

FINISHED FILE
ALL RIGHTS RESERVED
ILLINOIS STATE BOARD OF EDUCATION
HEARING ON PUBLIC INQUIRY
MARCH 21, 2018
9:00 AM
CHICAGO, IL

Realtime Captioning Provided By:
EFFICIENCY REPORTING
P.O. Box 134
Wheaton, IL 60187
630.682.8887
EfficiencyReporting.com

* * *

This text is being provided in a rough draft format. CART captioning, Communication Access Realtime Translation captioning, is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings. Any video that has been reproduced in text format is to comply with the Americans with Disabilities Act under the Fair Use Doctrine. This file is not to be distributed or used in any way that may violate copyright law.

* * *

>> NANCY KRENT: Are we ready?

Good morning, everyone. We're resuming the hearing. This is the public inquiry in special ed policies and procedures in the CPS. Just a few quick housekeeping reminders. Please place your phones or our devices on silent or turn them off. Please remember there will be no flash photography because it's distracting to those who will be testifying and those asking questions.

The event is being lived streamed on the ISBE website at www.ISBE.net/publicinquiry. A closed captioning option available at the same site. Beverages are allowed in the auditorium, but food is not. Our host is the Chicago Kent college of law. We thank the law school for allowing us to use this facilities. Also the restrooms are located on the other side of the main stairway, past the elevators.

We will be taking breaks as needed, including lunch breaks.

As a reminder, members of the public and media are welcome to attend but there will be no public comment at any point during the hearing. Our order of witnesses today will be Gregory Volan, Christine Palmieri, Bessie Tsitsopoulos, and Sally Tabatsalis.

Are we ready to begin?

Will you swear the witness?

(witness sworn).

>> NANCY KRENT: Good morning, Mr. Volan.

>> GREGORY VOLAN: Good morning.

>> RICH COZZELA: What we are been doing with each of the witnesses is to give five minutes to make a statement, give us an overview and then we'll go to questioning.

>> GREGORY VOLAN: Thank you. Thank for the opportunity to testify before you today, my name is Gregory Volan, I'm the director of resource management and accountable for the office of dies verse learners and services, I oversee the ODLSS budget process. Over the

last two school year, CPS has sought to encourage principals to plan holistically for the buildings, rather than isolating support for Special Education students from support of general education students, during the 2015-16 school year the district piloted a budget process that allocated dollars rather than positions for Special Education to increase flexibility at the building level.

In other words, rather than designate positions for Special Education teachers and paraprofessional that were funded centrally, these schools were given a specific amount of money to pay for the positions that they needed.

This was consistent with a budget process for general education where schools receive a dollar allocation for student based budgeting and student based budgeting model and have flexible on how to use those funds in the 2016-17 school year the district moved to a dollar allocation model for education. All schools receive special education funds as a dollar allocation which was added to their student based budgeting funds for Special Education. Special Education and general education dollars were combined in one pot.

In practice, that budget year, the 2016-17 school year was challenging for students. First CPS was in bad financial state due to insufficient state funding so school budgets were tight overall. Second, each school's funding for Special Education was based on an amount spent in the previous school year, which was not always aligned to current needs. The allocation was not sufficient, schools had to navigate new appeals process to request more funds.

The ODLSS team determined that changes to the allocation method needed to be made for the current school year, the 2017-18 school year to address these issues, the first major change was to centrally fund all positions force cluster programs, in the 2016-17 school year ODLSS funded the Special Education teacher and in most cases only one paraprofessional for each cluster program. Schools had to use their dollar allocation for all additional paraprofessionals that were needed in the cluster rooms.

In the current school year ODLSS increased the number of paraprofessional given as a programmatic allocation to each cluster program and we also centrally funded all paraprofessional needed for cluster students with dedicated para supports. Schools did not have to use their own funds for positions that serve cluster students who are most often assigned to a school from outside the school's boundary.

The other major change was that funding for noncluster students was based on a school-by-school review of their IEP needs. Schools still received a dollar allocation that was combined with student based budgets funding but the dollar amount was based on the number of special education teachers and paraprofessionals that were needed to serve noncluster students.

The review was based on April 2017 enrollment counts which tended to be higher than the number of Special Education students at the beginning of the year. When the 2017-18 school year began, we did not make any downward funding adjustments due to lower Special Education enrollment on the 10th day. Schools with increased Special Education enrollment could appeal for more resources starting in August, and for some schools ODLSS increased the teacher allocation on our own based on the 10th day counts.

As has been announced by Dr. Jackson CPS decided to move to an

allocation method for the 2018-19 school year where Special Education positions are all funded centrally. Principals will be given positions for Special Education rather than dollars and special education funding will not be combined with student based budgeting funds, this is a change that will best serve principals, schools, staff and students providing transparency and a clear allocation of Special Education services.

So I realize this very high level overview of the budget process, and I'm happy to answer your specific questions now.

>> RICH COZZELA: Thank you very much, Mr. Volan. So what I'd like to start off by doing is just kind of going through some of the things that you've -- you've outlined here, just kind of if I was -- kind of putting myself in the view of being a principal in 16-17 and principal in 17-18, and then principal going forward. Kind of what the differences are from your guide as a principal. I realize it's dangerous to be put in the principal position, but...

>> GREGORY VOLAN: Go ahead.

>> RICH COZZELA: Prior to 16-17, the student based budgeting other than the pilot programs really was not being use today dermal location of Special Education staff at the school; is that correct?

>> GREGORY VOLAN: Correct. So -- right. They were separate and even for the students in the pilot program for the schools within the pilot program the allocations were separate.

>> RICH COZZELA: In 16-17, if I was a principal and when would I get my budget so that I had some sense of in 16-17, when did I get my budget?

>> GREGORY VOLAN: That year we did budgeting late so the principals would have gotten their budget in July.

>> RICH COZZELA: Was there a reason that budgeting was late that year in July?

>> GREGORY VOLAN: Right the reason is that we were waiting to see if there was going to be any action from Springfield or additional funding for the district.

>> RICH COZZELA: Were you also -- that was also the summer that the procedural manual was being updated, is that right, if you recall?

>> GREGORY VOLAN: This is the summer of 2016?

>> RICH COZZELA: Yeah, summer of 16.

>> GREGORY VOLAN: I think that's right, yes.

>> RICH COZZELA: And the -- the review with consultants had been going on the spring before that, the spring of 16; is that correct?

>> GREGORY VOLAN: I wasn't involved in the process, the time frame sounds right.

>> RICH COZZELA: The time frame sounds correct.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: So if I was the principal then and I got my budget in 2016, I would know if I had a cluster that it was an intermediate or moderate, I had one teacher for that that was funded not off of my budget but off of the central office budget, one parapro for that cluster; correct?

>> GREGORY VOLAN: Right. Correct.

>> RICH COZZELA: Related service providers throughout this whole process consistently were paid by the central office, not by the local school; correct?

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: I don't have to worry about funding for a speech therapist, an occupational therapist, psychologist, nurse, and -- there's a couple more.

>> GREGORY VOLAN: Right. That's correct.

>> RICH COZZELA: Okay. Because those are being paid by the central budget.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: And if I have an intensive or severe-profound, sorry, severe-profound cluster, then I'm getting one teacher and two paraprofessionals that year; right?

>> GREGORY VOLAN: That is correct.

>> RICH COZZELA: So then what I have to look at is how many students in my cluster -- first how many students in my cluster either need also a dedicated or shared aide; correct?

>> GREGORY VOLAN: I --

>> RICH COZZELA: In 16-17.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: As I'm looking at my special needs and what I have to do with my budget, after knowing those positions are filled, positions remaining in my budget in 16-17 are any shared aides that are in the cluster program...

>> GREGORY VOLAN: I think the way I'd phrase it is that you'd have to look -- what you need additional paraprofessionals over than the ones assigned to immediately meet the IEP students.

>> RICH COZZELA: In the whole school. Some of those students might be students in the cluster, some might be students not in the cluster.

>> GREGORY VOLAN: Now I'm not sure where you're going.

>> RICH COZZELA: Okay. Let me try it again.

>> GREGORY VOLAN: Okay.

>> RICH COZZELA: So I know that one paraprofessional is being funded in the cluster --

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: If I have a moderate or mild.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: If there are more students in that cluster who need individual aides, I have to pay for them.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: If there are more students in that cluster who have shared aides I need to pay for them.

>> GREGORY VOLAN: Correct, unless they can --

>> RICH COZZELA: If there are more students not in the cluster who need an individual or shared aide I also have to pay for them.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: And if I need additional Special Education teachers to meet the need of the students I also have to pay for them.

>> GREGORY VOLAN: Yes, that would be the noncluster students.

>> RICH COZZELA: Right, noncluster students, correct.

>> GREGORY VOLAN: Yes.

>> RICH COZZELA: And in -- and in addition to that there was a -- could you explain the 4 percent? I know you explained it to us. It was a 4 percent that was taken out of the money allocated to the school...

>> GREGORY VOLAN: Right. So the allocation in the 2016-17 school year was based on the amount spent on Special Education by the school

the previous school year. But that amount was reduced by 4 percent.

>> RICH COZZELA: And the previous school year the school had to be paying for...strike that.

Okay. So if I've got -- spent 200,000 the year before, I have 4 percent of that would be \$8,000 so the amount would have been reduced to 192,000.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: In 17-18 then there were the additional allocation, so that same principal, the same day -- when did the budget come out in 17-18?

>> GREGORY VOLAN: I believe they also came out in July.

>> RICH COZZELA: Okay. So they came out in July. And that year I would know that if I had a cluster, that now two paraprofessionals in addition to the teacher were funded in the mild or moderate.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: Okay. And in the severe, 3 paraprofessionals were funded.

>> GREGORY VOLAN: I would add that was the programmatic allocation.

>> RICH COZZELA: Additionally any other students -- so if a student in a cluster had a shared aide that was being taken care of by downtown, and if a student in the cluster had an individual aide that was being taken care of --

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: And the service providers were being taken care of downtown.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: So then what I would then have to focus on was the funding in terms of my budget from the student based budgeting I'd have to fund those students who were out of the cluster, who needed to share individually.

>> GREGORY VOLAN: That's correct.

>> RICH COZZELA: In 16-17, then, if -- going back now to 16-17, if in 16-17 I as the principal did not believe I had enough -- the appeal could have been I need more -- in any combination of these, I need more aides for my cluster, I need more special ed teachers for noncluster --

>> GREGORY VOLAN: Right.

>> RICH COZZELA: I need more aides for these noncluster students and maybe in some case, in the case of a shared aide, where the -- where student may be -- cluster only needed it in the morning but a student noncluster needed it in the afternoon, figuring out whether or not one of the aides I have could cover both of those and then wherever there was a gap ask for that; that is right?

>> GREGORY VOLAN: I just -- I suppose.

>> RICH COZZELA: In 16-subpoena then I looked at the student based budgeting total and in some cases I had to decide -- strike that. There were certain positions that no matter what besides the Special Education positions that were paid by downtown, principal and two other thing; correct?

>> GREGORY VOLAN: The -- I'm sorry, are you talking about the foundation positions, principal and -- and clerk is part of the student based budget model.

>> RICH COZZELA: Student based -- and then were there certain positions that -- that if I didn't have enough -- believed I did not have enough money, if I was the principal, I should have to look at whether or not I could allocation money from those positions for the

Special Education positions?

>> GREGORY VOLAN: I'm going to ask you to rephrase the question.
Not sure --

>> RICH COZZELA: Sure. Let me try to look at it from another way.
Let me just use an example. For example the assistant principal
position in 16-17. Okay?

There was -- there's criteria that CPS was using at that point about
whether or not a school should be allocated or whether there was a kind
of discretionary position; right?

>> GREGORY VOLAN: So there was a threshold that was given as
guidance for when -- when -- it was appropriate for a school to have an
assistant principal and when -- when you were too small to -- you
should be able to operate without one.

>> RICH COZZELA: Okay. What was the threshold?

>> GREGORY VOLAN: I don't remember the exact number.

>> RICH COZZELA: Around 4 or 5 -- 450?

>> GREGORY VOLAN: Sounds about right.

>> RICH COZZELA: So if I had an assistant principal position and I
was below 400 or 450 I would conceivably look at that and say instead
of an assistant principal position I'm going to use that funding to
fund an aide.

>> GREGORY VOLAN: Right. I mean so --

>> RICH COZZELA: Or explain how that would work.

>> GREGORY VOLAN: So you know, in any year that you had a student
based budgeting, so we -- which we've had since 2013-14 school year,
principals have to decide how to spend their funds; right?

>> RICH COZZELA: Right.

>> GREGORY VOLAN: So it's up to them to decide how many teachers
they are he a going to have, how many -- whether they're going to use
their fundings for additional administrative staff like assistant
principal or for nonpersonnel. In the 16-17 school year the diverse
learner funds were combined with student based budgeting funding. And
principals were directed to plan for Special Education first. And so
you know using the combined funds that they have, they should meet the
needs of students with IEP and then build their general education
program around it.

>> RICH COZZELA: Okay. And in 17-18, the current year, the
principal fund -- principal, principle, of -- not the person --

>> GREGORY VOLAN: Okay.

>> RICH COZZELA: The budgeting principle is -- was again allocate
your special ed positions and needs first and then look at the other
one.

>> GREGORY VOLAN: You said the 17-18 school year?

>> RICH COZZELA: 17-18.

>> GREGORY VOLAN: Yes.

>> RICH COZZELA: Okay. But now with more things being paid for by
downtown.

>> GREGORY VOLAN: Correct. Because you -- because since we are
funding all of the positions needed for your cluster program centrally,
you really only had to focus on the noncluster students.

>> RICH COZZELA: Right. When -- did you make the change from 16-17,
to 17-18 based on feedback?

Let me ask it broader. What were the reasons you made the changes?

>> GREGORY VOLAN: Yes. I mean I think that the way that we did the

allocations in 2016 and 17 just by basing it on prior year spend, it wasn't like -- we weren't looking at the need, specific needs of each school.

And so we changed the methodology so that we could align the allocations with what school was needed. So that's why you know the -- the important change that were made that year is we did a school by school review, looked at the number of Special Education teachers and paraprofessionals that each school would need to meet the needs of their students, and then provide a dollar allocation that would allow them to go in the other positions. So we saw that as an improvement.

>> RICH COZZELA: Okay. Had principals...

In 17-18, then, the appeals from principals were both -- were less about filling -- if I was filing appeal in 17-18 and I was principal, in general my cluster needs should have already been met; right?

By the budgeting.

>> GREGORY VOLAN: So that's correct, you know, other circumstances could change in the cluster program.

>> RICH COZZELA: Right. So if a student came in in the middle of the year, let's say in 17-18, with an individual aide --

>> GREGORY VOLAN: Right.

>> RICH COZZELA: And I didn't -- in cluster or noncluster, so if the student came in with cluster would that automatically be filled or would I have to file an appeal.

>> GREGORY VOLAN: You would have to file an appeal.

>> RICH COZZELA: And if a student came in in noncluster I would have to file an appeal.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: As soon as that student came into the school how would that -- with a need for an individual aide, how would that individual aide be covered when that student came into the school.

>> GREGORY VOLAN: So what happens on the first day, when they come in and -- you know, the school can appeal for more resources, but it's -- you know, but there's timeline. So --

>> MATT COHEN: Can you say that again?

>> GREGORY VOLAN: So like just that -- that I think the question is what happens on the first day when a -- a student with dedicated need comes in but the resource isn't there.

>> RICH COZZELA: Right.

>> GREGORY VOLAN: So one -- one option that the school has is that like they could contact our department and speak with ash ya Lucas in our department and we would try to provide the sub. So if -- so we would try to get a substitute paraprofessional out to that school and -- and you know, we could provide immediate support that way while the appeal process -- while the appeal is going through the process.

>> RICH COZZELA: And do you have data though about how many requests there were for a sub and how many were granted?

