disabilities.

Phone: 651-296-6785. Website: www.disability.state.mn.us

Special Olympics Minnesota

Organization that offers children and adults with intellectual disabilities year-round sports training and competition.

Phone: 612-333-0999. Website: www.somn.org

U.S. Department of Education, Office of Special Education Programs

Federal agency dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

Phone: 202-245-7459. Website: www.ed.gov/about/offices/list/osers/osep

Administrative Assistance

The Student Support Services Department of Edina Public Schools services over 1100 students on IEPs and IFSPs at 10 school sites. Having such a large population of students, sites and services has required the development of a supervisory model to ensure sufficient oversight and support of special education programming.

Each building within our district maintains a full-time Principal in charge of the daily functioning of the site and the services provided to our special education students. Edina schools assume a site-based leadership model in which the principal or assigned administrator is the first point of administrative contact for you when you have a specific question or concern that cannot be addressed by your child's case manager. Building administrators have embedded support in the form of Special Education Team Leaders to assist them with daily programming and operational duties. Building IEP Teams work to assess your child's needs and develop programming designed to effectively meet those needs. Teams have external support in the form of Disability Specialists, Due Process Clerical, related service providers and contracted agents.

Concerns may, at times, arise around programming, staffing, due process concerns or simply differences of opinion that result in an impasse at the building level. When these issues arise, I encourage you to contact either myself or the Assistant Director, in the Student Support Services Office to discuss strategies for moving forward. Though you may not see us at the meetings you have with your school team, we have, on most occasions, been briefed by members on the team if there are concerns.

Finally, you are always welcome to contact me directly. While I encourage you to problem solve as close to the point of conflict as possible, communication is not always about conflict. Many of you have approached me to simply share your experiences and insights into how we can build better programming together. I personally relish these conversations and invite you to schedule a time with me if you have ideas moving forward.

Thank you.

Jeff L. Jorgensen, Director of Student Support Services	952 848-4860
Katie Honsa, Assistant Director of Student Support Services (Secondary)	952-848-4013
Lisa Hawthorne, Assist. Dir. of Student Support Services (Elementary/ECSE)	952-848-4223

Site-Based Leadership

Who should you contact at the site?

	Phone
Early Learning Center Lisa Hawthorne, Assist. Director of Student Support Services, ECSE and Elementary Kate Strand, Facilitator	952-848-4223 952-848-4231
Highlands Elementary School Katie Mahoney, Principal Mary Jo Rochester, Team Lead Ginny Buran, School Psychologist	952-848-4599 952-848-4512 952-848-4240
Concord Elementary School Paul Domer, Principal Jill Uecker, Team Lead Jill Mahaffey, School Psychologist	952-848-4399 952-848-4310 952-848-4440
Cornelia Elementary School Lisa Masica, Principal Jill Manzetti, Team Lead Amy Lindahl, School Psychologist	952-848-4699 952-848-4614 952-848-4624
Countryside Elementary School Karen Bergman, Principal Missy Ellis, Team Lead Stephanie Quagliana, School Psychologist	952-848-4799 952-848-4723 952-848-4773
Creek Valley Elementary School Kari Dahlquist, Principal Claire Sime, Team Lead Susan Moses-Zirkes, School Psychologist	952-848-3299 952-848-3280 952-848-3224
Normandale Elementary School Chris Holden, Principal Donna Griswold, Team Lead Molly Smolinski, School Psychologist	952-848-4199 952-848-4134 952-848-4124
Valley View Middle School Toya Pryor, Principal Lesley Lance, Facilitator Amy McAllister, School Psychologist	952-848-3599 952-848-3349 952-848-3392
South View Middle School Tim Anderson, Principal Whitney Brauchla, Facilitator Brenda Walker, School Psychologist	952-848-3799 952-848-4922 952-848-3745
Edina High Schools Andy Beaton, Principal Mike Pretasky, Assistant Principal Austin Hochstetler, Facilitator Annie Ormiston and Kaitlin Senn, School Psychologists	952-848-3899 952-848-3140 952-848-3277 952-848-3064

Special Education Advisory Council

The Special Education Advisory Council is a group of parents and educators who come together monthly to advise on all aspects of the special education process. The SEAC parent members are drawn from each of the schools within Edina. We are fortunate to have a very active group of parents that are looking beyond simply advising. They wish to serve as personal resources to you and will respond if you wish to connect.

SEAC membership and building representation can also be found on the district website: <https://www.edinaschools.org/academics/special-education>

Parent Representative	Location	Email
Chris Moquist	Chairperson 2021-22	cmoquist@gmail.com
Katie Fabrizio	Chair Elect 2021-22	katie.fabrizio@gmail.com
Heather Edelson	Governance Rep	hmedelson@gmail.com
Anastasia Ketko	Concord	aketko@gmail.com
Amanda Aspenson	Concord	amanda.k.aspenson@gmail.com
Anne Mondragon	Cornelia	aandersen26@yahoo.com
Patricia Procel	Cornelia	patriciaprocel@yahoo.com
Aisha Alexander	Countryside	aishanna28@gmail.com
Amanda Glazer	Countryside	akg.dolce@gmail.com
TBD	Creek Valley	
Shannon Spiers	Creek Valley	Aviles_rsan@yahoo.com
Jenny Theune	Highlands (Alternate)	jjtheune@gmail.com
Laura Lee	Highlands	laurablee2@aol.com
Maura Caldwell	Highlands	maurabcaldwell@gmail.com
Melissa Levy	Normandale	melissalevy06@gmail.com
David Kupiecki	Normandale	dkupiecki@gmail.com
TBD	South View Middle School	
Julianna Otremba	South View Middle School	julianna.m.otremba@gmail.com
Jane Koivula	Valley View Middle School	jakoivula@gmail.com
Jenn Nelson	Valley View Middle School	Nelsonhuwe@gmail.com
Jan Lubar	Edina High School	janlubar@comcast.net
Emmy Mastel	Edina High School	emmymastel@hotmail.com
Sue Sullivan	Edina High School	suesullivan314@gmail.com
Carrie Carroll	Edina High School	carriecarroll@comcast.net
Kristin Moquist	18–21-Year-Old Services	kmoquist@gmail.com
TBD	Our Lady of Grace	

