

**BITTERROOT VALLEY EDUCATION COOPERATIVE  
MANAGEMENT BOARD**

Tuesday, February 25, 2020  
9:00 a.m. – Cooperative Office

**AGENDA**

**1. Call to Order**

**2. Introduce Staff Representative**

**3. Consent Agenda**

- A. Minutes
- B. Warrants
- C. Financial Report
- D. New Hires
  - 1. Lynn Bradford, Part-time Preschool Paraeducator
- E. Resignations
  - 1. Tim Miller, Director
- F. Next Meeting – March 24, 2020

**4. Public Comment**

**5. Correspondence – letters of appreciation**

- A. Robin Enzminger, CSCT Behavior Consultant, Victor
- B. Heather Schrauth, CSCT Behavior Consultant, Darby
- C. Ashley Fuchs, CSCT Therapist, Florence

**6. Board Action**

**A. Director position 2020-21**

**Recommendation:** post opening

**B. New CSCT Teams**

**Recommendation:**

**C. Wage & benefit negotiations for classified staff, clinical supervisors, office staff**

Staff Not under the CBA: classified, mental health program manager and clinical supervisors, business manager/IT.

**Recommendation:** Appoint one or two board members

## **7. Information and Discussion**

### **A. Legal Update: District's Liability When Changing IEP – attached**

This is a good example of why we need to retain professional judgement when parents ask for changes to their child's IEP.

## **9. Adjourn**

February 11, 2020

Bitterroot Valley Education Management Board  
PO Box 187  
Stevensville, MT 59870

Dear BVEC Board Members,

Please accept this letter as formal notification of my resignation from the Bitterroot Valley Education Cooperative. My last day with the cooperative will be at the end of my 2019-20 contract on June 30. I will be submitting my application to TRS for retirement benefits.

I would like to thank you for the opportunity to serve your cooperative for twenty-seven years. During this time I have thoroughly enjoyed the organization, board support, relations with member-school personnel and especially our dedicated employees. I have immense appreciation for the dynamic and positive atmosphere within the organization and I will truly miss our work together.

As we begin preparing for my transition, and before I leave, I will ensure that all my projects are completed as far as possible, and I am happy to assist in any way to ensure a smooth handover to my replacement.

While I am excited by the new opportunities that I will be pursuing, I will always remember my time at BVEC with gratitude. Please do not hesitate to contact me if you need further information after I leave, I would be delighted to stay in touch.

Kind regards,



Tim Miller

February 13, 2020

Robin Enzminger

Dear Robin,

This is to express our appreciation and recognize your work on behalf of Victor School District students and staff.

Your supervisors commented on your hard work to develop effective behavior support plans for your students and follow-up with progress monitoring and lots of positive reinforcement. Also noted was your attitude which is exceptionally positive about your work, students and co-workers, and frequently adding to situations by rolling up your sleeves and pitching in to be helpful.

Thank you so much for your effort and attitude.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Miller', with a large, sweeping flourish extending to the right.

Tim Miller

February 13, 2020

Heather Schrauth

Dear Heather,

This is to express our appreciation and recognize your work on behalf of Darby School District students and staff.

Your supervisors commented on how well you follow-through with suggestions and coaching. Additionally, it was noted how you readily share ideas and resources with co-workers. In essence, you are regarded as a hard worker with kids and staff - full stop.

Thank you so much for your strong performance and dedication to your profession.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Miller', with a long horizontal flourish extending to the right.

Tim Miller

February 14, 2020

Ashley Fuchs

Dear Ashley,

This is to express appreciation and recognize your work on behalf of Florence-Carlton students and staff. I have received constructive comments from your clinical supervisors and school personnel and want to pass them along to you.

Your positive attitude and support to take on additional students in rebalancing the caseload among the district's two CSCT teams was accommodating and beneficial for optimum services to students. Furthermore, your involvement in team meetings and staff trainings has been most helpful. This ranges from your active support in team meetings to your feedback and support to school staff during the August PIR training on CPI.

Thank you, we appreciate your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Miller', with a large, sweeping flourish above the name.

Tim Miller



### **YOU BE THE JUDGE: Did 35% reduction in struggling student's service hours violate IDEA?**

A student with multiple disabilities had an IEP that called for 20 hours of specialized instruction each week. The student made no progress in reading or writing and only minimal progress in math. After the parent told the IEP team she wanted the student to have more exposure to nondisabled peers, the team decreased the student's special education services to 13 hours a week. The student's academic performance declined under the amended IEP.

The parent alleged that the District of Columbia denied the student FAPE by offering an inadequate amount of specialized instruction. The district argued that the IEP team reduced the student's service hours to provide more opportunities to interact with nondisabled peers as the parent had requested.

The IDEA states that IEP teams must consider the parent's concerns, as well as the student's academic, developmental, and functional needs, when developing the student's IEP. 34 CFR 300.324 (a)(1).

**Did the district err in decreasing specialized instruction based on the parent's desire for more inclusion? Click on an answer below to see how the independent hearing officer found.**

**A. No.** The team based its decision on the parent's concerns about the student's exposure to nondisabled peers.

**B. Yes.** The student's lack of progress under the previous IEP indicated that a reduction in service hours was inappropriate.

Correct! Because the student did not make appropriate progress with 20 hours of specialized instruction each week, the team should have known that 13 hours would be inadequate. *District of Columbia Pub. Schs., 120 LRP 190 (SEA DC 10/23/19)*.

It's true that district team members must consider a parent's concerns when developing an IEP for a student with a disability. However, they must ensure that the proposed program meets the student's academic, developmental, and functional needs and is reasonably calculated to allow the student to make appropriate progress.

The IHO in this case explained that the District of Columbia erred in prioritizing the parent's concerns about exposure to nondisabled peers over the student's demonstrated need for specialized instruction. "[G]iven the Student's lack of progress in reading and writing, and low levels in mathematics, it was inappropriate to cut the Student's specialized instruction hours," the IHO wrote.

**C. No.** The reduction in service hours was necessary to ensure the student was educated in the least restrictive environment.

*Editor's note: This feature is not intended as instructional material or to replace legal advice.*

*Amy E. Slater, Esq., covers special education legal issues for LRP Publications.*

**January 24, 2020**

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