>> GREGORY VOLAN: I wouldn't -- I haven't -- we may have information, but I haven't seen it.

>> RICH COZZELA: Okay. And if a student was moving from in the 17-18 year from a cluster, which was had an individual aide was funded and wanted to go to a -- not wanted but was found to be appropriate to move in a classroom that was less restrictive, would the aide from the cluster follow him or her to the new classroom, or would the principal have to -- in essence lose that aide when the student left the cluster

and then have to apply for an appeal?

That's assuming it was the same school.

>> GREGORY VOLAN: So if it's the same school, I mean the reality is that we allocate positions. We don't really know how principals use them. Right?

So we can allocate three paraprofessionals for a cluster room and three paraprofessionals for a noncluster students. How the principals actually use those resources is, you know, not something that we're really going to have visibility.

>> RICH COZZELA: If student X was in the cluster and individual aide and moved to a lesser restrictive setting in the same school you would have no way of knowing whether that individual aide followed that student from the cluster to the less restrictive environment.

>> GREGORY VOLAN: Right. And it's likely the student would still be at the school.

>> RICH COZZELA: But if the student had to go back to a neighborhood school, to the neighborhood school, would that aide then follow the student back to the neighborhood school?

>> GREGORY VOLAN: It wouldn't work that way. The -- so the school that's receiving the student would either be able to meet the need with the resources they have, or if they were not able to then they would appeal for additional paraprofessional. When we're reviewing that we would see that the student came in at a need for -- say a dedicated paraprofessional in this case, we would check back to see what school like -- where the school -- where the student transferred from. And so we'd look to see could we close the dedicated paraprofessional position there. But in many cases like -- so we wouldn't just close the position, we wouldn't look at the needs of that school at that time, and in many cases we wouldn't close the position because of, you know, that school has new students with different needs and position would be the same.

>> RICH COZZELA: Right. And then while the student moved to the new school, you'd be -- that school could apply for a -- well the new school is waiting to get the new individual aide, if the aide did not go with the student.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: That school would then appeal for a full-time aide and then could also ask for a sub. A substitute.

>> GREGORY VOLAN: That's correct. But we do not transfer paraprofessional positions across schools.

>> RICH COZZELA: Okay. In the book to your...right, pull it out, Page 2923 from CPS.

>> GREGORY VOLAN: CPS?

>> RICH COZZELA: Yeah.

>> GREGORY VOLAN: Okay.

>> RICH COZZELA: This is 2923 and just before it on Page 2921 looks like almost the identical -- it's an appeal from a school Emmet Till on the Chicago's west side.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: And in the -- so the principal in that one and the principal's justification, the principal said we have two upper grade students who need individual -- is the word that the principal uses -- who need individual paras in that same classroom, two additional students who need a shared, so then in -- that would be in the -- in

the upper grade that would be two individuals plus one, that needs a shared, so that's three so far. I then have an intermediate classroom where two students need an individual para and two students need a shared para, that's another three. So that's a total of three there and additionally I have a K-4 classroom where two students required shared, so that's an additional, seven. He or she said we only have two paras in my building. And then the networks chief -- the network's chief recommendation, so in the 16-17 appeal process first it went to the network chief and then to the appeals group, correct.

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: So they needed seven, the network chief agreed and then the decision ultimately was that the appeal was denied, they had underspent 54,000 in the -- had not expend its entire first learner allocation and they had -- that school had an assistant principal, was below the threshold and they could use some of that money. And it was denied. Is that right?

>> GREGORY VOLAN: Yeah, I mean that's what it says here. Yes.

>> RICH COZZELA: Okay. And the -- and that's -- is that an example of one of the problems that you encountered in terms of both the economics and what the challenges of the school were?

You had a school who said I've only got two -- the school originally only had two parapros. And I need 7 to meet the needs of the IEPs. And yet the appeal was denied. Is that kind of an example of the problem?

>> GREGORY VOLAN: So first of all the way I'm reading this is they have two and they need -- they may be seven students that require paraprofessional support, but the request was for one more para, not going from two to seven pairs.

>> RICH COZZELA: Actually they requested two; right?

>> GREGORY VOLAN: I believe they requested -- the chief recommended one additional para. But -- okay. So I just was asking that for clarification. But the question that you have is...

>> RICH COZZELA: Was that an example of the kinds of problems you were running into in 16-17 that were made any better by the changes you made in 17-18?

>> GREGORY VOLAN: I'm not sure I would character advertise this as a problem.

>> RICH COZZELA: Okay.

>> GREGORY VOLAN: So the way that I'm reading this, this decision, like the school was given an allocation of funds for Special Education which was combined with general education. Then the school did not -- when you looked at the amount that the school like -- how did like this school plan for their Special Education needs, they did not even open positions that equalled the amount that was allocate Special Education. The school has the need for additional para and should be able to manage with the resources it already has.

>> RICH COZZELA: I'm going to ask you about one thing now that's not covered by the budget process. And that's a -- just something called the HSNP report. Are you familiar with that?

>> GREGORY VOLAN: Yes.

>> RICH COZZELA: Okay. And this I just want to make sure that we understand -- had a little discussion about it yesterday. 3130 in the...3359.

3359. If you look at it, 3359 is a copy of the 2018, the document

called the hm compliance report; is that right?

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: Could you just run just through what the columns mean so that we all kind of have a shared understanding of that?

>> GREGORY VOLAN: So you know I'm familiar with this report but I don't really use this report my self, so I'm not sure I'm the best person to speak about this.

>> RICH COZZELA: Well that -- that -- I mean, if you know what the columns mean, fine. If you don't, then you're not the right person to ask this.

>> GREGORY VOLAN: I mean...what I can give you -- what I know, I'm just not 100 -- I wouldn't be confident that I'm -- that it's exactly right. You know.

>> RICH COZZELA: No, then that's fine. Okay. Thank you. The.

>> NANCY KRENT: I have a couple questions as well. I want to start by following up on a couple things you said.

>> GREGORY VOLAN: Sure.

>> NANCY KRENT: When you talked about the changes from 16-17, 17-18 school year, you said we wanted to look at the actual needs at each school.

>> GREGORY VOLAN: Right.

>> NANCY KRENT: Can you explain who we is?

I wasn't sure who the we was.

>> GREGORY VOLAN: I guess on a podium -- I mean, so...I guess -- I mean I would say ODLSS but I mean we're -- our department is the one that's responsible for determining the allocations for Special Education and students in the district.

>> NANCY KRENT: So who was -- I guess at some point there was a meeting and people sat around a table and said that system didn't work so well, what can we do to fix it. Or you sent around memos or somehow you all communicated with each other; right?

>> GREGORY VOLAN: Right.

>> NANCY KRENT: Who was in that communication? You obviously were.

>> GREGORY VOLAN: Right.

>> NANCY KRENT: Who did you talk to.

>> GREGORY VOLAN: I would say so -- you know, Liz Keenan was -- and I were figuring out the budgets for you know, for schools for fiscal year 18. We were -- and so I don't remember exactly how it worked, but we like -- at some point we would have proposed this method for juvenile special educational locations, and then somehow it was presented to seen your leadership and then it was signed off on.

>> NANCY KRENT: But so far as you were involved, your conversations were with Dr. Keenan, and you and she worked out something that you felt was going to work better, and then she obviously being more senior was the person who then took it up -- upstairs, so to speak.

>> GREGORY VOLAN: I mean -- yes, it would happen something like that.

>> NANCY KRENT: Okay. Thank you. And then when you were describing the process of allocating paraprofessionals to the cluster program, what you said were then allocated more fully in the 17-18 school year.

>> GREGORY VOLAN: Right.

>> NANCY KRENT: You then said -- as I understand, you calculated how many paraprofessionals the cluster program needed but then you just assigned those paraprofessionals to the building, with the -- was it

with the expectation that they would be assigned to the cluster program, or with the requirement that they be assigned to the cluster program?

>> GREGORY VOLAN: I like like their -- so their -- I mean like so the expectation is that they're needed for the cluster program, would be used in the cluster program.

But I -- you know, but I -- I just...and so like they're allocated to the school for that purpose. Like whether they're used in that way, I just -- I don't know.

>> NANCY KRENT: Okay. So if I have -- if I'm the principal and --

>> GREGORY VOLAN: Right.

>> NANCY KRENT: And I see the ODLSS is sending me three paraprofessionals --

>> GREGORY VOLAN: Right.

>> NANCY KRENT: Because they think that -- it would be good to put those three paraprofessionals really should be in the cluster program but I'm thinking, yeah but I've got this other kid in 5th grade, he's not in the cluster program but I -- but as far as I'm concerned, he really needs the aide more than that kid in the cluster program; so for half the day I'm going to take the aide out of the cluster -- the paraprofessional out of the cluster program and send the aide to 5th grade.

Is that within the discretion of the principal to do? Or is it something --

>> GREGORY VOLAN: It's a hard question to answer.

>> NANCY KRENT: Okay.

>> GREGORY VOLAN: It's possible that that happens, but there -- I wouldn't say it's within the discretion of the principal to not meet the needs of a student, you know, to -- and take a resource from one place and move it to another place. If it's not -- if -- if it -- if it means that student -- if the student needs aren't being met.

>> NANCY KRENT: Okay. Thank you. I want to talk a little bit more about specific appeals. I want to start by -- so in your affidavit you talked about the -- you said that one thing you noted was that there had been inconsistent is in the decision-making process in the appeals in the 16-17 school year which you said why you had changed the process. Or why you were in the process of changing it for the coming year. Your affidavit mentioned inconsistencies in the decision-making process.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: Can you elaborate on what you mean by inconsistencies in the decision-making process?

If you want me to refer you to your affidavit.

>> GREGORY VOLAN: Yeah, actually I would like to see that again.

>> NANCY KRENT: Sure. Your affidavit is -- I apologize. My papers are starting to get a little scattered. Your affidavit should be at -- that would be CPS document, I believe it's -- one second.

>> NICKI BAZER: I can tell you.

>> RICH COZZELA: You've got it?

(Document tendered to the witness).

>> GREGORY VOLAN: Do you know which paragraph you're at?

>> NANCY KRENT: Trying to find the phrasing. I apologize. I don't -- I don't have the phrasing. Why don't we come back to that question. We're going to look for that particular language.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: I know it's in there, but I don't want to take my time to do that, while I -- I'll move onto the next question.

You also stated -- you also were attesting to some of the narrative responses, one of the narrative responses said that in the 16-18 school year almost half of the appeals that were made were resolved by the network chief.

>> GREGORY VOLAN: Correct.

>> NANCY KRENT: You remember that information? Does resolved mean deny?

>> GREGORY VOLAN: I mean, yes and in the sense that it hasn't been forwarded to the committee to review.

>> NANCY KRENT: Also in the sense that the principal wasn't getting any more money.

>> GREGORY VOLAN: Correct.

>> NANCY KRENT: Okay. All right. And I know that in the 17-18 school year many more appeals came to the committee. Was a different directive given to network chiefs in the 17-18 school year about what to do with appeals?

>> GREGORY VOLAN: Not that I know of.

>> NANCY KRENT: So what explains the difference between 16-17 and 17-18 in the percentage of appeals that get passed through the network chief and up to the committee from the previous year?

>> GREGORY VOLAN: I mean I don't know if I can -- if I can explain why that happened. Cent.

>> NANCY KRENT: Okay.

>> GREGORY VOLAN: I can't explain why the network chiefs made the decisions that they did.

>> NANCY KRENT: There was no point at which ODLSS said to the network chiefs you guys have not been making good decisions or your decisions are inconsistent, therefore stop makes these decisions and bring them to the committee.

>> GREGORY VOLAN: No, I don't know of anything like that being said.

>> NANCY KRENT: Okay. We have now found it.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: It's in the narrative response on Page 1986 that you attested to.

>> GREGORY VOLAN: Give me the section?

>> NANCY KRENT: So under Item B, does the budget -- does the budget process, do you see that section?

There are three paragraphs there.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: In bold go down to the third paragraph that begins, while the appeal process.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: About halfway down the sentence is: The involvement of multiple CPS employees in review resulted in some consistencies in the decision-making process. Can you explain what you meant by that statement?

>> GREGORY VOLAN: Let me just read the whole paragraph so I can get the whole context.

>> NANCY KRENT: Sure.

>> GREGORY VOLAN: I think what I'm trying to communicate here is that the -- we have an appeals process that covers like both -- like

general education needs and special education needs and so the appeals team you know is not just members from ODLSS but it's -- it's a -- it's a committee that represents multiple departments at CPS. And you know, I think moving ahead to fiscal year 19, where you know, one of the changes that we want to make is to have a more streamlined process where requests for Special Education positions just could come directly to ODLSS and it would just be a smaller group within our department that he reviewing and making those decisions.

>> NANCY KRENT: So the plan -- so your hope is for next year, for 18-19, that position appeals will be decided in ODLSS and there won't be -- it won't be part of the larger budget group that doesn't -- that involves nonspecial ed people.

>> GREGORY VOLAN: Correct. That's what we -- I think we've already communicated that.

>> NANCY KRENT: Is that definite that that's how it will be handled next year?

>> GREGORY VOLAN: So like -- like that's what we've been communicating, and so like -- so -- so yes, I mean unless it changes. But that's what we've been -- like communicating to network chiefs and -- we -- building and principals on next year's budgets.

>> NANCY KRENT: Okay. Now I want to ask you about some specific budget appeals. So if you could take that book that you looked at before, and now we're going to go to Page 2887.

>> GREGORY VOLAN: The advocates, or CPS?

>> NANCY KRENT: CPS. That should be the documents you produced that deal with budget issues. And if you go to Page 2887, that will be the Blain appeal. 2886 and 87.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: All right. First I have a question about that chart on the top. And I don't know if you can explain to me what that chart is that says school IEP minute comparison data. Where it says total para minute, total instructional IEP minutes.

>> GREGORY VOLAN: Right. So we are -- so the total para minutes would be the -- the sum of the para minutes that are written into IEPs, so students that require para support. So it's just the -- so for example one student has 1,000 minutes of para support, then minutes per week, 1,000 minutes of para support, that would be added -- like we'd be just like summing up all the students that require para support and adding up their minutes. We're doing this at four different time periods. Make those -- goes back to fiscal year 16 and two time periods in fiscal year 17. We're giving the sum of the minutes for both para support and for instructional minutes. And I think the idea is just to see what trends are.

>> NANCY KRENT: And why were you looking at the trend?

>> GREGORY VOLAN: You know, to -- just to see if, you know -- if a school is requesting additional positions, to see -- it's like one data point that we can look at to see if, you know, if the need is there. So if a -- if a school had a certain number of teacher positions last year, and then -- and the number of -- the number of the -- minutes went down significantly and they're asking for additional teacher, that would be something that we'd want to look at.

>> NANCY KRENT: Got it. Okay. So the appeal from Blain is denied and it's noted that although additional paraprofessional support is needed, you're denying -- the committee denied because the school

underspent its diverse learner budget.

And I understand that that means that you -- you had an allocation that you thought shouldn't be spent -- the committee did, on diverse learner expenses and that wasn't spent. So my question is does that mean that there's money sit nothing a bank account that Blain has because they underspent, or does it mean they spent it on something else?

>> GREGORY VOLAN: So...

>> NANCY KRENT: Did they spend -- do you think they spent the money on something else?

>> GREGORY VOLAN: I couldn't say -- so like -- so they -- they were given an amount like in a -- they were given an amount for Special Education that was combined with as convenient under one pot and then they planned for the school. And we saw that like this school spent less on Special Education positions than what they were allocated.

I can't say for sure if that money was still in contingency or if it was just like spent on the general education side, you know -- you know, just -- spent on something other than Special Education at the school.

>> NANCY KRENT: And it could have been either.

>> GREGORY VOLAN: It could have been either.

