NEW MONOGRAPH FOCUSES ON “CAPSTONE EXPERIENCES”

The CAS High School Professional Studies Committee has just published its most recent monograph, "Moving Towards Secondary School Reform: Programs to Engage Seniors." In keeping with one of the key objectives of the state board of education's recently adopted reform proposal, "The Connecticut Plan: Academic and Personal Success for Every Middle School and High School Student," this year's monograph highlights "capstone experiences" that currently exist in sixteen Connecticut high schools.

The state's reform proposal underscores the importance and necessity of engagement, of providing students with alternative educational experiences that are unique, self-directed and stimulating. It outlines the expectation that all Connecticut students

continued on page 6

WRITING THE BOOK ON EDUCATION LAW

Attorney’s latest volume updates special ed, discipline trends

By DOUGLAS S. MALAN

Thomas B. Mooney was there in the 1960s and 1970s when fundamental changes in education law provided more rights to students and helped define the relationship between students and their schools.

Gender equity, disabled students’ rights to an education, and the confidentiality of students’ records were among the issues addressed by lawsuits and legislation. At the time, Mooney, who is chair of the School Law Practice Group at Shipman & Goodwin, was just beginning his legal career in a practice area that was in its embryonic stage.

His firm was representing eight school boards in the state, and he first jumped into special education hearings regarding the quality of education provided to disabled children.

“I realized there was this evolving area of law that no one knew about,” Mooney said. At that time, “the changes [in education law] were revolutionary and now they’re incremental and continuing.”

Mooney keeps educators and school officials abreast of developments in the field of education law through “A Practical Guide to Connecticut School Law,” which he has authored since the first edition was published in 1994. The sixth edition came out late last month.

At 595 pages, the latest edition is more than 200 pages longer than the first book. Mooney has updated the book’s seven chapters: school board organization, authority and responsibility; religion and the schools; teacher employment, evaluation and dismissal; students; special education; collective bargaining; and the obligations of school boards as employers.

Technological advances have created a host of legal issues involving online student-to-student bullying in recent years and also have raised questions about students’ free speech rights off campus. And there’s also a brewing debate about in-school versus out-of-school suspensions that led the General Assembly to pass legislation requiring suspensions to be served at school.

Mooney now represents 80 of 156 school boards in the state, and the demands on schools have increased, as have the potential legal issues, because of what he called “a fundamental societal shift.”

No longer do families, churches and charities support schools as they once did, Mooney said. “Those institutions look to government to help solve problems and legislators look to schools as vehicles to solve problems. It’s a real challenge, especially in difficult economic times.”

Special Education

Mooney has moved away from special education hearings and now focuses his practice on labor negotiations, teacher tenure proceedings and student disciplinary matters. But special education hearings represent the majority of work handled by education lawyers.

Forty percent of all money spent on school law is in this area, Mooney said.

“Special education seems to be more and more the overriding issue in our practice,” said Michelle C. Laubin, a partner of Berchem, Moses & Devlin in Milford who represents school districts. “The realm of student discipline is so vastly overshadowed by special education litigation.”

Laubin said such cases are keeping lawyers on both sides busy because parents are becoming more aware of their rights

continued on page 6

Congratulations to CAS’ 2009 Assistant Principals of the Year

CANDACE MORELL
Middle School Assistant Principal of the Year

TIM SALEM
High School Assistant Principal of the Year

See story page 7
LEGAL MAILBAG
By Attorney Thomas B. Mooney, Neag School of Education, University of Connecticut

Editor’s Note: Legal Mailbag is a regular feature in the CAS BULLETIN. We invite readers to submit short, law-related questions of practical concern to school administrators. Each month we will select questions and publish answers. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: <legalmailbag@casciac.org>
New Hampshire, Rhode Island, Vermont, and Maine are joining forces to significantly change the face of high school education to reflect 21st century teaching methods and the skills students need to succeed in and out of school. The states received $1 million from the Nellie Mae Foundation and the Bill and Melinda Gates Foundation to create the New England Secondary School Consortium. The consortium was created to prepare graduating high school students for college, career, and civic responsibility by 2016 through the improvement of graduation rates, decreased dropout rates, increased number of students going to 2- and 4-year colleges, reduced need for remedial education in the first year of college, and collaboration with higher education to ensure more students graduate from degree programs. The consortium will be led by each state's education commissioner. (Source: www.newenglandssc.org.)

In a trend not seen since the deep recession of the early 1980s, state spending on government programs is declining this budget year—a very bad sign for K-12 education. That's the dire economic news from the semiannual fiscal survey of states released in December 2008 by the National Governors Association and the National Association of State Budget Officers. Together, 36 states face existing budget gaps totalling $30 billion and are already turning to cuts in K-12 education to help close those shortfalls. The $30 billion tally doesn't take into account $3.6 billion cut earlier this year as 13 states made mid-year trims to their fiscal 2009 budgets. Overall, state government spending is expected to shrink by 0.1 percent—a seemingly small amount, but negative growth nonetheless that hasn't been experienced since 1983, when spending shrunk 0.7 percent. Though state policy makers generally try to spare K-12 education in tough budget times, it becomes more difficult in a severe recession because public school funding is usually the biggest single expenditure in state government—20.9 percent of all state spending nationally in fiscal 2008. The next biggest category is Medicaid, the state-federal health care program for the poor and those with disabilities, which encompassed 20.7 percent of state budgets last fiscal year. To view the fiscal survey of states in its entirety visit http://www.nga.org/Files/pdf/FSS0812.PDF.