>> NANCY KRENT: All right. In the situations where they underspent on diverse learners and had pent spent the money elsewhere the appeal would be denied because they didn't spend the money they were allocated for diverse learners, correct? I can go through a number of other examples where you did it.

>> GREGORY VOLAN: Okay. So yes.

>> NANCY KRENT: Okay. So my question is this: What was the schools supposed to do then? Were they supposed to terminate the other people they hired into the position -- into other positions with money that had originally been allocated for diverse learners?

>> GREGORY VOLAN: Well, I mean so the school was expected like to meet the needs of -- to find a way to meet the needs of the students and then --

>> NANCY KRENT: Wait. I want to stop you there. I need you to be -- when you say find a way to meet the need, you denied the appeal because you say they have underspent the budget. If they spent the money on some other position, is the expectation from central office that they fire that person and use the money to hire Special Education staff, or is the expectation that it's just too bad because the money's gone and they'll have to figure it out some other way?

Those are the only options on the table so far as I can tell if you're not giving them more none any.

>> GREGORY VOLAN: Well, there may be other options.

>> NANCY KRENT: Such as?

>> GREGORY VOLAN: Funds that were budgeted to nonpersonnel lines that were intended for something else. I think that were redirected for -- for this need. I think that --

>> NANCY KRENT: In most cases were there -- was there enough money by the middle of the year in the nonpersonnel lines to fund one or two professional positions?

>> GREGORY VOLAN: I really couldn't say.

>> NANCY KRENT: Okay.

>> GREGORY VOLAN: But -- yeah. I couldn't say.

>> NANCY KRENT: All right. So when you denied -- when you deny saying it had been underspent, the committee had no plan in place for how those services would be provided; is that correct?

>> GREGORY VOLAN: Well, we would have -- like oftentimes we like would have the DR contact the school and work with the school to figure out how -- you know, to support the school to, you know, figure out how they USI the resources -- their means.

>> NANCY KRENT: All right. I want to ask you sticking with Blain for a minute. Because the next witness will testify after you is Christine Palmieri, who's a parent at Blain. Do you recall having a conversation -- a conference call in which Ms. Palmieri was on the line.

>> GREGORY VOLAN: I don't recall.

>> NANCY KRENT: Have you seen her affidavit who says she was on a conference call with you in 20 --

>> GREGORY VOLAN: I have not seen the affidavit.

>> NANCY KRENT: Do you recall having a conversation with some group of people, including a parent regarding the Blain appeal because you denied the parapro that the parent felt the child needed since it was written into his IEP and the school was saying they couldn't fund it without the money?

>> GREGORY VOLAN: I don't mean to be difficult, but I don't remember like that -- like this specific case because I -- just a lot of situations that come up at different schools. I just don't remember that -- this one in particular.

>> NANCY KRENT: Okay. Do you recall saying -- so do you recall -- do you recall any conversation with a parent on the line where you said I don't deny your child needs a paraprofessional, but we have a 218 million dollars deficit so there's nothing I can do?

>> GREGORY VOLAN: I don't remember saying that.

>> NANCY KRENT: Okay. All right. I have a question about -- if you could just turn to the next page, that's Burke school. Would this -- this appeal was also -- this appeal was originally denied, it said in part because of the school's overreliance on paraprofessionals. Can you explain that? It says over relevance, but I think you mean overreliance. This is for Burke Pages 288, 289. I'm sorry, 28. 2888, 2889.

>> GREGORY VOLAN: Correct. Okay. I see that.

>> NANCY KRENT: Okay. So I'm curious why -- I'm curious why the budget committee was making budget decisions based on whether or not they thought the school was over -- was had -- had an overreliance on paraprofessionals.

>> GREGORY VOLAN: So I'm not sure how to answer that question. So it was -- the committee was not just people in budget, but it was, you know, people from like us -- across several departments. You know, I don't...

>> NANCY KRENT: If you don't know, you don't know.

>> GREGORY VOLAN: I mean -- so I mean -- so the question again is like --

>> NANCY KRENT: The question is why was the budget decision made on whether or not this committee, who is made up as you said from people from various different departments, not just Special Education staff, why was the committee saying we're not going to give you more money because we think people at this school rely too much on

paraprofessionals?

>> GREGORY VOLAN: So I mean...I'm -- I don't know the answer to that. I mean I think this is --

>> NANCY KRENT: Okay.

>> GREGORY VOLAN: This is something that must have come up in discussion, but I'm not sure who would have said that and what the background of that person -- you know -- was.

>> NANCY KRENT: All right. I know in the Burke school appeal they say that the school desires to be in compliance with kids' IEPs, implying that in fact they don't believe they are now. On the next Page, 2890 is the appeal from Carver. Carver reports that they have 8 students who aren't getting required minutes, they're estimating that they're missing 500 minutes a day for those students' IEPs. Do you see that?

>> GREGORY VOLAN: Okay. I see that.

>> NANCY KRENT: And that appeal was denied as well; correct?

>> GREGORY VOLAN: Correct.

>> NANCY KRENT: So my question is, when you are reading these appeals, and I'm not going to go through all of them, but there are numerous --

>> GREGORY VOLAN: Sure.

>> NANCY KRENT: In which principals are saying we're not meeting kids' minute, IEP, we want to be in compliance, what does the budget appeal committee do with that information in terms of making sure kids' minutes are met?

>> GREGORY VOLAN: Right. So again, like just using -- using this case as an example, like the -- the -- you know, the appeal was denied because the school was -- you know, the school...you know, underspent the allocation that was given. It should be able to meet this need with, you know, with the resources that it has. So then we would have, you know, like -- like one of the follow-ups, like -- so typically one of the follow-ups -- can't say it happened in each and every case -- but one of the follow-ups would have been like for the DR to work with the -- to like -- to go to the school and -- and, you know, help -- help them figure out how to use the resources to meet the needs of their students.

So if --

>> NANCY KRENT: Okay. Who spoke to -- who told the DRs, whose job was it to take that information and give it to the DR.

>> GREGORY VOLAN: I mean, someone on the committee would have --

>> NANCY KRENT: Who?

>> GREGORY VOLAN: That I -- I don't recall for sure.

>> NANCY KRENT: Who from ODLSS was on the committee in 16-17 besides you?

>> GREGORY VOLAN: So Pat Vassary, myself, Archia Lucas. May have been Archia, I can't say for sure. I know oftentimes, in some of these decisions it says that the DR -- that's -- we would have contacted the DR to --

>> NANCY KRENT: When you say we, you don't know who if never one did that.

>> GREGORY VOLAN: Correct.

>> NANCY KRENT: Got it. Several of these I can point you to the page if you need it, refer to schools being put on action plan for their Special Education services.

Do you have any idea what an action plan is or what it was the budget committee was putting them on an action plan for?

If you need me to refer you to special schools, I can do that. But if you can answer generally, that's fine too.

>> GREGORY VOLAN: Were these in -- for clarification, were these for the 2017-18 school year?

>> NANCY KRENT: Yes. I have some for 2018, one is Lindbloom, one is Blain. I had another one, but I don't have it in front of me.

Can you explain why they were put on action plans by the budget committee?

>> GREGORY VOLAN: Yeah, so the -- so -- you know, what the action plan would have meant is that like -- that there was -- this is a school that has other -- like where -- it's an outlier in some way. They -- then -- or there's -- like in reviewing the case, like we may have granted additional resources. But then there was something about -- about like reviewing the school where it was worth like doing a deeper dive into the school. And so we're calling it action plans that day.

So it could be that the -- they had inordinately high minutes in IEPs or the students compared with like district averages. Something like that that would have -- we would have flagged it for -- like we called it recall on an action plan. That's where we were going to work with the school and just do a deeper dive into how that school is...just doing Special Education.

What this evolved into was the -- I think the PLCs, that Dr. Keenan discussed yesterday. So there -- there is like over 100 school, about 10 schools in each network that she's been meeting with, where she's been meeting with the principals multiple times throughout the year. Lot of those schools were schools that we had done as like action plans. That was a term that we used early in the beginning of the ye. But it sort of evolved into these PLCs.

>> NANCY KRENT: Okay. That was the principal leadership --

>> GREGORY VOLAN: Council.

>> NANCY KRENT: -- committee or council? All right. Okay. We have add mentioned Archia luck 'cause several times, can you tell us what her title was and what her role in this process was?

>> GREGORY VOLAN: So --

>> NANCY KRENT: If you don't know her title.

>> GREGORY VOLAN: I don't know exactly. I think it's the project manager. I don't know for sure. But her role -- so she has been the one that sort of coordinates the appeals process when schools appeal through the Google form, the one that receives them. You know, when network chiefs give their response, she's the one that receives them. And then just kind of like -- and then she will just keep track of, you know, our tracking documents for the appeals, help to get the documents ready for -- for the committee to review.

>> NANCY KRENT: She have the authority to assign paraprofessionals substitutes as well?

>> GREGORY VOLAN: So -- right. So when requests come in, she will like you know, work with the sub center to see who is available, subs and get those out to schools.

>> NANCY KRENT: And does she decide whether or not the school should get it, or does she just make the phone call over to the personnel office to see if somebody is available?

>> GREGORY VOLAN: I don't...so my understanding is that it's not really a matter of making a decision, it's whether there's -- whether resources are available to -- to support.

>> NANCY KRENT: Okay.

>> MATT COHEN: Ms. Krent, I hate to interrupt but so it's not lost in terms of the moment, we just had had testimony that Dr. Keenan has 100 schools that she's looking at for action plans.

>> NANCY KRENT: I don't think that's what he said. He said that people -- as I understand the testimony, testimony was just there were principals whose schools had action plans, they are amongst -- I don't know -- I don't think it's all of them. I think he said they are among the principals who now are part of this PLC thing.

>> MATT COHEN: I think if we can get clarification --

>> NANCY KRENT: When you ask your question, I can clarify. I think I understand. If you want to clarify it, I will let you do that when you ask questions. I'm now focussing on Ms. Lucas.

>> GREGORY VOLAN: Okay.

>> NANCY KRENT: Just so I'm understanding, Ms. Lucas's function seems to be more what I would describe using a legal term, ministerial. She's in charge of the paperwork for the appeals process.

Does she have a substantive role or does she just put the paperwork together for all of you?

>> GREGORY VOLAN: So I mean, so she does the ministerial work. She's also the person that will do -- especially for para -- like when there's a request for additional para supports, she will do the initial analysis of like the needs of the schools. So she'll look at the schedules, and like the -- the students in a need para support at school, the number of paras that they have at the school right now, how you can schedule paras across, you know -- given the IEP minutes and the -- like how you will schedule personnel over the different grade levels that the students need para support. And so she'll often come with a recommendation for what the para allocation should be.

That will then be like presented and discussed at the committee. So...I would say that for para support she has the most substantive role. When there's a teacher allocation, we're often communicating with the DRs to get their input.

>> NANCY KRENT: Okay. Thank you. I don't have any more questions.

>> RICH COZZELA: Before we go to Rupa, I want to come back to Till one more time.

>> GREGORY VOLAN: Sure.

>> RICH COZZELA: So with Till, when I looked at it I thought it was 7. You saw it was a lower number and actually they only asked for 2, correct?

>> GREGORY VOLAN: Where was that?

>> RICH COZZELA: 2920 -- 2921 and 2923. 2921 and 2923.

>> GREGORY VOLAN: Yeah --

>> RICH COZZELA: I'm --

>> GREGORY VOLAN: So the request -- from the principal is for two. And then -- the chief recommended one.

>> RICH COZZELA: I read the paragraph as needing 7, they said they had two, they only asked for two.

>> GREGORY VOLAN: Right.

>> RICH COZZELA: The network chief, at level one, the network chief only asked for one; is that right?

>> GREGORY VOLAN: Correct.

>> RICH COZZELA: So what was coming to you was an appeal for one, correct?

>> GREGORY VOLAN: Correct. Would have seen --

>> RICH COZZELA: Did you have the discretion to go more than one, that's all the network chief asked?

>> GREGORY VOLAN: Yes.

>> RICH COZZELA: Okay. So in a situation like this where -- when one person looks at it says and says boy it looks like they actually need seven, the school only asked for two, and it seems like -- and then somebody else says no I think they're only asking for three or four, would you ever say we should go back to the school because it looks like they're saying they actually might need more than just the two to meet needs?

Did you ever go back to the school and ask them?

>> GREGORY VOLAN: I don't...I -- I can't say for sure what we would have done in that situation.

>> RICH COZZELA: Do you recall ever doing that, saying maybe you need more than what you're asking for?

To meet the needs of the student.

>> GREGORY VOLAN: You know, I can't say for sure. I'm -- you know, it may have happened but I just can't give an example for sure.

>> RICH COZZELA: Okay. That's all.

>> RUPA RAMADURAI: Mr. Volan, I have a question from following up that Nancy asked, so I want to follow up on one question that Nancy had. And then I'm going to talk a little bit about forward thinking and commitments made going forward.

>> GREGORY VOLAN: Sure.

>> RUPA RAMADURAI: So you had mentioned that there was -- you weren't sure who on the committee would eventually relay the information to a respective DR to let the school know once the school was denied for an appeal. Did you yourself ever communicate to a DR they need to go back to a school and kind of work with them about --

>> GREGORY VOLAN: I -- no, I don't recall. So I don't think it would have been me.

>> RUPA RAMADURAI: Okay.

>> NICKI BAZER: Was that the 16-17 school year or 17-18 school year?

>> RUPA RAMADURAI: For the 16-17 school year. In your affidavit you state that the appeals process can be improved and that the CEO Jackson, has also been candid about her concerns regarding the process, and her commitment to reform the process.

Can you tell me a little bit about what her concerns were and the concerns that you shared with her?

>> GREGORY VOLAN: So I don't think I can speak for Dr. Jackson. So I don't know what her concerns were. Specifically.

>> RUPA RAMADURAI: So she's never spoken to you directly about concerns with the appeals process.

>> GREGORY VOLAN: I just know generally she has concerns about the process and what --

>> RUPA RAMADURAI: Can you speak to what your concerns are with the appeals process?

>> GREGORY VOLAN: So -- I mean I think that -- like -- so I mean my concerns for the process is that that the time that it takes and that there's like just like with the multiple levels of review and then I

just think that -- that it can -- you know, it can be streamlined and we can move faster to -- to make decisions and -- and get additional resources out to the schools.

>> RUPA RAMADURAI: So the appeals process will be in place for the 18-19 school year for Special Education.

>> GREGORY VOLAN: Right. So it -- it will look different and I think that the difference is also going to reflect the difference in funding. Right? So since -- since diverse learner funds are going to be separated from general education funds, like the -- this -- the idea that we had in the -- in the school year 2016-17 and 2017-18 of having like a whole school budget process where you could -- you know, where -- a whole budget appeal process where you can like appeal for general education needs or Special Education needs and it was all combined into one process, doesn't really make sense anymore; right?

So since they're going to be separate allocations, the -- like the -- the appeal process should be different.

Even in the 17-18 school year, even though the funds were combined, the -- the Special Education funds were combined with general education funds, like our thinking and how we did the allocations had changed. So the -- you know, since we were thinking in terms of like the number of positions that the schools needed to meet the needs, other students with IEPs, like since that's how we were doing allocation, it -- you know I think it even changed the way that we -- that we handled appeals. And -- in the 17-18 school year. And so it's just now very clunky process and it can be -- so looking ahead we can streamline it, we can just have -- since Special Education fundings going to be separate, we just have those questions come directly to us and we can make decisions.

>> RUPA RAMADURAI: You mentioned earlier a little bit about the timing of appeals process and also the multiple layer, so are network chiefs still going to be part of the process in any way shape or form.

>> GREGORY VOLAN: It won't go to them first. We wouldn't -- we would -- like the appeals will -- the way that we're envisioning it, it will come to our office directly. We will want to keep chiefs notified, you know, that the appeal came in and when the decision's being made.