High unemployment rates and families' proactive efforts to save money have resulted in significantly more students eating lunch at school. According to Saved by the Lunch Bell: As Economy Sinks, School Nutrition Program Participation Rises, a report released last month by the School Nutrition Association, nationwide an average of 425,000 more students are participating in free and reduced school lunch programs. More than three quarters of districts surveyed reported an increase in free school lunches provided, meaning the effects are being felt in districts across the country. The survey of over 130 school nutrition directors from 38 states found that 79% of districts saw an increase in the number of free lunches served while nearly 65% saw an increase in the number of reduced price lunches served over last year. Participation by students paying the full price for school lunch decreased in 48% of districts, reflecting a potential shift in the economic status of many American families. Almost 60% of survey respondents reported an overall increase in National School Lunch Program (NSLP) participation, with over 69% reporting an increase in participation in the School Breakfast Program (SBP) in spite of a slight decline in school enrollment this school year compared to last school year. (Source: marketwatch.com, December 11, 2008)

A report by ACT has found that fewer than 2 in 10 eighth-grade students are on track to be academically prepared for college and that performance in middle school is a leading predictor of college success. The report tracked 216,000 students who took the college entrance exam, as well as the earlier tests given in grades 8 and 10. The 2005 EXPLORE, PLAN, and ACT scores revealed that, on average, only the group of students who met the EXPLORE benchmark in the eighth grade were ultimately ready for college and career by grades 11 or 12. To download the full report, The Forgotten Middle: Ensuring that All Students Are on Target for College and Career Readiness before High School, visit http://www.act.org/research/policymakers/report s/ForgottenMiddle.html.

The Department of Education (ED) has issued final regulations implementing provisions of the final Family Educational Rights and Privacy Act (FERPA). Among other things, the final regulations clarify permissible disclosures to parents of eligible students and conditions that apply to disclosures in health and safety emergencies; clarify permissible disclosures of student identifiers as directory information; and revise the definitions of attendance, disclosure, education records, personally identifiable information, and other key terms. These revisions were needed to implement a provision of the USA Patriot Act and the Campus Sex Crimes Prevention Act, which added new exceptions permitting the disclosure of personally identifiable information from education records without consent. The revised regulations also include two U.S. Supreme Court decisions interpreting FERPA. Some amendments were adopted in response to concerns that confusion over FERPA’s requirements may have obstructed disclosures that could help prevent tragedies like the shootings at Virginia Tech. The regulations were effective January 8, 2009. To view the final regulations in their entirety, visit http://edocket.access.gpo.gov/2008/pdf/E8-28864.pdf

In a detailed look at nearly 30 years of research on how television, music, movies and other media affect the lives of children and adolescents, a new study released in December found an array of negative health effects linked to greater use. The report found strong connections between media exposure and problems of childhood obesity and tobacco use. Nearly as strong was the link to early sexual behavior. Researchers from the National Institutes of Health and Yale University said they were surprised that so many studies pointed in the same direction. In all, 173 research efforts, going back to 1980, were analyzed, rated and brought together in what the researchers said was the first comprehensive view of the topic. About 80 percent of the studies showed a link between a negative health outcome and media hours or content. The average modern child spends nearly 45 hours a week with television, movies, magazines, music, the Internet, cell phones and video games, the study reported. By comparison, children spend 17 hours a week with their parents on average and 30 hours a week in school, the study said. See table (Source: washingtonpost.com, December 2, 2008, by Donna St. George)

<table>
<thead>
<tr>
<th>Kids and Media</th>
<th>Number of studies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Childhood obesity</td>
<td>86%</td>
</tr>
<tr>
<td>Tobacco use</td>
<td>88%</td>
</tr>
<tr>
<td>Sexual behavior</td>
<td>93%</td>
</tr>
<tr>
<td>Drug use</td>
<td>75%</td>
</tr>
<tr>
<td>Alcohol use</td>
<td>80%</td>
</tr>
<tr>
<td>Low academic achievement</td>
<td>65%</td>
</tr>
<tr>
<td>ADHD</td>
<td>69%</td>
</tr>
</tbody>
</table>

Note: conclusions are drawn from 173 studies that examine this link.

Source: Common Sense Media "The Impact of Media on Child and Adolescent Health”
**GAY STUDENT FINDS HIGH SCHOOL “A STIFLING HELL”**

(Editor's Note: This article first appeared in a local Connecticut newspaper in May of 1995. At the time the article was written, the author was a high school student in a privileged, suburban Connecticut community. Thankfully, much has changed in thirteen years. However, I suspect the feelings expressed in this article are true to some Connecticut students even today. References to individual or school names have been removed.)

I walk through these halls every day, slowly working my way towards graduation. I have struggled through my classes just like everyone else. I've pulled a few all-nighters in my time; failed a few tests; aced a few. I've been an average student, I guess. Maybe a little above average. I have a job; and when I'm not studying or working I still find time to get involved in other activities at school. Oh yeah, and I'm gay.

What?! There are gay students at this high school? Well, one of them is writing this article right now. And he is very bruised from the treatment he has received at his school.

I remember my sophomore year, hearing one of my favorite teachers grotesquely mimic the stereotype effeminate male. The lisping and everything. The whole class erupted into laughter. I chuckled, I think. I don't have a lisp; I don't have an abnormally limp wrist; I don't have an earring in my right ear; I don't jump guys in the hallways. No one knows I'm gay except the close friends I have confided in. I doubt that my teacher would have said anything if I were extremely effeminate. I think because there were no obviously gay students in the class, he must have thought there was no danger in offending someone. Well, he did offend someone. Very much. I thought the job of the faculty was to educate us, not to help breed ignorance.