When we're investigating the need we'll often reach out to DRs and get their input then we can reach out to network chiefs to get their input also. If -- if it makes sense to that particular case.

>> RUPA RAMADURAI: How often do you envision the budget appeals committee meeting?

>> GREGORY VOLAN: Once a week?

>> RUPA RAMADURAI: Yes.

>> GREGORY VOLAN: I -- I just don't know yet. You know, we -- this year we've been one -- I would imagine it would be at least that often or maybe more.

>> RUPA RAMADURAI: And what supports can you envision providing to a school who's denied an appeal, for next school year?

>> GREGORY VOLAN: So if a school is -- if we're...if we're allocating positions based on the needs of the school and the school appeals for more resources and we denied it, it would be because we do not believe that the school like -- that the school needs the resources. So then we would reach out to -- so if a -- you know, if we think that the school can manage with the number of positions that it

has and the principal doesn't, like doesn't think so, then we would have to like meet -- like have DRs and meet with the principal to you know work with them to see how we can rearrange schedules to make for the number of positions.

>> RUPA RAMADURAI: So I want to turn our attention to the letter that CEO Jackson had recently issued to principals.

>> GREGORY VOLAN: Okay.

>> RUPA RAMADURAI: And have you walk through some of the language and commitments that CPS is making here. I believe it is flagged in one of the binders. And it even says it on the cover sheet.

>> GREGORY VOLAN: Advocates binder?

>> RUPA RAMADURAI: Yeah.

>> NANCY KRENT: Should be at the very, very end.

>> GREGORY VOLAN: Drop...

>> RUPA RAMADURAI: That's okay.

>> GREGORY VOLAN: Do you have a page number?

>> RUPA RAMADURAI: I believe it's 4675. Should be at the very end of the binder. Advocates binder and it's labeled -- if you look at the cover sheets...

>> GREGORY VOLAN: 75 --

>> RUPA RAMADURAI: That's okay. I can just ask you questions general by about it. That's fine. So the letter wasn't dated.

Do you have an idea of when that was issued?

>> GREGORY VOLAN: I don't.

>> RUPA RAMADURAI: Okay. And CEO Jackson mentions that there are going to be two changes to the process, to the budget process in the 2018-2019 school year. Can you explain what those two changes are.

>> GREGORY VOLAN: I -- I -- don't know.

>> RUPA RAMADURAI: She mentioned something about the 20 N day enrollment data from 17-18 school year to be used for calculation purposes, can you speak to that point?

>> GREGORY VOLAN: Yes, so this is for student-based budgeting. So...so student based budgeting funds extend for enrollment, typically -- what we've done in the past is that we will have a projected enrollment count for any school. And the budgets that you -- that schools receive in the spring is based on that projected enrollment count. Then at the 10th day of the school year we'll have the actual enrollment counts, if any school on that day -- if -- and then there are funding adjustments that occur. So if you have higher than projected enrollment you will get additional funds, if you have lower, we will remove fund, some years we held the schools harmless from enrollments lower than projected. That's how we run the student based budgeting model since it rolled out in the 2013-14 school year.

What's going to change this year is that we're not projecting enrollment. Your -- essentially your projected enrollment on which you will receive funding is going to be based on the prior year 20th day numbers, which is fiscal year 18, 20th day numbers for fiscal '19. And then -- so that's -- that's essentially going to be your funding floor. If on the 10th day of the school year you have like your enrollment is higher than the fiscal year 18, 20th day enrollment count, then they'll receive additional fund, if it's lower, there won't be any downward adjustments.

So -- and this -- helps in particular schools that have declining enrollments year over year. So that we're not going -- in schools with

declining enrollment we would project a lower enrollment for fiscal year '19 than they had in fiscal year '18, and we may get that projection -- we may get it too low, to high. You know, it was an enrollment projection. So we're not doing that this year. Schools are going to get funded no lower than their fiscal year '18 -- fiscal year 18-20th day enrollment.

>> RUPA RAMADURAI: I don't have any other questions.

>> NANCY KRENT: One follow-up question. Talking about the appeal process for 18-19. Is that going to be written down, posted somewhere on the website for people to see what it is at some point?

>> GREGORY VOLAN: Right. I mean so we have the...so we've had the budget process outlined in the budget packet that goes with the principal, that goes to principals during the budget release. I'm sure that we will have -- have something similar in the budget packet this year.

>> NANCY KRENT: Do those get posted publicly?

>> GREGORY VOLAN: I mean, I -- I don't know. And I -- I don't know if we published the budget process on our website in the past two years either.

>> NANCY KRENT: And just so I'm clear, 18-19, will the budget committee still have the authority to tell people to allocate funds from Gen Ed back to Special Education or is that no longer an issue for 18-19?

>> GREGORY VOLAN: Right, so I -- I -- since we're keeping the funds separate, we would not like -- that -- so my expectation is that that would not happen. If additional funds are needed, we would just -- I'm sorry, we're allocations positions. If additional positions are needed we would just open up those positions at the school.

>> NANCY KRENT: Okay. Thank you. We're going to open questions for the advocates.

>> OLGA PRIBYL: Like five minutes so we can be mindful of the time that we have left?

>> NANCY KRENT: Sure.

>> OLGA PRIBYL: Five minute break?

>> NANCY KRENT: Take a five minute break. I appreciate it if we really kept only to five minutes.

>> OLGA PRIBYL: Yep.

(Break.)

>> NANCY KRENT: We're ready to resume. Aren't we? We're all set.

>> OLGA PRIBYL: Okay. My name is Olga Pribyl. So you were talking about the plan for 18-19 school year?

Is there any date in mind when there's going to be an actual plan formulated?

>> GREGORY VOLAN: I mean, we're working on that this year. The school year 18-19 budget right now. I believe that that -- we are funding -- planning on releasing budgets to schools sometime April. So we're like working on --

>> OLGA PRIBYL: And the appeal process you think will be completed in April, is that the idea?

>> GREGORY VOLAN: Yeah, because we'll want to get that in the budget, in the guidance document toss principals.

>> OLGA PRIBYL: Okay. And is there a budget for Special Education subs?

>> GREGORY VOLAN: For subs? I --

>> OLGA PRIBYL: You said for paraprofessional.

>> GREGORY VOLAN: Right.

>> OLGA PRIBYL: Is there -- what's the budget for that?

>> GREGORY VOLAN: When we get paraprofessional to school, those costs are covered centrally and I believe the budget is in the talent office, the central office budget. But I have to double-check that for sure. The.

>> OLGA PRIBYL: Do you have any idea how big of a budget it is?

>> GREGORY VOLAN: I don't. What I know is that when we assign subs out to schools, the schools -- are not paying for those subs out of their budgets.

>> OLGA PRIBYL: And do you know how many trained paraprofessional substitutes are in the school?

>> GREGORY VOLAN: I don't know.

>> OLGA PRIBYL: Are there budget shortfalls in the central office for the paraprofessional funds?

>> GREGORY VOLAN: So I -- I don't know, but the -- it's not -- I do not believe that like -- that a sub would not be sent to a school because of any budget limitation, it would only be if there was not sub who was available.

>> OLGA PRIBYL: And are you making an assumption on that or are you aware of that?

>> GREGORY VOLAN: So I am not aware of any situation where we had a sub available and it was not sent out to a school because of a budget -- because of insufficient funds on budget line.

>> OLGA PRIBYL: And then are you aware that the principal and the DR were ultimate decision-makers with respect to verification of data for paraprofessional transportation extended school year?

>> NICKI BAZER: Just to interrupt, I -- my understanding was that the questions were based on -- our questions were supposed to be based on the panel's questions, is that not accurate? He was not asked about -- maybe he can answer but he was not asked about things like ODLSS and fiscal verifications or anything like that. He's a budget person.

>> GREGORY VOLAN: Right.

>> NANCY KRENT: And I think he can clarify that for Ms. Pribyl. It sounded to me like it was sort of a foundational question leading to a budget tie. I think she just wanted to see what he knew. So if he knew she could tie it to his knowledge of the budget.

>> NICKI BAZER: Okay.

>> GREGORY VOLAN: But --

>> NANCY KRENT: Don't want opening up new lines of questioning.

>> GREGORY VOLAN: Right. I don't really know how that process goes.

>> OLGA PRIBYL: And then when -- so when additional funding was given for the extra paraprofessional, the cluster programs in 17-18, were there written instructions that were given for how the paraprofessionals should be used?

>> GREGORY VOLAN: No, we would open up the position at the school so that the school could hire and fill the position. If the -- you know, if the -- if an appeal had come for additional paras in the cluster program and we granted it, then we would open the position and -- but no, there were no written instructions for how they are to be used.

>> OLGA PRIBYL: I'm wondering if there was a review or oversight of how they were used. Because in your testimony earlier you indicated

that there might be some discretion or principal -- you didn't know how principals were using the paraprofessionals that were allocated. Van. So what's an oversight and what was a review?

>> GREGORY VOLAN: I mean, so...I mean, from a budget point of view we're allocating the resources to meet the needs. You know, if there -- like DRs as -- district representatives as part of their responsibilities would, you know -- you know -- I mean -- I feel like now I'm just speculating. I just know from a budget point of view like we're -- we're allocating the resources at that are needed. What I'm -- you know, what I'm saying is that like -- like I just -- like for resources are at the school, it's up to the principal and the school to use the resources to meet the needs of the (inaudible) as an example, if you look in our budget system and there's a -- a centrally funded para position and there's a person staffed in that, I would not say with confidence that that person's staff position is the paraprofessional in the cluster program.

Maybe it is, maybe it isn't. We're not looking at that -- we're making sure that the school has the resources that it needs.

MS KRENT: Olga, I need you to lean much closer to the microphone.

>> OLGA PRIBYL: Sorry. For the appeal process, in 16-17, if half of them were denied, do you have any idea where more than half of them were denied at the network level, and then further reductions were made at the subsequently level. What was the process for ensuring that minutes were met.

>> GREGORY VOLAN: You know --

>> OLGA PRIBYL: Did you specifically instruct principals to fire people, to make reductions in staff for Gen Ed or for other --

>> GREGORY VOLAN: You know, what we were -- we would inform principals that they -- you know, had the resources to meet the needs, and then you can -- often like have the DR reach out to the school to work with the school...

>> OLGA PRIBYL: What direction or oversight was done over the DRs?

>> GREGORY VOLAN: I don't really know.

>> OLGA PRIBYL: And are you aware that the DRs actually met with the schools.

>> GREGORY VOLAN: I -- I don't know.

>> OLGA PRIBYL: And are you aware if the DRs actually resolved the problem with the shortage that was being met?

>> GREGORY VOLAN: I don't know.

>> OLGA PRIBYL: And then you talked about the schools that Dr. Keenan is meeting with. Some of them are on an action plan. Do you know how many schools are on an action plan.

>> GREGORY VOLAN: So like we don't really use that term anymore. I know that there are about ten schools in each network that she's -- that are in the PLC. But -- and some of those schools were ones that we had identified during the budget process as being on an action plan and there are others that were that were under different criteria.

>> OLGA PRIBYL: Do you know a what she's doing with -- what's the purpose of the meet willing?

>> GREGORY VOLAN: So I don't...you know, I don't -- I haven't attended any of those meetings, so I don't -- you know, I can only speak generally to it that she's...well...I mean, I don't -- I don't think -- there's -- I mean, I haven't attended those meetings, so I don't know if I can say specifically what's happening. I think that --

she's meeting with the principals and going...again, I think she would speak better to what's happening at those sessions.

>> OLGA PRIBYL: Can you teal me what a PLC is?

>> GREGORY VOLAN: Principal leadership council.

>> OLGA PRIBYL: And do you know why certain schools were identified that were on the action plan.

>> GREGORY VOLAN: So there -- the ones that we had identified, you know, like there was -- we were seeing like -- they were outliers for some reason. Maybe the -- it could have been like the number -- the number of students that had paraprofessional support was high compared to the other schools, or the number of, you know, number of minutes in -- in IEPs. Like are high compared with the -- with other schools. And it's -- and these cases it's hard to know what's going on at the school. Is there like the needs of the students at the school could be different than what we typically see at other schools, or -- or it could be something else. So these were just -- so these were schools that we had identified that should -- that we want to take a closer look at and so they were identified as like being on action plans. And those schools have been added to the PLCs.

>> OLGA PRIBYL: If those schools have higher minutes, they're in -- higher minutes, more paraprofessional support, are you encouraging these schools to reduce their minutes, or to cut back on paraprofessional?

>> GREGORY VOLAN: No, I wouldn't say that.

>> OLGA PRIBYL: So what's the -- what is the proposal or what's the purpose of meeting with them?

>> NANCY KRENT: I'm going to stop now because at this point I think he's testified a couple of times he doesn't attend those meetings.

>> OLGA PRIBYL: Okay. Okay. Thank you.

>> MATT COHEN: I would just note for purposes of the panel that there is a line of inquiry that I think is opened by his testimony that indicates that the ODLSS staff and Dr. Keenan identified schools that --

>> NANCY KRENT: If you want to explain what you think the testimony means, that's part of your -- that's what you'll do when you close. You don't need to explain the testimony to us now. But thanks. I think we have -- I think we have CPS he requests -- let me just make sure we stopped the time. Thank you. That was 12 minutes. We have one quick follow-up.

>> RICH COZZELA: One quick question, if anybody wants to ask questions -- so you just said that schools were identified as outliers when they were -- sometimes when they were too high on the paraprofessional compared to other schools and sometimes when the minutes were -- Special Education minutes were high compared to other schools.

>> GREGORY VOLAN: Yes.

>> RICH COZZELA: Was there ever a time when the school was outlied -- was identified as an outlier because its paraprofessional -- students with paraprofessional were too low?

>> GREGORY VOLAN: No.

>> RICH COZZELA: Was there ever a time when a school was identified as an outlier because its Special Education minutes were too low?

>> GREGORY VOLAN: No.

>> RICH COZZELA: And it was the outlier schools that ended up --

some of them, action plans.

>> GREGORY VOLAN: --

>> RICH COZZELA: I believe that's what you said.

>> GREGORY VOLAN: Right. Right.

>> RICH COZZELA: Thank you.

>> GREGORY VOLAN: Right.

>> NICKI BAZER: Greg just talking about this coming school year, can you talk about -- you had mentioned for the 17-18 school year that the budget allocations were based by review of the IEP -- specific IEPs from -- like it was a school by school analysis.

>> GREGORY VOLAN: Correct.

>> NICKI BAZER: Will that occur again for the 18-19 school year understanding that these are position based now, not funding allocations?

>> GREGORY VOLAN: Yes, it will.

>> NICKI BAZER: And I think you explained this briefly but can you -- first of all what is the date that you are using for that analysis or generally what time of year vane.

>> GREGORY VOLAN: We're using a date in the spring. I mean, the -- you know, it has to be some date before we release school budgets, but it will be as late as we -- as -- a date as late as possible toe we can complete our analysis.

>> NICKI BAZER: Why is it important to do it as late as possible.

>> GREGORY VOLAN: Because in general -- Special Education enrollment at schools increases throughout the year. Owe using a spring date is getting -- is getting a higher enrollment count than if we use the 20th date.

>> NICKI BAZER: Turning to the appeal process for the 17-18 school year, were appeal funds through that process the only additional funds that a school could receive after a school year began or even in those couple weeks before the school year began?

>> GREGORY VOLAN: No, schools -- some schools would have received a funding adjustment based on 10th day enrollment. Some schools got additional spent funds because of increased spent enrollment at the 10th day. And there were also programs support decisions made outside of the appeals process where schools got additional SPB funds, because of particular needs at that school.

>> NICKI BAZER: So were there circumstances if you recall that appeals were submitted say in August and -- or right before the school year started and then a school maybe got program funds or 10th day adjustments which then obviated the need for the appeal?

>> GREGORY VOLAN: So there's one that sticks out is Juarez High School. Like they appealed for additional association teacher, right before the 10th day adjustment, that was one of the schools where we gave a opened up an additional teacher position because of higher enrollment. So when we reviewed the appeal it appeared to be moot because we had already given the additional teacher. So if that appeal -- I mean we checked with the principal to make sure that they had the resource that was needs, and so we -- I think we technically denied that appeal, but it was because it was moot.

>> NICKI BAZER: Okay. And I'm not going to -- you don't need to look at these but I'm referencing the document, the appeal committee agendas and minutes from this year that start at CPS 3669. It looks like the committee met numerous times, for example -- I counted in

August you all met 11 times. Why so often?

>> GREGORY VOLAN: Okay. Because we were trying to make decisions before school started. So that if we were giving additional resources, that we had -- in place.

>> NICKI BAZER: Based on those minutes and agendas, it looks like that the -- that there were members of those -- that committee that were communicating directly either with -- with principals or DRs.

Can you just describe the process for the 17-18 school year of notifying principals of its decisions and what the communication was before the decisions were made?

>> GREGORY VOLAN: Right. So I just -- a decision was made early on that we would notify principals by calling them up on the phone rather than sending a written decision. So whenever we made decisions, someone would call up the principal and give the explanation. So if the appeal was for Gen Ed resources it would typically be the budget director. And if it was for Special Education resources, it would have been someone in ODSS, typically Dr. Keenan or Archia Lucas would have contacted the school. And what was interesting about that is like by -- talking to the principal directly and giving the decision, that person often got feedback from the principal that would -- you know, where -- that would be brought back to the committee and sometimes we'd reconsider the decision based on that.

>> NICKI BAZER: And can we -- when you all were making these decisions, were you looking at information from the schools, were you in touch with the network chief, the DR, the principals through that process or --

>> GREGORY VOLAN: Right. We -- we will dish mean, like -- we'll reach out to -- I mean so the number of chiefs have given their opinion but we often about talk with them again, we'll talk with DRs, do our own analysis. And we'll talk with anyone that we think would have information that would help us make a decision.

>> NICKI BAZER: Great. And I wanted to follow up on a specific question that I think the panel asked and Ms. Pribyl asked. I'm wondering if we could pull out CPS 1436.

>> RICH COZZELA: 1436?

>> NICKI BAZER: I believe that's correct.

>> GREGORY VOLAN: One second. Almost there.

>> NICKI BAZER: Yeah, it's a big one.

>> GREGORY VOLAN: Okay.

>> NICKI BAZER: So could you just -- this document actually starts a couple pages before but could you tell us generally what this is?

>> GREGORY VOLAN: So this is the -- it's -- the budget report that we gave to a school, so this is for Chavez Elementary School. And so this is a budget report that we gave for the fiscal year 17 -- the 2017-18 school year. So principals would have received this in July of 2017.

>> NICKI BAZER: Okay. And just to -- this is not a special school, this was -- why was this provided to the panel?

>> GREGORY VOLAN: It was an example of the -- of what a budget would look like for a school.

>> NICKI BAZER: You just picked this one at random.

>> GREGORY VOLAN: Right.

>> NICKI BAZER: On page 1436 could you explain the box at the bottom?

>> GREGORY VOLAN: The one that begins, spent cluster classroom detail?

>> NICKI BAZER: Yes. That one.

>> GREGORY VOLAN: So this box -- I mean it's explaining the allocation of positions that we are giving for cluster classrooms. So at the top of the page we're showing that the number of cluster classrooms they have -- in this case Chavez has two mild to moderate classrooms that's unchanged from the previous year. It's showing that we're giving -- we're allocating two teacher positions, which is unchanged from 16-17. We're showing that we're giving paraprofessionals as a programmatic allocations, that is going from two to four. Since in -- in the 2016-17 year we gave one paraprofessional for each mild-moderate classroom and that got increased to two. In 2017-18 school year. And then there's another line that show as that we're allocating one additional paraprofessional for dedicated para supports that are needed for one of our students --

>> NICKI BAZER: So this was the mechanism that you notified in this case Chavez, that this would be -- let me ask this question. Would this be similar to -- would this information be provided in all the budget reports to each of the schools that --

>> GREGORY VOLAN: Correct.

>> NICKI BAZER: If they have a cluster program they would see this chart.

>> GREGORY VOLAN: Correct. And we want to be very clear that we were giving a certain number of paraprofessional positions as a programmatic allocation and then schools that got additional paras on top of that we were identifying that too.

>> NICKI BAZER: Okay. So this was the way in which you notified schools that these positions were cluster allocation positions.

>> GREGORY VOLAN: Correct.

>> NICKI BAZER: And then just moving up to the top of that page -- or not -- sort of the middle of that page where there's another box. You testified that the allocations for special education for the 17-18 school year, they were dollar based. You gave money.

Could you explain though what this box is showing?

>> GREGORY VOLAN: So where it says spent position detail?

>> NICKI BAZER: Yes, correct. Thanks.

>> GREGORY VOLAN: So here we're -- essentially showing how we calculated the dollar amount that we were giving as the spent dollar allocation in the 2017-18 school year for the school. So you know -- so the box shows that like the number of teacher and paraprofessional positions at the school had in 17 and then the number that -- that were needed for fiscal year 18. In this case we identified 6 teachers and 8 paraprofessional positions at the school. And showed how we converted that to dollars. Each teacher was -- we gave \$100,000 for each teacher, \$50,000 for each paraprofessional for the school, the total was 1 million dollars. And that's consistent with the -- the amount that was shown on the previous summary chart or earlier in the report.

>> NICKI BAZER: Okay. So this -- so although you allocated a dollar amount, you gave guidance to the school as to what that dollar amount broke down to in terms of positions.

>> GREGORY VOLAN: Exactly.

>> NICKI BAZER: In spending.

I have nothing else. Thanks.

>> GREGORY VOLAN: Thanks.

>> NANCY KRENT: All right. Thank you, Mr. Volan.

>> GREGORY VOLAN: Thanks.

>> NANCY KRENT: We'll get a time report. 11 and...12. Good job.

>> GREGORY VOLAN: Any more questions?

>> NANCY KRENT: No more questions. Thank you so much. We're going to move right into the next witness. Ms. Palmieri? Ready to testify? Please come up. Our next witness is going to be Christine Palmieri. While she's being sworn if you want to find her affidavit it's at advocates 3130.

>> JENNIFER SMITH: Ms. Krent before this witness begins we'd like to state our objection for the record and of course we're proceeding.

>> NANCY KRENT: We understand that you object based on the fact that you feel you weren't given adequate time to prepare.

>> JENNIFER SMITH: In addition, we object and we stated in writing that we do not have a release to release student record information and soliciting information from a parent regarding their child in a public forum, we're not -- we think would be appropriate as the school district.

>> NANCY KRENT: I believe there was a release attached to the affidavit when it was submitted, and you had been provided a copy of that. But -- so we understand your objection. We'll note it. We're going to move forward.

>> JENNIFER SMITH: I do believe the release allowed -- and maybe I'm incorrect, but allowed counsel for the advocates access to the student information. I don't think it allowed CPS to release information regarding the student to the public.

>> CHRISTINE PALMIERI: I think you're incorrect.

>> NANCY KRENT: We don't need --

>> NICKI BAZER: We don't need --

>> NANCY KRENT: We understand your concern.

>> NICKI BAZER: CPS is not going to question a para publicly about her child. We believe it's inappropriate and improper to do so. We will not be doing that.

>> NANCY KRENT: Understand.

>> MATT COHEN: For the record we don't recall being provided that objection in writing.

>> NICKI BAZER: I'm sorry, that was not the objection in writing. We were just making that objection --

>> MATT COHEN: We don't recall the prior objection either.

>> NANCY KRENT: I believe those were emails that were sent to the general counsel, not -- or were copied to the general counsel. I don't know whether they were shared. I wasn't the person responsible for that. We're happy to provide copies of letters if there are some that were inadvertently not shared.

And again, appreciate everyone's concerns. And we are going to try to be respectful and to -- I agree, we don't want to spend more time than we need to asking questions about individual children. We're going to have some amount of testimony since obviously children are at the heart of this for all of us.

Ms. Palmieri, I'm going to let you make a brief opening statement. At you know, the committee's focussing on matters that go back to 2016. I ask when you make your statement, to the extent you can, focus 2016-present.

>> CHRISTINE PALMIERI: Okay.

>> NANCY KRENT: Thank you.

>> CHRISTINE PALMIERI: Okay. My son Miles is 9 years old, his favorite things are playing an incredibly complicated game called Hear Quiz and spending time with his classmates --

Is that better?

Okay. Miles is medically and educationally diagnosed with autism; he has a strong desire to follow the rules and to be social. Miles has challenges with working memory and processing speed and he suffers from cease years, Miles experiences extensive sensory and communication challenges how have he's massed insecurities with wit and charm. Miles is an amazing kid, but miles is a complicated kid dough and I just say that because I am his mom. Miles receives speech and developmental therapy through early intervention. The transition from EI into CPS failed and he had no entitlement to services upon entering the Gen Ed kindergarten program. He took the entire kindergarten year -- the entire to complete an IEP and the evaluation for special education was delayed. After lengthy failed MTSS interventions. Miles continued to miss important developmental and academic milestones. I had an outside comprehensive evaluation done and the report recommended a full day year round educational placement for children with autism. However, over these years Miles was still denied OT, speech therapy and social work services. I fought extensively for proper related services.

By second grade it had become clear that Miles required paraprofessional support. But whenever I requested such, I was continually told he would become dependent on an aide. Due to the long term continued lack of para support and academic appropriate related services, he became increasingly frustrated with academics and his sensory environment, requiring behavioral interventions. My sweet son was being described as combative, aggressive and noncompliant. Yet I was consistently told that his increasing anxieties and behaviors were either due to something happening at home or that the school didn't see it. His sensory challenges were either ignored or I was told they did not impede on his ability to be in the classroom, despite his increased STEMs disregulation and desire to leave, said loud in classroom. Communication with the school at that time was discouraged and there was no collaboration or efforts towards effective inclusion. Every summer Miles was attending programming within the Chicago parks district in which a dedicated aide, who happened to be a Chris Zika, was provided. I remember thinking how easy it was in comparison to trying to work with the school. Miles was classified under a medical code for wandering as he has a po' tense Ito bull and is unaware of the danger of his time. By the third grade my concern for his safety prompted me to increase pressure for aide support. And Miles entered the third grade in the fall of 2016. As I outlined in detail, in my affidavit, we dealt with this co-mingling of Special Education and general education budget, the implementation of the new procedural manual, the para justification form, and the relentless requirements for data collection, district representatives acting as a deciding person on our ISP team, scheduling notice and directive for principals to approve or deny services based on budget and the available resources at that time. I was pushed into a high conflict situation with a principal who was faced with an impossible financial dilemma as their budget was increasingly cut and our budget appeals were denied. During

the time we waited for an aide to be placed, and waiting for the IEP to reflect the full day dedicated aide, we had 7 or 8 IEP meetings over the entire school year. So the 2016-17. Up to 11 people might have been present at some of these meetings. We had three different district reps, I was being called to pick Miles up from school, he was showing more and more school refusal behavior, which were coming increasingly escalated to the point that my principal was personally involved in trying to keep Miles from bolting from the school entries one day.

Because of the amount of time I had to put in for these efforts, I was no longer able to work full time. As a solo parent with no help, this was obviously very difficult. Miles was struggling with depression and anxiety, he stopped sleeping at night, was getting injured at school, started to wear protective gear to school every day. I began sending him to school with a GPS tracking watch. As we live a couple blocks from the school every time I heard a fire truck or ambulance, I worried that they were for him. And I was losing my vibrant kid Doe. As he withdrew into his own world to protect himself. While multiple school staff tried to calm and assist him for incident after incident, the implementation of any paraprofessional support was delayed due to the cost savings efforts that put his life in danger day after day. It then took the entire school year to correctly reflect his dedicated one-on-one aides because of the mix of district rep obstruction and the IEP technical glitches.

Because the IEP was not able to be properly updated in an earlier October meeting to show the team's intent for that dedicated full-day aide support, the district was then able to -- in the spring meetings, refuse to allow the addition of recess and transition para -- we were all telling her that we had already agreed to this months prior, but the district rep told us that we didn't have the right data in place.

I asked her if she was telling me that my son would have to be in danger five to ten times for each area of need to fulfill the data, and she said yes.

I had to then demand that our principal be called down into the meeting, and she told the district rep that they were already providing the dedicated eligibility and the IEP simply had to be troubleshooted and updated and regardless of what she said -- it was in place. What was so upsetting about this was the concern over bolting at recess and the need for aide support at that time was literally the very first thing the team had agreed to way back at the start of the school year. The district rep let us use some magical waiver that our IEP team was unaware of to complete the para minutes. My son was then again denied OT and speech therapy in his three year evaluation last year. So 2016-17. It was completed in May of 2017.

But despite individual outside evaluations, justifying the need for both, he was not approved for services. The speech therapist evaluation showed that Miles was scripting in multiple areas of her report. Something that she might not know until getting to the IEP team meeting. Despite having an attorney advocate present with me, I was told that in CPS Miles would never receive speech therapy from her unless he suddenly became nonverbal. I have since had to pay \$160 per appointment to get my son the needed speech therapy he does require. But unfortunately we are seeing that these interventions are not generalizing into his classroom.

Miles continues to be denied appropriation related services and supports. The minutes and services he receives continue to be underfunded. This school year his aide was again not funded by CPS. And we again had to ask for LSD to use Gen Ed to dollars to fund the position while our appeal -- in our last IEP meeting a few weeks ago I was presented a draft proposal for removal of all pull out minutes for next school year because the school did not have a pullout classroom teacher in the 5th grade. I was able to argue with the team that they could not provide data to support this significant change from LRE 2 to LRE 1 and when he moved, he would not have a district rep present, agreed that changing placement was inappropriate.

But what this means is that next fall I will again for the third school year in a row have to advocate for the funding of not only likely my child's dedicated aide again but now for his separate classroom special education teacher as well. So you know, I am exhausted. For Miles the result of these policies has been academic regression, communication and social skill deficit, increased behaviors, increased social emotional delays due to trauma from lack of proper support for extended period of time. This has changed the positive trajectory of my child's future and I worry that when he's 26 I will look back and say, would things have been different if I hadn't put him in Chicago Public Schools?

And it's totally unacceptable that nothing can be done to make up for the -- seemingly incredible mismanagement of his first five years in school, which are the most important developmental years. But moving forward at a minimum, we need to fix the service problems he has had and not continue to make them worse.

>> NANCY KRENT: Thank you.

I'm going to ask you some questions. And I'm going to focus on process.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: More about what happened in meetings and with officials response. So I know you started in your affidavit you describe some conversations you had in the summer of 2016 with your principal.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: Was unclear to me at least from your affidavit did the principal agree with you that your son needed a paraprofessional in these conversations in the summer, or was he or she simply saying that seems like something that the IEP team should be looking at?

>> CHRISTINE PALMIERI: You know, he was -- he knew Miles and so he was in agreement and again it was prior to a lot of the changes that were made, so he was describing the process that was fairly simple. One that we would start when school starts.

>> NANCY KRENT: And you said that after the budget information came out in July, things changed, and you had a different -- you had -- you said I believe you said as much different sort of conversation in August.

>> CHRISTINE PALMIERI: Yeah.

>> NANCY KRENT: Tell me about the conversation you had in August. I believe you said it was with the principal and the case manager. The.

>> CHRISTINE PALMIERI: Yeah. So you know, we were following up, or I was asking to follow up on our earlier conversation, and I had a more formal meeting at our school with my principal and case manager in

which the attitude was changed, and...there was a lot of pushback on -- and a lot of policies cited on what would be a completely different process moving forward to try to get an aide in place. The case manager at that time told me that paraprofessionals were not provided by CPS unless you had toiletry or feeding issues. Which Miles had. And that it was incredibly difficult and impeding on a child's independence to have a para in place.