I hear the epithet "faggot" at least twice a day being thrown at someone by the students of this school. Ouch. I doubt anyone knows the true meaning of the term. I will tell you. Hundreds of years ago when witches were being burned at the stake, the homosexuals of the area were all rounded up like cattle and used as kindling for their pyres. The people thought the witches had made them that way. Well, no witch cast a spell on me. But I also never chose to be gay. Why the hell would anyone choose to be ostracized and harassed, misunderstood, defamed? No, I never chose this. If you do the math, out of the appx. 700 students at this high school, there should be about 70 gay students. That seems like a lot to me, and that's excluding the number of probable gay faculty and staff members. Yet, from the way the majority of the administration, faculty and student body act, you'd think homosexuality is something that exists only outside our pure, shiny walls.

I've got a message for you all. Homosexuality exists right in this school. I hear at *** High School there is a Gay/Straight Alliance, a club where not only gay, but straight students and faculty as well can form a dialogue. And what hopefully stems from talking is understanding. That is what we need at this school - understanding.

I hope that there are few truly malicious, hateful people in this school community. But there are a lot of misinformed, ignorant people. This year, I heard a senior make the statement, "There aren't any gay people at ***H.S." Ha.

What can we do to solve this problem of misunderstanding and ignorance? How about a Gay/Straight Alliance? How about some courses like Gay and Lesbian Literature or History? How about getting rid of that table in the large cafeteria with the message "GO HOME LESBIANS" on it? How about stopping those biting jokes in and out of the classroom? How about realizing that some of your friends are probably gay? How about realizing that homosexuality exists within these sterile walls and that, by ignoring or maltreating the issue, you are just slowly killing all the gay students and faculty?

The gay student population in this school is ignored and oppressed. From the moment I accepted my sexual preference during my sophomore year, I realized that this school would be nothing but a stifling hell for me as a gay male. I was suicidal for some time, and still deal with occasional bouts of depression. I feel like ***H.S. thinks homosexuality is some disorder that only "afflicts" people outside this community. Whenever the subject is broached in conversations, it always seems we are talking about "them." But "they" are living and breathing among us every day. "They" are just like us; "they" are us. I wonder what would happen to me if I brought a guy to the prom? Interesting question. Don't worry, I won't. Wake up, ***H.S. You have a gay population, like it or not. One of the greatest crimes a human being can commit is not being true to himself. The school community would have crucified me had I decided to let my sexual preference be known. It has been one of the biggest disappointments of my life to not have been able to be "out" during these years. But acceptance comes in stages, to be sure. It must start with a dialogue between both straight and gay students and faculty. If this is not established, then this school will continue to be enclosed ina burning naivete. The choice is yours, members of the school community. Choose wisely. You're killing me.

---

**Rejection of Gay Teens Linked to Later Troubles**

Gay young adults whose families rejected them when they were younger are more likely to have histories of unprotected sex, illegal drug use and suicide attempts, new research suggests. The findings don't prove that a family's negative reaction to a child's sexuality directly causes problems later in life. But it's clear that "there's a connection between how families treat gay and lesbian children and their mental and physical health," said Caitlin Ryan, a clinical social worker at San Francisco State University and lead author of a study released in the January issue of Pediatrics. Researchers surveyed 224 gay, lesbian and bisexual adults, 21 to 25 years old, in the greater San Francisco area. All the participants were white or Latino. The interviews took place from 2002 to 2005. Findings of the study include:

- More than two-thirds of those who had been rejected by their families said they had tried to kill themselves, compared with about 20% of those who reported the lowest rates of rejection.
- About 46% of those in the most-rejected group said they'd had unprotected sex with a casual partner in the past six months -- nearly twice the rate of those in the least-rejected group.
- Those who reported the most rejection had higher rates of illegal drug use, substance abuse problems and depression. However, people in that group had somewhat lower rates of heavy drinking.

(Source: medicinenet.com, December 29, 2008, by Randy Dotinga)
Congress Expands the Americans With Disabilities Act: How Will This Change Section 504?

The law firm of Shipman & Goodwin LLP issued this “school alert” in response to questions from public school district clients regarding the impact, if any, of the amendments to the ADA on the application of Section 504 of the Rehabilitation Act in the public schools. It is reprinted here with permission. The implementation date for the ADA Amendments was January 1, 2009.

First, both the ADA and Section 504 are broad anti-discrimination statutes that prohibit discrimination on the basis of disability. Despite the fact that the ADA was enacted after Section 504, the language of the ADA tracks most substantive provisions of Section 504. Accordingly, over the years, the courts have interpreted the language of these two laws similarly despite the fact that Section 504 applies only to recipients of federal funds such as public schools, and the ADA is more expansive in its application. For this reason, changes to the ADA are generally likely to impact the interpretation of Section 504.

Second, the amendments to the ADA make only limited explicit changes to the existing language of Section 504. Specifically, the amendments revise definitions contained in Section 504 to explicitly adopt the ADA’s revised definitions for the terms “disability” and “individual with a disability.” This change alone signifies an intent to ensure continued overlap between these two laws. Nonetheless, now that the Amendments to the ADA are effective, most of the remaining statutory and regulatory language of Section 504 have not technically changed. Therefore, the practical impact on Section 504 practices within the school context remains to be seen. As stated, however, because these two laws have historically been interpreted in the same manner, we recommend that school districts review the coming changes to the ADA in order to anticipate the practical impact these changes may have on Section 504 as it applies to schools.

Third, the new law significantly expands what a “major life activity” is under the ADA. Individuals suffering from certain relatively common afflictions, such as insomnia, dyslexia, stuttering and attention deficit disorder, will now, statutorily, be considered disabled. Please remember that the list of major life activities has never been exhaustive. Additionally, the Amendments make clear that an individual may be disabled even if he or she has a condition that is controlled by medication, physical aids, or similar ameliorative measures other than eyeglasses or contact lenses. Further, episodic conditions or conditions in remission will be considered disabilities if the conditions would substantially impair a major life activity when active. These will be significant changes for school teams considering eligibility issues.

Congress has instructed the Equal Employment Opportunities Commission (“EEOC”) to revise its interpretive regulations to address the amendments in the employment context. The OCR has indicated that it is also reviewing the changes to the ADA to evaluate the effect, if any, these changes may have on Section 504 in the school context. We therefore hope to receive interpretative guidance in the near future. In the meantime, however, neither schools nor employers have been given formal guidance on how to implement the amendments in their respective institutions. Until the EEOC and/or the OCR provide guidance on the implication of this new law on our schools, we recommend that school districts take the following steps:

- Maintain current procedures for identifying students as eligible under Section 504. Specifically, Section 504 teams must continue to engage in an individualized discussion concerning whether a student has a physical or mental impairment that substantially limits one or more major life activities.
- As a practical matter, school districts may wish to amend their forms to alert Section 504 team members to the definitional changes for “major life activity” and the minor changes to the terms “disability” and “individual with a disability.”
- Section 504 teams should continue to request updated documentation of a student’s disability to ensure that teams have conducted a complete, thorough inquiry as to the student’s current eligibility status. This thorough inquiry should include an analysis, as appropriate, of the level of the student’s abilities without the use of mitigating measures, such as medication or hearing aids.
- We encourage Section 504 teams to continually review existing 504 plans on a regular basis, and to continue to refer students with medical or other health conditions that may qualify as a disability to Section 504 Teams for appropriate evaluation.

NAESP
NAESP is the premier association for elementary and middle-level school leaders. More than 30,000 leaders across the United States and around the globe proudly identify themselves as NAESP members.

- Full Access to NAESP Award-Winning Publications
Principle magazine and other award-winning NAESP publications, available online and in print!
- Professional Development Opportunities Designed Just for You!
You choose! Online or in-person, NAESP offers many professional development opportunities tailor-made for today’s school leaders. Network with colleagues through blogs, webinars, Principal to Principal and online communities.
- The Security of Legal Protection
NAESP’s Legal Benefits Program safeguards you against unexpected legal expenses and lawsuits. Gain the security that comes with up to $1,000,000 in

continued on page 12
Mooney, continued from page 1

under the federal Individuals with Disabilities Education Act (IDEA), which Congress first adopted in 1975 and has since reauthorized periodically. The law states that disabled students are entitled to an individualized educational program that meets their needs and it’s up to the school district to provide that program.

With the burden on school districts and the law providing attorneys’ fees, Laubin said there’s “a huge incentive for parents to come forward and demand a specialized program.”

Alyce L. Alfano, of Alfano & Klebanoff in West Hartford, focuses her practice on special education, representing parents and students during administrative hearings before the state department of education.

“Parents come to us dissatisfied with what the school system is willing to provide to their [disabled] child,” Alfano said. “Our cases are in districts all over the state. Special education has been a steady practice for a while. There’s certainly no slowing down in that area.”

When parents believe their educational needs aren’t being met, they retain Alfano to advocate for them. Resolutions run the spectrum from obtaining a full evaluation of the student to assess his or her needs to having the school district foot the bill for a student’s transfer to a private school that better accommodates the student. In between, there are also agreements reached that require the school to provide more speech and language programs or more occupational therapy, Alfano said. Typically, disputes are worked over the course of several weeks or a few months.

Last year, 154 of 199 cases that were decided involved settlements between the school district and the family, according to the state department of education. Laubin said that’s an indication of school districts determining that settlements are more cost-effective than litigation involving attorneys’ fees.

When a district also must pay for a student’s relocation to a private school, the costs increase.

Discipline, Free Speech

Other changes outlined in the latest version of Mooney’s book involve student discipline. Schools are now generally required to provide a supervised environment on campus for students who are suspended, rather than sending them home where they may be free to do as they please.

“We’re suspending more students because we don’t have the family support,” Mooney said. “[Schools’] duties have expanded to address this.”

The law’s implementation was postponed from July 1, 2008, to July 1, 2009, because of concerns over the cost of implementation and how to structure the program.

The state’s bullying statute also received an update.

New legislation that was effective July 1 expands the definition of bullying to acts that “are committed more than once against any student during the school year.” The previous bullying statute required the acts to be committed against the same student over a period of time.

Students’ free-speech rights have been front and center, thanks to the case of Burlington student Avery Doninger, who insulted school officials on her personal blog and was removed from her position as class officer at Lewis S. Mills High School. She sought an injunction against the school in order to remain class officer, but she lost her First Amendment battle earlier this year after taking the case to the Second Circuit.

The Doninger case illustrated that the “off-campus and on-campus construct is breaking down,” Mooney said.