>> NANCY KRENT: Were you -- were you told about the data-collection process at that point.

>> CHRISTINE PALMIERI: I don't remember. But I believe I was aware of the requirement. And we had talked about -- whether or not it was at that meeting or by the first day of school I was aware, we had talked about how much data we had from years previous (we had) we had emails to the school and back and forth conversations with our IEP team. And my hope to be able to back date some of that.

>> NANCY KRENT: Okay. And you then had an IEP meeting the first Friday of that school year, right? That was September 9th I think your affidavit said.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: And at that meeting did you all discuss the data collection that was -- the data collection or the paraprofessional or --

>> CHRISTINE PALMIERI: Yeah, I believe we did at that meeting, there were a lot of meetings so it's a little hard to remember. I believe that was the meeting where our first district rep was present and explained to us the process and stated that we would try to be able to back date a lot of the information that we had because it was relevant.

>> NANCY KRENT: Okay. And so did you leave that meeting -- what was the decision at the end of that meeting?

>> CHRISTINE PALMIERI: The decision at the end of that meeting was that they would take the data to show me.

>> NANCY KRENT: And then when was -- then there was another meeting, am I correct, was that next month or later in the month?

>> CHRISTINE PALMIERI: By October we had a meeting and I think that one was more formal in which the team agreed that there was a need. By October we were seeing behaviors and -- throughout the school day that there was no question anymore that there was a need for the IEP team. The question was how do we get data and the input needed to reflect such in the IEP. So...

>> NANCY KRENT: Okay. So just so I'm clear, so at a meeting you think late September or October, you said there was an IEP meeting at which the team decided to give Miles paraprofessional support.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: At that meeting was there a decision on what portions of the day he would get support for?

>> CHRISTINE PALMIERI: So it was not always clear. It was very clear that we were requiring and requesting full-day medicated aide support. Miles is in a pullout classroom for you know, true or three hours of the day. So whether or not the team was thinking that he would have para support via the aide that was in the class, at that meeting I'm not sure. But it was clear and clear in a follow-up meeting that came after that.

>> NANCY KRENT: Okay.

>> CHRISTINE PALMIERI: I think what the concern was looking back at

it was they were taking data for what they were told, which was recess, transitions. And apparently they had not taken the correct data for all parts of the day. I don't know if my case manager was aware that they were supposed to.

>> NANCY KRENT: At some point though it sounds like you're saying team agreed at least for some part of the day to provide parapro support, and this was in the fall.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: And so my question is: What happened when the team went to put that information in the IEP document itself?

>> CHRISTINE PALMIERI: A lot of things happened when the team -- stow that was -- and you I -- unfortunately I should go back. Because there was so much. I was continue actually receiving information --

>> NANCY KRENT: I'm actually just asking about what happened in the IEP. I want to make sure I get the answer to this part, because this is under standing how the SSM system is working is what I'm trying to get my head around. So if you could sort of focus on the IEP meeting, where the team was trying to enter that information into the computer, and if you could describe what happened then.

>> CHRISTINE PALMIERI: And I don't have my affidavit in front of me, but I --

>> MATT COHEN: If we could get that for her, that might be helpful.

>> NANCY KRENT: That's in the binder I think behind you. There's one that has your name on it.

>> MATT COHEN: 3130 advocates.

>> CHRISTINE PALMIERI: I got it.

>> NANCY KRENT: That's not the right one.

>> RICH COZZELA: It's this one.

>> NANCY KRENT: That one says third party -- it shouldn't be.

>> RUPA RAMADURAI: That's a different set of questions.

>> NANCY KRENT: There's two affidavits.

>> CHRISTINE PALMIERI: So I outlined an email that was sent to me by my case manager.

>> NANCY KRENT: That's what I want to ask about. That email. Page 3144. And so I guess -- I want -- I saw that in your affidavit, the email about we're not able to enter the paraprofessional minutes yet. Which seems like it was an email that must have been sent to you at some point after the IEP meeting that's why I want to ask you to the extent you can remember what happened at the meeting when they were trying to do it. If you don't remember, that's totally fine. You can just tell us that.

>> CHRISTINE PALMIERI: Okay. So it does -- and these were all from my records. So you know, my records are pretty clear. And concise and I keep good records. So it says on 9/28 that I received the following email from a case manager with a draft IEP reflecting para support for only transitions time. She's stated that in an email, unfortunately we have had some itchy eyes with the IEP document system but they should be resolved soon. Attached is a revised IEP to include all discussed accommodations and modifications in addition, based on our discussions as a team at the prior meeting, we were proposing to add paraprofessional support for Miles in the morning from 8:00 to 8:20 and again for lunch, and recess every day. Unfortunately we are not able to add the parapro minutes into this document at CPS. So you will not see this reflected on the IEP revision.

>> NANCY KRENT: I'm going to stop you there. And I read that. I guess I'm asking do you remember were they -- was there a meeting that you attended where they were -- prior to this email being sent -- where they were trying to enter the minutes and they couldn't get them entered, or did they do all of this at some time other than at a meeting? If you could just let me know.

>> CHRISTINE PALMIERI: At this point I think they were doing that after that meeting. So at this point because it was so early in the school year in our initial meetings, I don't remember them trying to enter anything into an IEP.

>> NANCY KRENT: Thank you. That helps clarify. So at some point the team tried to add something to the IEP, based on I would gather -- was your consent that they could add the parapro itself, bringing you back -- is that correct?

>> CHRISTINE PALMIERI: Yeah, I mean it was an ongoing process.

>> NANCY KRENT: Okay. And then you talk about in October meeting that you had, I think at the very bottom of that same page it says on October 24th you had an IEP meeting.

Can you talk to me about the discussions involving the paraprofessional support at that meeting?

>> CHRISTINE PALMIERI: I --

>> NANCY KRENT: If you remember them. And if you don't, that's all right.

>> CHRISTINE PALMIERI: By October I believe he might have had a different district rep at that time.

>> NANCY KRENT: Okay.

>> CHRISTINE PALMIERI: So there was sort of a loss in transition. But by October I know that we were seeing academic prompting needs and more additional needs for para support. In October I brought a volunteer advocate with me.

>> NANCY KRENT: Right. But again, I'm going to stop you. I appreciate that you're giving us background that I know is important. But really for my purposes for these questions I'm really trying to hone in on things that are happening at the IEP meetings and in the paperwork development.

>> CHRISTINE PALMIERI: For me for the paperwork development, when I showed up to that 10/24 meeting, I haven't seen any paperwork.

>> NANCY KRENT: Okay.

>> CHRISTINE PALMIERI: While I had asked for a draft ID I had not seen one.

>> NANCY KRENT: I guess my question is at -- at the October 24th meeting, was there a decision made about paraprofessional support.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: What was the decision?

>> CHRISTINE PALMIERI: So I remember being at that meeting and the first decision proposed we expanded. So there was a schedule made and I have follow-up emails as well and we talked about that schedule which then turned in and we agreed as an IEP team to full day dedicated support.

>> NANCY KRENT: That was at the October 24th meeting there was an agreement.

>> CHRISTINE PALMIERI: I believe so yes.

>> NANCY KRENT: To full day.

>> CHRISTINE PALMIERI: And our case manager emailed final schedule

cent contract was the IEP finalized at the table at that meeting.

No.

>> NANCY KRENT: Did anyone explain to you why it wasn't finalized?

>> CHRISTINE PALMIERI: I had many, many explanations as to why it wasn't.

>> NANCY KRENT: What were the explanations as to why it wasn't?

>> CHRISTINE PALMIERI: Consistent, it was related to the technical difficulties of the IEP or data collection or it was sent to our district rep for questioning. You know...

>> NANCY KRENT: But there was a district -- there was a district rep at the October 24th meeting, is that correct.

>> CHRISTINE PALMIERI: I believe so. I believe there was a district rep at every meeting it's just that we had three different ones throughout the year.

>> NANCY KRENT: In your affidavit you say that finally on November 21st you got an IEP that was made as a draft.

>> CHRISTINE PALMIERI: Yeah.

>> NANCY KRENT: Was that the first time after the October 24th meeting that you were given a draft IEP, or did you leave the 24th meeting with a draft and you were still getting drafts on the 21st of November?

>> CHRISTINE PALMIERI: I mean I'd have to look back on that and I do have the records for it but I believe -- you know, there were sections. So like you know, they were able to populate one area at a time. And I was like give me the draft IEP right now. So I was -- would have to look back to confirm that.

>> NANCY KRENT: Okay. All right. The -- the draft that you received on November 21st, if you recall, did it have the reference to paraprofessional support in it? Whether it was in draft form or not.

>> CHRISTINE PALMIERI: I believe it did. I believe it was procured in each section and I believe the 11/21 is when we would be able to officially say the IEP was updated and representing paraprofessional support.

>> NANCY KRENT: Did that IEP then have full day support in it?

>> CHRISTINE PALMIERI: I think that it did not have full day support because they were not able to population the transitions and recess areas that were the ones that were initially agreed upon.

>> NANCY KRENT: All right. And then after the October 21st meeting when -- I mean the November 21st document when you learned that this had been approved, is that when you started to -- I believe you said that was when you discovered that there was then on top of the document problems, there was now a fund being issue; is that right?

>> CHRISTINE PALMIERI: I knew that there was going to be a funding issue and an appeals issue in July of that prior, because I had gone to an LSC meeting in which I didn't -- so I was aware of the budget appeals process and wishing my principal -- Ms. Daley to express the need for an aide between -- was coming. So I was aware of the budget appeals process and was being assured that they were following that. At some point in my affidavit I state that the case management said to me they had become aware of the budget appeal process.

>> NANCY KRENT: Okay. So in particular with the efforts to secure a paraprofessional for your son, what was the -- what involvement did you have or what involvement did you have in getting information from the principal about what was happening with the funding that was going to

fund the paraprofessional support for your child?

>> CHRISTINE PALMIERI: Well, I had to be involved. I was going to Board of Education meetings and letting the board know that. And board -- and everyone know what was going on.

>> NANCY KRENT: What was going on?

That's what I need you to describe.

>> CHRISTINE PALMIERI: So we were basically -- our school and our IEP team were aware of the need for paraprofessional support for my child. While years prior had been delayed, we were following the normal process to get his IEP updated to reflect that. We were hit with these new challenges. The IEP team and our case management team were learning how to go through this process. It was delaying us.

The budget appeal, we were learning about as well. And it was also delaying us. And in the meantime my son was trying to elope from the school. He was put in danger. So at that point I was able to say we have an IEP that reflects the need for dedicated aide support and stated the Board of Education, we have submitted an appeal, we have not heard anything on it, and I demand help. And I received help from of course the principal's office, from Shinelle King.

>> NANCY KRENT: What happened?

>> CHRISTINE PALMIERI: She let me know expeditiously that it had been denied, appeal had been denied.

>> NANCY KRENT: Were you given at some point an explanation of why the appeal was denied.

>> CHRISTINE PALMIERI: At that point I was not. A week later -- and I can look at the exact date. On Thursday evening I received an email from our network chief inviting me to a conference call the next morning at 8:00 a.m. And I think that it's important to understand we were put in a very adversarial position. I was sort of put against my principal. But we were starting to realize what was going on and that it wasn't anything to do with them or with me. I thought this phone call was going to be for them to tell me that they were going to ask my child to go to a different school or he was going to be pushed to -- I had no idea yeah what this phone call was about. And then I responded to my network chief and asked him what it was and he stated that it was basically to explain why the budget appeal was denied. At a later point I was told that I might not have -- I might not have posed.

Supposed to have been included in that conference call. But I sure was on the phone the next morning at 8:00 a.m.

>> NANCY KRENT: And that was the call that you describe this your affidavit that Mr. Volan participated in.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: And you describe that in your affidavit.

When did your son first get either a regular or substitute paraprofessional assigned?

>> CHRISTINE PALMIERI: In that phone call I asked allied manet -- I asked specifically to Mr. Volan, that you know is there any question that my son requires a support? And he said that she does not. There is no question that she requires aide support. So I then made a point of going through all the experiences we had had to get to the point that we were at in -- and reiterated that everyone was in agreement that an aide was needed. And demanded that a substitute aide be put into place. And --

>> NANCY KRENT: When was the first time that your -- that your son

had a support? That's what I'm asking.

>> CHRISTINE PALMIERI: It would have been the following Monday.

>> NANCY KRENT: That would have been sometime a week or two before winter break. And was that a full-time or part-time.

>> CHRISTINE PALMIERI: She was there full time.

>> NANCY KRENT: And from that time on what did your son have paraprofessional support?

>> CHRISTINE PALMIERI: He had dedicated support through the substitute aide.

>> NANCY KRENT: And how long did the substitute aide stay before a regular employee was hired for that position?

>> CHRISTINE PALMIERI: I believe it was -- it was after the Christmas break. So it was some point in January. And it's -- the date --

>> NANCY KRENT: I don't need the exact date. Sometime in January. All right. And since that time has your son had dedicated aide.

>> CHRISTINE PALMIERI: He has. We went through paraprofessional justification last year. But my team was well aware of what was ultimately --

>> NANCY KRENT: Okay. All right. So if -- so the team went through -- you said the paraprofessional justification process again.

>> CHRISTINE PALMIERI: Yes.

>> NANCY KRENT: Do you know how they collected the data or what sort of data they collected on your son's need for an aide since you already had an aide with him?

>> CHRISTINE PALMIERI: Yeah, I mean I think his paraprofessional was the one collecting much of that data. And again, but you know, we have the assistance now of the -- the CPS BCBA, she's one of two in the entire autism department within CPS. She's been a phenomenal addition.

As she's stated, Miles requires so many academic prompts to even be able to attend to the classroom environment, that there is more than enough to justify the need for aide, despite the fact that he is, you know, making improvements in other areas, there was never a concern that -- for him the para justification form process would then show that it doesn't -- he's also -- he also goes --

>> NANCY KRENT: Right. I guess what I'm trying to get at and I think what I'm hearing from you is that for this past year, the documentation that they took for the paraprofessional justification form was data on what the aide was actually doing at this time.

>> CHRISTINE PALMIERI: Yeah. I mean having an aide and placement that they could actually see and take data, what was happening throughout the day.

>> NANCY KRENT: Okay. Just give me one minute. I think my colleague Ms. Cam do you remember has some questions.

>> RUPA RAMADURAI: Behind you there's a binder that has third party documents with a tab on it. I want to briefly ask you a few questions about two of the stories that you shared in the affidavit that you submitted on behalf of other parents.

>> CHRISTINE PALMIERI: Yes.

>> RUPA RAMADURAI: And the document number is third party 103. The tab on the top is -- points right to where you're supposed to turn.

The post it that's vertical.

>> CHRISTINE PALMIERI: Okay.

>> RUPA RAMADURAI: So kind of generally speaking, can you tell me

how you came to know of the situations that other parents were experiencing?

>> CHRISTINE PALMIERI: Yeah. So going through this I -- and attending Board of Education meetings and sort of reaching out for support and information, I -- you know, found that there were a lot of other families in the exact same situation that I was. So you know, to be honest, it -- it was -- I didn't really know how to process the anger and grieve that I was dealing with in reaching out to help or at least pass on the information that helped me when we first -- a lot of parents were unaware of even the procedural changes or the policy changes or things that were going on. So it really -- through speaking out at the Board of Education meetings, people started reaching out to me and we so a need to get information out.

>> RUPA RAMADURAI: Okay. There's one specific story that you share in your affidavit and it's about the parent on the west side. It's the first I think little paragraph in your affidavit.

>> CHRISTINE PALMIERI: Yes.

>> RUPA RAMADURAI: Can you tell us what year that happened? That specific situation?

>> CHRISTINE PALMIERI: That would be...not this year. Last year.

>> RUPA RAMADURAI: So in the 16-17 school year?