Mooney gravitated toward school law after a college professor dissuaded him from becoming a German teacher. He joined Shipman & Goodwin shortly after law school and became one of the firm’s first lawyers dedicated to the area of school law. He soon began teaching the subject matter at the University of Connecticut’s law school and school of education, which he still does, and his book is the textbook of choice in many graduate level courses throughout the state.

He writes the update every other summer and usually spends about 100 hours working on it. He sets up a database on his computer to keep track of important developments.

“As I keep up to date in my practice, every time a case is interesting I put it in the folders,” he said. “My challenge is to keep it manageable because there’s a lot to say about school law.”

The Connecticut Association of Schools is pleased to announce the selection of the 2009 Assistant Principals of the Year! Each year nominations are submitted for the elementary, middle, and high school Assistant Principal of the Year awards. The winners are chosen by the CAS Awards and Recognition Committee, a selection committee consisting of active and retired principals and assistant principals. Congratulations to the CAS High School Assistant Principal of the Year, Tim Salem, assistant principal of Danbury High School; and to the CAS Middle School Assistant Principal of the Year, Candace Morell, assistant principal of Mansfield Middle School. No 2009 Elementary Assistant Principal of the Year was named.

Candace Morell

Though the assistant principal Mansfield Middle School (MMS) for just four years, Morell has had a far-reaching and abiding impact on MMS and on the greater Mansfield community. Highly visible and wholly immersed in the life of the school, she is described by 8th grade teacher Julie White as "an active and vital presence." Morell can usually be found in the corridors, classrooms and cafeteria, always in pursuit of opportunities for purposeful interaction with students, teachers, and parents alike.

Morell is viewed by her staff as a warm and caring leader who has worked tirelessly to build and sustain a school culture where students feel challenged, inspired, confident and connected. Says Morell, "Each day I have the privilege of working with a remarkable group of dedicated and committed educators whose primary focus is engaging and motivating students. Daily we work to develop confident learners who embrace new experiences and accept academic challenges that prepare them for their future success."

While skillfully handling the tasks of student discipline and staff development, Morell has still found time to implement new school improvement initiatives, assist staff in reviewing and revising curricula, and forge critical alliances with local youth agencies. She has streamlined many of the school's day-to-day operations so that more time and resources can be directed to classroom instruction and to meeting the individual needs of students.

Assistant principal of a school where special education students comprise 17% of the student population, Morell has worked with her staff to plan and implement programs to support at-risk students. The X-Block Tutors Program, which involves students from nearby University of Connecticut, and the after-school "Homework Help" program provide MMS students with opportunities for academic enrichment and positive peer relations.

A passionate student advocate, Morell has excelled at making

Tim Salem

Tim Salem is a 15-year educator whose desire to make a difference in the world led him to forsake a promising law career to work in public education. In 1994, after working as a teacher's aide in an in-school suspension program, he took a job as a Social Studies teacher at Danbury High School (DHS), returning to the school district where he himself was educated. Salem was guided by the adage that "students may forget some of what you teach, but they will never forget how you made them feel inside your classroom;" and he inspired his students with what DHS graduate Sabrina Wirth called his "infectious enthusiasm and energy." In 2004, after ten years in the classroom, he became an assistant principal at DHS, the position he now holds.

Nominated for the High School Assistant Principal of the Year Award by Lisa Frese, a drug education teacher at DHS, Salem was chosen by the selection committee for his purposeful leadership and uncompromising dedication to his students and school community. Frese praises Salem for his ability to be both a building manager and an instructional leader. "Tim balances management and discipline with instructional leadership with grace that far exceeds his years of training and experience," says Frese.

Upon learning of his award, Salem remarked, "I am extremely humbled and honored by this prestigious recognition from CAS. Obviously, this award is indicative of the tremendous administrative team of which I am so very fortunate to be a part. As a product of Danbury Public Schools, I must also recognize the numerous educators who played an integral role in shaping my life and my parents whose constant love, care and compassion for others are reflected in my actions."

A man of extraordinary character and integrity, Salem has worked tirelessly to teach his students the values of community service, citizenship, responsibility and respect for others. He has provided many avenues for increasing student sensitivity to the needs of the community and to society at large. A project which best exemplifies what DHS continued on page 8
The simple definition of RTI would be a process of providing high quality instruction and intervention matched to student need, and then frequently monitoring progress to adjust, revise and inform instruction.

Nearly 35 years ago, the U.S. Congress passed the Education of All Handicapped Children Act of 1975 as part of the nation’s evolving commitment to accommodate the needs of all children in public schools. Soon after the passage of this historic legislation, policymakers became concerned about two trends. First, the number of students identified with learning disabilities grew much more quickly and reached much higher levels than expected. Second, the percentages of black and other racial minority students who were found eligible for special education services were proportionally much higher than the population in the U.S.

Both of these trends have continued, and accumulating evidence indicates that special education services have not been as effective as possible. Because of these concerns, many educators and policy makers have suggested that we need alternative methods for determining students’ eligibility for special education services. With the tremendous rise in special education numbers, a new and better approach has to be implemented.

One alternative approach - Response to Intervention (RTI) - has received increased attention since its inclusion in the most recent reauthorization of federal special education law. RTI is a three-tier prevention model and helps ensure that all students have equal educational opportunity. Middle School Best Practice has always focused on ensuring success for every student, not just most students. The teaming approach found in middle schools is perfect for implementing RTI. Teaming offers students the atmosphere where their intellectual and interpersonal development can thrive. RTI is a vehicle that can help both staff and students find the right path for success.

The three tiers of RTI are broken down as follows:

- Tier I - all students receive general instruction and assessment - they are treated equally within the regular education setting. (researched based, best practice instruction)
- Tier II - for students who have not achieved at the expected level in Tier I, selected specialized activities and assessments are put into place. An example of Tier II intervention is providing 30 minutes a day of additional math or reading instruction for those students who have not made grade-level benchmarks.
- Tier III - for students who still struggle even after experiencing the levels of Tier I and Tier II, the school then takes steps to determine whether a student has a disability that requires special education. At this stage, the school conducts a comprehensive evaluation of the student’s skills, including the data from Tiers I and II. This is done to determine why a student’s performance is significantly different from that of other students of his or her age and grade and to decide what additional instructional supports the student needs.

Why is RTI important for middle school students?
RTI is for any struggling learner or any child that is not making the expected and adequate progress through the core curriculum. RTI provides mechanisms by which students can receive supplementary instruction without the stigmatizing effects of a disability label. Under prior special education laws, students had to show a deficit (such as mental retardation or a specific learning disability) to qualify for specialized instruction. The process to become eligible for special education services under the old laws was time-consuming and often meant that a student must “wait to fail” before receiving additional instructional support.

The key is that schools/teachers first provide researched based instruction in the general education setting, effectively adapting teaching strategies for those students who are unsuccessful with these methods. All this needs to occur before considering them for special education placement. Many teachers have used this approach in their classrooms for decades by differentiating their instruction to the need of their students. It is on this effective teaching practice that RTI is based. RTI is a strong, diverse tool that has been put into a model for staff and school districts to follow to better help struggling students, eliminate labeling, and help decrease the rising enrollment requiring special education services.

Between implementing the strategies of RTI and the teaming approach found in middle schools, students receive both the attention of a group of concerned adults and the individual attention of one teacher. Combined with the best practice steps (RTI) students gain the confidence and skills necessary to better succeed in school. In the end, it is the right thing to do for those students who would perhaps otherwise fall through the cracks.


Dennis Duquette is the Superintendent at Poland, Minot, and Mechanic Falls SAU #29 in Poland Maine and is a board member of NELMS and a former middle level principal.

Robert C. Spear Ed.D. is the Executive Director of the New England League of Middle Schools, Topsfield, Massachusetts.
The Connecticut Association of Schools, Elementary Division, held its 15th Annual Program Recognition Banquet on November 24, 2008 at the Aqua Turf Club in Southington. Sponsored by Horace Mann Insurance, the theme for the evening was “Celebration of Connecticut Elementary Schools’ Success.” The evening publicly acknowledged exemplary programs and dedicated staff that have brought about significant school improvement, promoted school success or have had a positive impact in their schools.

Mr. Geoff Fox, weather center director for Action News 8 served as master of ceremonies providing live weather broadcasts with principals and teachers during the dinner and making the rounds, greeting and meeting all in attendance. Connecticut State Department of Education Commissioner Dr. Mark McQuillan was the guest speaker and also presented the Elementary School of The Year Award to Elmer Thienes-Mary Hall Elementary School in Marlborough with Principal Lorraine Giannini accepting. Renata Lantos, CAS Elementary Level Chairperson, presented Marilyn Brenning, a teacher from Hayestown Elementary School in Danbury, the CAS Exemplary Elementary Educator Award for 2008-2009, and also presented Bruce Lazar, principal from Chalk Hill School in Monroe, with the Elementary Level Outstanding First Year Principal Award. A multimedia presentation recognizing each school and the honorees in attendance was shown, followed by each principal presenting his or her honorees with the program recognition plaque. Photos for each school were supplied by Grynn & Barrett Studios, the official photographer for CAS.

Special thanks go to the committee members for their thoughtful planning and arrangement of this special evening. Committee members: Dale Bernardon, principal of McKinley School in Fairfield, Rosie Vojtek, principal of Ivy Drive School in Bristol, Renata Lantos, principal of Bielefield School in Middletown, Jocelyn Poglitsch, assistant principal of John B. Sliney School in Branford, Paul Sinicrope, principal of K.H. Ryerson School in Madison, Gina Vance, assistant principal of Gideon Wells School in Glastonbury and Kent Hurlburt, principal of Naubuc School in Middletown. CAS provided all member schools with a souvenir booklet of the programs honored at this event and each school also received a plaque of recognition.

All CAS member schools will have access to the information on all the programs through the CAS website in the elementary section. Next year's Elementary Program Recognition will be held on November 24, 2009.

Many thanks to our corporate sponsor, Horace Mann, without whose generosity this event would not be possible.

Carnival - A Celebration of the Arts
By Lou Pear, Assistant Executive Director

On February 2nd and 3rd, 2009, we will celebrate the artistic talents of our elementary school artists. Save the date, as the Aqua Turf is transformed into a center for the arts!

Students will be welcomed with colorful decorations and clowns who paint faces and make balloon sculptures. There will be a team of caricaturists drawing student portraits, and a quiet corner for our visual artists. We will also celebrate the art of dance by inviting students to get up and dance and celebrate.

Students will be formally honored for their artistic talent, and we will conclude the evening with an artistic performance by Brazilian drummers, dancers, and acrobats. Did I mention that there will be a buffet for all to enjoy?!
UNIFIED SPORTS®:
Developing Confidence - One Tournament at a Time
By Lou Pear, Director of Unified Sports®

All one has to do is observe the interaction between the unified athlete and the partner after a goal is scored, a basket is made or a race is finished. The smile, the high five or the thumbs up speaks volumes. In our recent fall soccer and the upcoming basketball tournaments we have and will continue to focus on physical development, teamwork and social confidence. It is this confidence that is so very important to the success of our tournaments and the stature of the athlete, partner and coach. Through the concerted efforts of these three stakeholders, social skills are being reinforced and a special bond is strengthened each time the players take the field or the court.