>> CHRISTINE PALMIERI: Yes.

>> RUPA RAMADURAI: Do you know of anything more recently that's happened?

>> CHRISTINE PALMIERI: Similar situation to that?

Absolutely do.

>> RUPA RAMADURAI: With respect to that parent or yen sli --

>> CHRISTINE PALMIERI: No, not with respect to that --

>> RUPA RAMADURAI: In your affidavit you say the parent had inadequate paraprofessional support did you mean that the child wasn't assigned a paraprofessional or that that individual, the para wasn't doing what he or she was supposed to be doing?

>> CHRISTINE PALMIERI: I don't know the details of that.

>> RUPA RAMADURAI: One more question about another story you had mentioned in that affidavit, I'm referring to the paragraph where you mentioned the \$3,000 medical bill.

>> CHRISTINE PALMIERI: Yes.

>> RUPA RAMADURAI: That a parent had to incur. Can you tell us what year that happened, this year, 17-18, or 16-17?

>> CHRISTINE PALMIERI: This fall.

>> RUPA RAMADURAI: Do you know if that child had a paraprofessional or not?

>> CHRISTINE PALMIERI: They did not. So one of the concerns for me, I'm not an advocate. I -- or I'm -- I'm not an educator. So for me having a child with autism who has a propensity to bolt, it is concerning when I hear stories with children with autism who have bolted or who are having melt downs or having behaviors in their school due to lack of proper supports and services. So these experiences were very similar. And that was one where the student did not have an aide and did not have any proper support for service and it was a result of a melt down. He threw a fidget. That could have been my son any day, so...

>> RUPA RAMADURAI: Thank you for sharing that with us.

Did you guys have any other questions?

>> RICH COZZELA: No.
>> NANCY KRENT: Thank you.
>> RICH COZZELA: Thanks. The attorneys for CPS have indicated they're not going to ask questions.
>> NICKI BAZER: No, we're not. And thank you for the testimony and coming today. Appreciate it.
>> NANCY KRENT: Dot advocates have questions?
>> MATT COHEN: Based on our available questions, we're not.
>> MS. KRENT: Thank you very much. You can step down. We appreciate you coming in.

I am a he hoping that nobody needs to take a break right now. We're going to postpone -- we're going to go right to the next witness. After that witness we will take a very short break. So we can stay on schedule today. Our next witness is Juan Vaglienty.

(Sworn in).

>> RUPA RAMADURAI: Rich, I think at the top. The ones -- the section behind. Mr. Vaglienty, thank you for joining us today. We received your affidavit of submission. We'd like to give you the opportunity to take a brief few minutes and highlight for us high level concerns that you have. And in giving us these concerns we'd like you to focus on how the experiences you had within CPS have impacted your ability to engage as a parent. And kind of sharing with us really focus on process. So after you share with us, we may -- we're going to follow up with some questions for you that were specific to your affidavit. Now, we may not ask you everything about everything in your affidavit, and that doesn't mean that we haven't acknowledged it or aware of it. But we're really going to focus our questioning on some of the areas that we're seeking further clarification on. At this time I would like to give you the opportunity to share with us for a few minutes.

>> JUAN VAGLIENTY: Thank you. Good morning and I want to thank everybody here who's attending. Hopefully I provided testimony, things can improve at CPS. My name is Juan Vaglienty, I have two children with disability. Who attend CPS. I have a son who's 5 years old, he has Down Syndrome and I have a daughter named Amelia 7 year's old who's in first grade. In particular today I want to speak about Amelia's experience at CPS and how the budgetary restraints and data-collection processes have affected her educational experience. I think it's important to talk about how the denial or delay in services to these children like my daughter, Amelia, affects their daily life at school. Having the appropriate supports and aides, it's not a luxury or a perk. It's a necessity.

The when you have children like my daughter in your classroom, an unstaffed and unsupported teacher is not capable of providing with proper education. To help you understand this point, I want you to imagine being in my daughter's shoes, because then you will know how a delay in services, denial of services can affect you. How it's important that these type of things should be handled properly.

My daughter Amelia is legally blind, nonverbal and confined to a wheelchair. So imagine yourself being confined to a wheelchair and legally blind and nonverbal. You are placed in a kindergarten classroom and you do not have an aide. So you can't really participate in the class because there's no one there to help you accommodate or modify the curriculum for you. Now you have -- you're not eastern able

to go to the bathroom by yourself so you have to defecate or urinate in your pants until your aide is received. Your parents have requested an aide, but you're told that data needs to be collected to see if your classroom or yourself require an aide.

Imagine also you need an aide to help you navigate safely throughout the school. And you can't do that without an aide. So there are aides that can help you but they're busy taking care of other children, so they forget you in the elevator. You can't call for help, you're nonverbal. So you're left there until someone finds you. And who finds you? Other students.

Imagine not being able to eat at school because your IEP which requires you to have one-on-one aide to help you learned how to feed yourself is not available because there's a delay in receiving that aide.

Not having these supports also affects safety. So like I said, you need to safely navigate the school.

(Amelia) imagine not being able to see. And suddenly you're hit with a blow to your head, you're not able to protect yourself. You're not able to see your classmate who probably needs an aide himself and does not have one, rams his lunch back into your head, causing a gash wound to your head. You're not able to stop the bleeding yourself so it continues bleeding and saturates your shirt with blood.

Finally imagine being left alone on a chair during circle time. And for one reason or another your aide's not there, either she's on break or she's sick that day and there's not enough support in the classroom to cover for her. You fall face first against the floor with your head. Leaving you with a contusion and a bruised and bloody nose. That weekend you're supposed to attend the father-daughter dance. But you can't because you're on concussion protocol. You're not even a football player. My daughter doesn't need to imagine these things because they actually happened to her.

And until these children like my daughter receive the appropriate supports and aides, that you are not -- not only denying a FAPE, you're denying them the basic human dignity that every person deserves and has a right to.

>> RUPA RAMADURAI: Thank you so much for sharing that with us.

Mr. Vaglienty, I want to start with you telling us about the classroom your daughter was placed in for the 16-17 school year. If you can speak to what type of personnel support she had and what type of classroom it was.

>> JUAN VAGLIENTY: So my daughter was placed in a cluster program. She was placed in a room where it was just her classroom. For what I can see, for what I can recall, there was a -- maybe 8 or 9 students and three aides. And that's not including my daughter's one-on-one aide. She was placed in that classroom. Now, how many aides were full time aides or part time aides, I can't tell you. I don't have those records in front of me. But that is the class where she was placed in during the 2016-2017 school year.

>> RUPA RAMADURAI: In your affidavit you mentioned that you had put in writing a request for a para for her specifically. Can you tell me a little bit about when you put in that request and what response you received?

>> JUAN VAGLIENTY: I put in that request I believe it was September 2016 to the school counselor. I had told them that we wanted an aide

for Amelia because she needed one. The counselor agreed to it, but before they can schedule the IEP, they would have to collect data. Which astounds me because looking at my daughter, you know she needs one-on-one aide.

I provided a photo of her. I can demonstrate...it's not a -- it's a no-brainer she needs an aide.

(Displaying photograph) concerning that you need to collect data, to me it was just a way of delaying providing her the proper services.

>> RUPA RAMADURAI: So you made your request in September of '16. You were told that they needed to collect further data.

>> JUAN VAGLIENTY: Right.

>> RUPA RAMADURAI: When was the first IEP held that school year?

>> JUAN VAGLIENTY: October 27, 2016.

>> RUPA RAMADURAI: How many weeks had Amelia been in school at that point?

>> JUAN VAGLIENTY: Proximately 7 or 8 weeks.

>> RUPA RAMADURAI: Can you tell us a little bit about what happened at that IEP meeting?

>> JUAN VAGLIENTY: The IEP meeting, the IEP team, all were in agreement that Amelia needed one-on-one team. My wife and I were surprised. We thought we would have difficulty having the IEP team agree to it. But as you can see, and if you look at my daughter, you know she needs an aide in order to safely and functionally be at school.

>> RUPA RAMADURAI: So the IEP team had come to agreement that paraprofessional support was necessity for your daughter.

>> JUAN VAGLIENTY: Yes.

>> RUPA RAMADURAI: The October 2016 affidavit that you provided for us in your submissions does reflect that she qualified for paraprofessional supports. When was the paraprofessional made available to you?

>> JUAN VAGLIENTY: So if you could see in the affidavit, I was going back and forth with the administration, trying to find out -- because her aide -- okay, so teacher allow, no, coming to the aide or -- we would drop off Amelia after therapies at school and we'd thought maybe they'd say this is a new aide. We weren't receiving that. So after a couple -- two weeks, I followed up with the principal. And there's an affidavit or there's actual email from her stating that they had made the request since August, but just some type of budgetary issues, they were waiting for that to get resolved in order to hire someone.

>> RUPA RAMADURAI: Do you know how your daughter was being supported in the meantime?

>> JUAN VAGLIENTY: I think they were making due with the aides they had in the classroom already. And I don't know if they were playing -- or -- adjusting with other aides in the other rooms, depending on her need, supporting Amelia.

>> RUPA RAMADURAI: So your affidavit also provides some concerns that you had around ESY services being provided for your daughter as well.

>> JUAN VAGLIENTY: Yes. We know from her preschool placement she would get extended school year so I just wanted to make sure that she received that for that year. So I asked at the meeting about that. And they told me they needed to collect data. And it's actually on the IEP.

>> RUPA RAMADURAI: So in the summer of 2016, so prior to the 16-17 school year she had ESY services.

>> JUAN VAGLIENTY: Correct.

>> RUPA RAMADURAI: And they had communicated to you that data needed to be collected for the following ESY --

>> JUAN VAGLIENTY: Right.

>> RUPA RAMADURAI: Did the IEP team communicate to you or did someone at the school communicate to you what type of data they needed to collect?

>> JUAN VAGLIENTY: Well, from my understanding, from what I've talked to other parents and from what I've read, is that they first want to see if it's merited. If the child's struggling, or there's a regression.

>> RUPA RAMADURAI: So was this -- what was the conversation that you had at the October 2016 IEP meeting around the ESY?

>> JUAN VAGLIENTY: Well, I asked for it and they told me that they don't make that decision now because they need to make some data. To support it.

>> RUPA RAMADURAI: And so what were you told as a -- that the follow-up would be?

>> JUAN VAGLIENTY: They told me later on they would amend the IEP and let us know if that -- if they decided to have her attend ESY.

>> RUPA RAMADURAI: Did she ultimately receive ESY?

>> JUAN VAGLIENTY: Yes, she did.

>> RUPA RAMADURAI: And when was that decision made?

>> JUAN VAGLIENTY: I can't really recall. I think it was maybe two months later they decided. So we're talking about October, November, December -- I think it might have been February or March.

>> OLGA PRIBYL: Do you want to refer him to his affidavit?

>> RICH COZZELA: Your affidavit is at the --

>> JUAN VAGLIENTY: I have my affidavit. But I didn't put anything when she received the ESY -- March 31st.

>> RUPA RAMADURAI: Okay. And can you speak a little to how this delay in get being ESY impacted you?

>> JUAN VAGLIENTY: Well, we have Amelia and so we also have another child with disability so we need to program their lives so that we know what they're doing. Like any parent, but because of their disabilities and -- and the limitations they have, we have to do planning as far as looking what they're going to do for the summer, how we're going to help them improve. So in that way we have to adjust our schedules, our work schedules to see if we need to accommodate the children. So that's -- that's how it affected us. But too it was kind of worrisome because like I said, you look at my daughter, there's no need for data. I mean if you're an educator, you see a child like my daughter, you know they merit additional aides and supports.

>> RUPA RAMADURAI: You also express some concerns in your affidavit about the current school year and where Amelia is placed. Can you tell me about the classroom setting that she's in this year?

>> JUAN VAGLIENTY: So we started the school year in the fall and we met with the teacher, and they were in a different classroom. And it was a bigger classroom and it was a combined classroom. So there's two class groups, two cluster programs combined in one room. This was concerning because of the size of the room, the noise, might affect my child and the other children in that classroom, because a lot of them

have autism. And it can provide sensory I shall you autos not only for Amelia but her classmates.

We like the previous classroom, that's why we decided on Edison -- the school Amelia attended, her kindergarten because the room was a nice, small room. Small group of children. We believed that would be the best setting for Amelia.

But when we attended the meeting with the teacher this fall, we were kind of disappointed and worried that that would affect Amelia and her safety. And unfortunately, it did.

Because it seems like -- it's overcrowded and there's too many kids in that room. The teachers do their best, but without the proper supports, they can't attend to each kid. And unfortunately the child that they cannot attend to tends to be my daughter, she has two occasions she's been injured. Not just injured, blood and -- the last one resulted in an ER visit with a CT scan. So we're not too happy about her current placement right now.

>> RUPA RAMADURAI: Does she have a dedicated paraprofessional in her current classroom?

>> JUAN VAGLIENTY: That's the other thing we're -- we feel that her dedicated professional unfortunately is somehow being distracted or being used as an aide for other students. Because other students probably need their own aide and there's not enough aides to support the teacher. And as a direct result my daughter suffered these two injuries. Because if you look at the incident reports, these injuries, if there was an aide in front of her, or near her, were probably preventible and foreseeable. So it's hard to understand if she had a true personal dedicated aide, how these -- these incidents could have happened.

>> RUPA RAMADURAI: Have you had any issues with getting ESY for this upcoming summer, this school year?

>> JUAN VAGLIENTY: We're going to have an IEP meeting for Amelia next month. And that's when we're going to address the ESY also.

>> RUPA RAMADURAI: Mr. Vaglienty is there anything else you would like to share with us about concerns you have for this specific school year?

>> JUAN VAGLIENTY: You know, I want my daughter to be safe. And I think as a parent, that's the minimum you want or expect from the school. That your children be safe. And I know children go to school where there's gunfire, but that's outside the school. Inside the school the school has a duty to keep all children safe, but more specifically children with disability. And those who cannot speak or walk, talk or see, and it's really -- it's concerning for me because the area that where our child lives in school is a beautiful school, and you wouldn't expect things like that happening there.

And the reason why my wife and I agreed to -- provide testimony today is because -- sorry -- we've encountered other parents who do not speak English or don't have the education to speak up for themselves, or are afraid to speak up for themselves. And other parents tend to leave the city because of these reasons. We are told why aren't you leaving the city? And we love the city. We think the city's great. We love the public schools because there's a diversity of students there and they have potential to make the city even better. But when you treat your students and the children as second class citizens and don't provide them with human dignity, then it's very unfair. And something needs to

be done. That's all I have to say.

>> RUPA RAMADURAI: Thank you so much.

>> NANCY KRENT: Thank you. And I know that attorneys for the Chicago Public Schools don't have any questions.

>> NICKI BAZER: No, we don't have any questions. Thank you for the testimony.

>> OLGA PRIBYL: We don't either. Thank you.

>> NANCY KRENT: Thank you very much, Mr. Vaglienty.

>> JUAN VAGLIENTY: Thank you.

>> RUPA RAMADURAI: You may step down.

>> NANCY KRENT: Okay. It is 11:45, we are going it take -- no, it's actually 11:47. So we're going it take 58 minutes for lunch. I'd like to resume if at all possible at quarter to 1:00. We have two witnesses this afternoon. Our goal is to finish at 3:30. Because we know that this is being closed captioned and we will lose the ability to closed caption it through her. So we will adjourn now until 12:00 -- until 12:45. Thank you.

(Break.)

* * *

This text is being provided in a rough draft format. CART captioning, Communication Access Realtime Translation captioning, is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings. Any video that has been reproduced in text format is to comply with the Americans with Disabilities Act under the Fair Use Doctrine. This file is not to be distributed or used in any way that may violate copyright law.