Confidence building is an ongoing process where coaches stress the interaction among their players during practice, in school, at the mall and during tournament play. It is during this high level of nurturing and sense of caring for one another that our athletes show their appreciation, affection and true spirit.

Confidence is also observed in the oath each athlete, partner and coach recite at the beginning of each tournament. "Let me win; But if I cannot win; Let me be brave in the attempt".

For forty years, since Unified Sports® was founded, the lives of people with intellectual disabilities have improved and in turn touched the lives of those who are confidence builders. A heartfelt thank you goes out to all who make a difference in the lives of the Unified Sports® family and may you all enjoy a Happy and Healthy New Year.

CONNECTICUT COMMENDED AT NATIONAL CONFERENCE OF HIGH SCHOOL ATHLETIC DIRECTORS
By Ray DeAngelis, CAAD President

The 39th Annual National Conference of High School Directors of Athletics was held at the San Diego Convention Center and the Marriott Hotel Marina in San Diego, CA from December 12-16th. The National Federation of State High School Associations (NFHS) and the National Inter-scholastic Athletic Administrators Association (NIAAA) along with the California State Host Committee all partnered to provide a truly outstanding program of events for athletic administrators from all over the country plus Canada.

The Connecticut delegation was comprised of about 20 athletic directors and several of their spouses (see photo below). Fred Balsamo, CAAD executive director, and Paul Hoey and Joe Tonelli from CAS-CIAC were also in attendance.

Almost 1800 athletic administrators were able to attend professional development workshops, take leadership training courses (LTC’s), visit exhibitors booths, honor fellow athletic administrators and be inspired by excellent motivational speakers.


As CAAD President, I was welcomed to the NIAAA state presidents’ meeting. Once again the NIAAA commended our state for maintaining a 100% level of NIAAA membership for the 2007-2008 year. Connecticut’s membership rating was 112% and it was the 13th year in a row that we have received this elite recognition.

As a first time attendee, I was able to meet and hear Robert Kanaby, head of the NFHS, and Bruce Whitehead, head of the NIAAA. Both organizations work together to enhance the leadership skills of athletic administrators. As a Section 1 delegate to the NIAAA business meeting, I was able to see first hand the inner working of our national association.

continued on page 12
TOP & BOTTOM 10 MOMENTS IN SPORTS, 2008

The Positive Coaching Alliance annually releases a list of the best and worst behavior in sports from pee-wees to the pros to stimulate discussion among parents, coaches, players and educators about the proper place of athletics in the education of our youth.

TOP TEN MOMENTS

10 A little-known basketball player parlaying the life lessons he learned while playing for PCA Trainer Chris McLachlan at Hawaii’s Punahou High School into a successful U.S. Presidential campaign.

9 With the USC football team facing an NCAA-mandated loss of a timeout for restoring the tradition of wearing home jerseys at the rivalry game with UCLA, UCLA Coach Rick Neuheisel volunteers to burn a timeout to even the playing field.

8 At the expense of a potential playoff berth, Kirtland Central (NM) High School girls soccer coach Danene Sherwood blows the whistle on her own team, which officials erroneously deemed victorious after granting Kirtland extra attempts in sudden-death penalty kicks.

7 Fans of the NHL’s Minnesota Wild flood the team with e-mails of protest after the team signs Chris Simon, suspended eight times in his career for such deeds as stepping with his skate upon the prone leg of an opponent, taking his stick to the head of another and uttering on-ice racial slurs against a third.

6 Olympic swimmer Dara Torres asks officials to delay the start of a 50-meter race to give a competing swimmer time to change out of a ripped swimsuit.

5 Myron Rolle, a starting safety for the Florida State University football team, earns a Rhodes Scholarship, choosing to attend a final interview for the honor even at the expense of missing the first half of a critical conference game against Maryland.

4 Green Hope (NC) High School cross country coach Michael Miragluelo leads the state’s third-ranked boys team and second-ranked girls team, while keeping 205 runners in his program, including a hearing-impaired runner with cerebral palsy, who has cut five minutes off his time.

3 Tip-off of the NBA Finals between Phil Jackson’s Lakers and Doc Rivers’ Celtics, a championship series featuring teams coached by PCA National Advisory Board Members.

2 Despite his status as a starter on the Washington State University basketball team, Taylor Rochestie gives up his scholarship so the Cougars can award it to a needier player.

1 When Western Oregon softball player Sara Tucholsky is injured rounding the bases after her hit clears the fences, opponents from Central Washington University, Mallory Holtman and Liz Wallace, carry Tucholsky around the bases, to complete her home run at the possible expense of Central Washington’s playoff hopes.

BOTTOM 10 MOMENTS

10 Former Philadelphia Phillies and Chicago Cubs pitcher Mitch “Wild Thing” Williams lives up to his nickname by cursing officials at his daughter’s fifth-grade CYO basketball game, leading the director of officials to say that if Williams “enters the gym...we will stop officiating.”

9 Suburban Portland, OR, sheriff’s deputies rush to a sixth-grade girls basketball game that nearly turns into a riot after a coach is ejected, slams his clipboard, cutting a player, and threatens a 17-year-old referee.

8 A minor league baseball brawl between the Peoria Chiefs and Dayton Dragons is lowlighted by a player attempting to throw a ball into the opposing team’s dugout, instead striking a fan, who was taken to the hospital.

7 On the same court that hosted the infamous Pistons-Pacers brawl, the highest-profile women’s sports brawl in U.S. history breaks out between the WNBA’s Detroit Shock and Los Angeles Sparks.

6 A 7-on-7 summer exhibition football game between two of South Florida’s top high school teams, Pahokee and Miami’s Booker T. Washington, devolves into a brawl, resulting in the hospitalization of a coach.

5 A Georgia high school baseball catcher is caught on video ducking under a pitch so that it smacks the mask of the umpire with whom the catcher was arguing.

4 In a post-game handshake line, a St. Louis-area youth football coach is caught on video violently shoving the face mask of an 11-year-old opponent.

3 Angered by an official’s call in an Olympic-medal taekwondo match, Angel Matos demonstrates his superior skill by kicking the official in the face.

2 In a dispute over playing time at a game for seven- and eight-year-olds, a Lubbock, TX soccer dad aims his gun at his daughter’s coach’s husband.

1 A Chicago high school volleyball coach is caught on video paddling players in practice for their on-court mistakes.

Sportsmanship on display in CIAC football tournament

The following email was sent to Joe Tonelli, director of the CIAC Officials Association, following the Class MM semi-final football game between Hillhouse and Darien.

>On behalf of the Central Connecticut
>Association of Approved Football
>Officials (CCAFO) referees who
>officiated the 2008 football state
>playoff game between Darien and
>Hillhouse, I would like to recognize
>the outstanding sportsmanship that
>was demonstrated by all of the
>players and coaches. As we walked
>off of the field after a 2 ½ hour
’intense battle between two of the top
>teams in the state, our first comments
>to each other were about how each
>player and coaching staff exemplified
>the highest level of sportsmanship
>that we had seen all year. Players
>from opposing teams were constantly
>helping each other up after tackles
>along with just an intense effort at
>playing their best. Furthermore, both
>coaching staffs accepted and respect-
ed all of the officiating calls that were
>made and continued to completely
>focus on coaching their respective
>teams.

>Unfortunately one of the teams had to
>lose on the scoreboard but both teams
>won when it came to the reasons why
>we all participate in high school foot-
>ball in Connecticut.

>Thanks,
>Terry W. Mock

>CCAFO Officiating Crew:
>Referee - Terry W. Mock
>Umpire - Greg Habzda
>Linesman - Leo Audibert
>Line Judge - Ralph Tosta
>Back Judge - Marcus Williams
>ECO - Bill McGrath

"Victory is in the quality of competition, not the final score."

- Mike Marshall, former MLB pitcher and shortstop
National conference, continued from page 10

All tolled, the conference provided 30 NIAAA meetings and functions, 29 LTC’s, 225 exhibit booths and recognized 19 outstanding athletic administrators. The highlight of the conference for me was the award presentations. At both the NIAAA luncheon and the NFHS banquet, there was a magnificent video presentation complete with flashing light and booming sound that rocked the room. There were 7 video screens spread around the room that showcased each award winner in a 10-minute tribute. The National Anthem itself was an awe inspiring 8-minute patriotic and up-lifting experience.

While there, we were also able to take in the ambiance of the area. Several AD’s took a tour of the aircraft carrier USS Midway and some of our delegation attended the local high school championship football games. Many enjoyed Embarcadero Park and strolled through Seaport Village and the Gaslamp Quarter.

After attending my first national directors of athletics conference, I am in awe of how passionate ADs are about their jobs and how professional development can improve an AD’s own level of performance. Many ADs have CAA certification and are working toward their CMAA certification. The new ADs are starting their CAA process. At round table discussions, many athletic administrators were willing to share how to solve a problem. All ADs face the same situations. After hearing them talk, I gained a different perspective in solving problems. The networking aspect is outstanding.

If you have never attended a national conference, I would highly recommend going next year to Grapevine (Dallas), Texas December 12 - 15, 2009. The experience will be amazing and the professional growth will be of great benefit to you. Please join me, Lenny "Tex" Corto, AD of New Britain, and the rest of Connecticut in Texas.

National association membership benefits, continued from page 5

individual professional liability coverage and up to $10,000 in legal fees for job-protection defense claims.

• A Powerful Voice on Capitol Hill
NAESP provides strength in numbers as a collective voice on Capitol Hill for elementary and middle-level principals through NAESP’s Federal Relations network and the Leading Educators’ Advocacy Dashboard.

• National Principals Resource Center
Find Resources in the National Principals Resource Center and Shop conveniently for a diversity of products and services in NAESP’s EdUMarket.

NASSP
Open to middle level and high school principals, assistant principals, and other school administrators - building, district, and state. Individual members receive all NASSP benefits. This nontransferable membership is owned by the individual. Individual membership includes:

• Publications
  -Principal Leadership
  -Principal's Research Review
  -NewsLeader
  -Principal's Update
• Principal's Legislative Action Center (PLAC)
• Online assessment and professional development tools
• Online job bank
• $1,000,000 liability coverage
• Up to $10,000 legal fee reimbursement
• $5,000 accidental death policy
• Low-cost life and long-term care insurance
• Principal's Book Club

If you are interested in joining NAESP or NASSP, please refer to the CAS website, www.casciac.org. or call Jenn Sylvester at 203-250-1111.