* * *

FINISHED FILE

ALL RIGHTS RESERVED
ILLINOIS STATE BOARD OF EDUCATION
HEARING ON PUBLIC INQUIRY
MARCH 21, 2018
12:45 PM
CHICAGO, IL

Realtime Captioning Provided By:
EFFICIENCY REPORTING
P.O. Box 134
Wheaton, IL 60187
630.682.8887
EfficiencyReporting.com

* * *

This text is being provided in a rough draft format. CART captioning, Communication Access Realtime Translation captioning, is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings. Any video that has been reproduced in text format is to comply with the Americans with Disabilities Act under the Fair Use Doctrine. This file is not to be distributed or used in any way that may violate copyright law.

* * *

>> NANCY KRENT: It's just 12:45. Thank you all so much for being prompt. We really appreciate that. We're going to move on to our next witness.

Ms. Tabatsalis, do you want to come up?

>> RICH COZZOLA: Good afternoon. Let all the parties know that your affidavit is on -- begins on Page 3823 and you will be referring to it on your laptop. So you can as I let you know ahead of time, we're going to begin with you kind of just telling us what you can tell us related to the four issues that we have in general way, and then most of my examination and questions that I have will pretty much follow the affidavit and ask you to fill out some of those and maybe some additional questions about the school year with -- if those come up.

So go ahead.

>> SALLY TABATSALIS: Okay. I am a 4th year special education teacher McNair School of Excellence in Austin, I teach in a pri- --

>> RICH COZZOLA: Maybe -- you can get the mic. If you move your laptop a little to the left...

>> SALLY TABATSALIS: So I am a 4th year special education teacher at McNair School of Excellence in Austin. I teach in a primary low incidence cluster classroom for students who require moderate supports. My students are amazing. My students also require a significant amount of attention and interventions to support their academic, social, communication and behavioral growth.

To meet these needs, I train and work alongside 6 paraprofessional. On an average day, we manage at least three significant melt downs, which my clue crying and screaming, throwing furniture, hitting, kicking, biting and scratching.

I have three students who elope from the classroom regularly, and occasionally from the building. But so much learning is happening. I spend nights and weekends adapting and modifying grade level curriculum

to ensure my students are challenged and prepared to transition to a less restrictive environment when they are ready.

Over the past two academic years, I have experienced delays and denials of services for my students along with additional burdensome paperwork, just to get my students the supports they need to participate and progress in school.

I spend an additional hour -- I spend an additional hour per IEP with a dedicated paraprofessional in it to fill out the justification forms and corresponding IEP section. That's on top of the hours I spend researching, collaborating, training, creating materials, and collecting my own data to actually address behaviors and implement effective intervention. And then positions take months to open and more months to fill.

Outside of my own classroom, our school experiences many other special ed service shortages. We have been denied an additional high incidence Special Education teacher even though by rough calculations, we are not able to service about 300 minutes a week per grade level with our allotted three high incidence teachers.

When we inquire with special educators about receiving additional support we are met by denials or delays with vague references to district policies and little follow through. The obligation to provide services and meet student needs falls back on existing special education staff and service providers who are already stretched thin. Instead the district representative instructs teachers to write a limited number of minutes and no science or social studies minutes for high incidence students.

This year the district representative has also presented me from writing IEP minutes for two of my students split between my cluster setting and the last less restrictive inclusive or resource setting. In both of these instances the individual needs of students for either more special education minutes or access to a less restrictive environment are ignored.

The paraprofessional justification form has also caused excessive paperwork, at least an additional hour per IEP, well -- before the para section populates on the IEP. In at least three instances this school year, according to two of my Special Education colleagues, administration has denied a para due to data being turned in too late. All of these -- all of these students are in our severe and profound program, and have significant needs such as toileting, positioning and feeding. Along with requiring hand over hand prompting to access academic instruction.

From my perspective our high percentage of diverse learners and budget constraints have led us to this point in the school year where we continue to need at least one additional Special Education teacher and approximately 14 paraprofessional to immediate the needs of the students in their IEPs. According to administration, they are only allowed to file a budget for five paraprofessionals at a time. We received para positions in January, nothing has been said or done by the district about the remaining positions since then.

I am here to share my experiences with the system and how it affects our students and here to advocate for my students and their right to a Free Appropriate Public Education.

>> RICH COZZOLA: Thank you. Before we kind of get into the substance, this is being -- for all of us, we just want to make sure

we're clear on what some of the terms mean and also there are people who don't work every day in Special Education, some of the terms. So look -- you talked about low incidence and high incidence. Without kind of getting into who the students are can you kind of explain what those two terms mean and what they're like at your school.

>> SALLY TABATSALIS: Absolutely. Low incidence students, low incidence disabilities refer to students who where disabilities occur at a lower percentage than the general population, so disabilities such as autism or moderate or severe intellectual impairments. As opposed to high incidence which are kids who typically have average IQs and they have more like a behavior disorder or a learning disability.

>> RICH COZZOLA: And when you talk about your school having -- so the teachers who are in low incidence classrooms, are those also called cluster?

>> SALLY TABATSALIS: Yes, low incidence cluster programs much we have five of those classrooms at our school, two severe and profound and three that provide moderate such as mine.

>> RICH COZZOLA: When you talk about teachers who are teaching in high incidence classrooms are those Special Education teachers or regular teachers?

>> SALLY TABATSALIS: They are Special Education teachers.

>> RICH COZZOLA: And what kind of work in the classrooms do the Special Education teachers do?

>> SALLY TABATSALIS: They provide inclusion teacher, co-teach with a general education teacher or provide some pullout as they're able to. Like in a resource setting.

>> RICH COZZOLA: So some of the time they're in the room with the Gen Ed teacher general teaching, and you said pullout.

Can you explain at your school what pullout looks like?

>> SALLY TABATSALIS: Per their IEP, or as they're able to meet those minutes within the teachers we have, they will take a student with an IEP and provide their services in a separate classroom.

>> RICH COZZOLA: All right. So the -- some of the things that you said we may come back to or they get them as we're going through, but just to stay organized I'm going to try to follow your IEP. So I'll kind of ask you -- I'm sorry, your affidavit. Not your IEP.

So the first issue that you talk about is that in 2016-17 as the paraprofessional form as how that impacted things.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Do you want to explain -- that and --

>> SALLY TABATSALIS: Yes. Given the nature of my cluster classroom every single one of my students requires some level of paraprofessional support, whether it's shared or dedicated. And so when the paraprofessional justification form originally came out, I was required to fill one out for every single one of my students. And with the first iteration of the form, it would take me three plus hours just to fill out the form.

>> RICH COZZOLA: And what kind of -- what did you have to fill out in the form and why did it take three hours to --

>> SALLY TABATSALIS: It was just every time you checked a box, another section auto populated. Because they require support for behavior, they require support for social skills, they require support for academics, every one of those pieces, if they require support in the hallway, that's another section. If they require support in the

lunchroom that's another section.

>> RICH COZZOLA: When you would click hallway, do you recall what kind of boxes would open up that would have to be answered?

>> SALLY TABATSALIS: At this time, no. Because of all the different -- forms we've been through.

>> RICH COZZOLA: So -- and did you -- for each one of the 13 students you had that year, you did the form?

>> SALLY TABATSALIS: I did the form, because I believe halfway through that school year they revised it.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: So -- but I think by that point, I am estimating now, I think I did about half of my students with that form.

>> RICH COZZOLA: Was that the form that at some point changed from having to collect ten days of data to five days of data?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Okay. Did you have to collect data for each of the academic areas that the student was in?

>> SALLY TABATSALIS: Yes. And I provide all academic areas in my classroom.

>> RICH COZZOLA: Okay. One of the other things that you talked about in your introduction was -- and it's the next thing that comes up in your affidavit is running into what you call in your affidavit, you use the word "block." Attempting to place a student in the -- in the most appropriate, least restrictive environment.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And that there was a problem that emerged with that? Can you describe what that problem is, because...

>> SALLY TABATSALIS: Yes. So...even though autism is a low incidence disability, I don't support all students with autism. Right?

We're here, we're special educator, or we work within Special Education so we look at the individual student. And I believe a lot of students with autism can succeed in the general education curriculum with supports. And so a lot of times because I teach primary, and kids come to me so young, they do need my smaller structured setting with a modified curriculum so that they can learn how -- I always say how we do school. So that we can implement a lot of structure and a lot of supports so that they understand how to do school and then transition into a less restrictive environment.

There is no clear pathway, and when I try to create it, I've just been told no, through my case manager when she's asked our district representative, that they can't split between my cluster classroom and have some minutes in like a -- with a Special Education teacher giving them services in an inclusive setting or a resource center.

>> RICH COZZOLA: So explain that kind of in terms of just an example. So let's say you had a student, doesn't have to be a student that you necessarily know, but you wanted him or her to make this new to a less restrictive setting, how would those things that you talked about be woven in.

>> SALLY TABATSALIS: How would it be outside of the system, like in an ideal if the student were getting what they needed, or how does it turn out with what I've been told?

>> RICH COZZOLA: What would you think the students need to get that and let's talk about how you tried to accomplish that in your school.

>> SALLY TABATSALIS: So I actually have a student that I have in

my -- and I speak about him later. He -- to get around this, we write like a trial. And do his IEP and so we spend a little bit of time up to about 45 minutes in a general education home room, but it does not appear in his minute grid, it's written where I said trial so we can collect data on his assess. Ideally we would transition -- he has been successful, we have the -- to approve that. And I would like to write in his minutes grid that he received his science and social studies minutes in an inclusive setting. So that --

>> RICH COZZOLA: And just from a -- as an educator, why science and social studies?

>> SALLY TABATSALIS: That tends to be a slightly less -- or there are more opportunities to provide him supports and modifications where his like basic skills -- where he has basic skills deficit. It's not as essential that he be able to write and read at grade level to access how you do social studies, there are alternatives for him showing what he's learned.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: And so ideally that there would be a transition period for the remainder of the school year where that's how he splits his time. He's with me for reading and math, and he has more access. In an inclusive settling for science and social studies and I've been told, no, I can't write the IEP like that.

>> RICH COZZOLA: When you say been told, what job description does the person have, I'm trying not to name somebody's name.

>> SALLY TABATSALIS: That's okay. So when I have spoken to our administrator who also acts as part case manager about it.

>> RICH COZZOLA: So the school administrator.

>> SALLY TABATSALIS: The school administrator, yeah, she has reached out to our district representative and according to her we've been told no. And it's come up on a couple of different occasions.

>> RICH COZZOLA: And have you been told through that line of communication as far as you know, what the reason for that is?

>> SALLY TABATSALIS: No.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: No, we haven't. I think if I'm guessing, it's because it's sort of leaves a seat open that can't be filled. In my classroom.

>> RICH COZZOLA: Okay. Has anybody said that that's the reason to you?

>> SALLY TABATSALIS: No. No.

>> RICH COZZOLA: In paragraph 13 of your affidavit, that's -- piece of what your -- I think what you're talking about, or let me ask it as a question.

When you say that the -- assistant principal and case manager was told by the district representative that a student cannot have minutes in a cluster program and in general Ed with Special Education inclusion or in a separate setting without the significantly modified curriculum resource, what does that last part mean?

>> SALLY TABATSALIS: So students who are place the in my cluster program receive a significantly modified curriculum. There is a section in the IEP to do detail what best significantly modified curriculum should entail. So though my students, are we all familiar with the common core state standards?

So my students are meeting the essential elements of those common

core state standards, which is appropriate for their developmental needs. It just -- it means that they're progressing along those standards more slowly. And so I use the essential elements in order to give my kids access to the general education curriculum.

I could click in the significantly modified curriculum section of the IEP, I can choose which academic areas they need that curriculum in. So I could choose just reading and math, and not science and social studies. And then they would have to be provided that. But I -- it is my understanding that I just have to click all of them in detail the significantly modified curriculum.

>> RICH COZZOLA: So -- so in order to get a significantly modified curriculum, your belief is that you have to click all the academic areas?

You couldn't just --

>> SALLY TABATSALIS: Yes. In order for them to receive the significantly modified curriculum in my cluster program.

>> RICH COZZOLA: All of that has to be clicked.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: You can't only click some of them.

>> SALLY TABATSALIS: Correct.

>> RICH COZZOLA: So a student -- your understanding -- couldn't be in cluster for part of the day and inclusion classroom for another part of the day.

>> SALLY TABATSALIS: Exactly.

>> RICH COZZOLA: And what is the impact that you see that having on those students like the one you described who you believe may be ready for that?

>> SALLY TABATSALIS: It was in math.

>> RICH COZZOLA: And what --

>> SALLY TABATSALIS: It kind of prevents him from accessing his least restrictive environment. It almost requires him to participate in a more restrictive environment than is necessary.

>> RICH COZZOLA: And is that in the current year or is that in 2016-17, or both?

>> SALLY TABATSALIS: The current year.

>> RICH COZZOLA: Okay. In the next -- in paragraph 15 in the same subject, you talk about -- you say that high incidence teachers have allegedly been told, so I assume that's not to you; right?

>> SALLY TABATSALIS: Right.

>> RICH COZZOLA: You weren't there for that. So is this something that you're hearing from the other high incidence teachers?

>> SALLY TABATSALIS: Yes. And one of our high incidence teachers is our case manager.

>> NICKI BAZER: Mr. Cozzola, we're confused about a couple things and we would have objection to a couple things. We're not sure what line of questioning, the issue that this goes to. The second thing is she's -- this was our objection before, in her affidavit she cites to things that other people say that were not -- that are not being called as witnesses, that don't have a chance to rebut, that are obviously hearsay and this again we would be concerned about.

>> NANCY KRENT: We understand -- let me start with first, my understanding from listening to the witness' testimony, she's talking about what is to be entered in the SSM system, as she was talking about the various -- you have to check this box and that box. I would put

that under the heading of the issues we're looking at with the SSM system.

To the extent that she's giving general information, again, we're not -- to the extent that she's just reporting what someone else has told her about some incident that she's not personally aware of, we'll direct her to focus on matters that she has awareness of. To the extent that she's sharing problems that she has had and has heard other people say, yeah, that happens to me too, I want her to at least express that.

>> MATT COHEN: I would think in any event, this isn't --

>> NANCY KRENT: I've already taken care of that, thanks.

>> RICH COZZOLA: Has -- what you've learned from other special ed teachers led to you making changes in the way you fill out your IEPs? So you give an example of -- so in paragraph 15, of -- the district representative telling other teachers about IEPs that only have science or social studies minutes.

Has that impacted your writing of IEPs at all?

>> SALLY TABATSALIS: No. Because I teach in a separate program.

>> RICH COZZOLA: You teach in separate program?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Okay. Going to your description of paraprofessional support, how it affected a student name you called ZZ, could you describe that to us in.

>> NANCY KRENT: I'm going to caution the witness. We would like to focus more on the process, don't go into too much detail about the nature of the student, him or herself. To preserve student confidentiality.

>> SALLY TABATSALIS: Absolutely. Thank you.

Just give me one second.

So this happened last school year, we were at ZZ's annual review. The district representative was attending the meeting. I wasn't aware that she would be at the meeting until I got to the meeting. And the guardian -- the guardian came, we went through the entire IEP process.

And when it came time to put the student's dedicated paraprofessional back into his IEP, he was already receiving to educated paraprofessional minutes, the district representative told me because he didn't have an existing behavior intervention plan, and I was noting in the para justification form that he required a dedicated paraprofessional to meet his behavioral needs, I was told that he would -- he wasn't able to have that paraprofessional.

>> RICH COZZOLA: So up to the day of the meeting was the student -- having a paraprofessional?

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: Okay. So -- and what did -- did the other members of the IEP team agree other than the DR with the assessment that he continued to need a dedicated paraprofessional?

>> SALLY TABATSALIS: Yes. And I filled out the justification form as well in, and my administrator had also provided approval.

>> RICH COZZOLA: And had the administrator had verified that the data had been uploaded?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: The -- so then -- I think in the next paragraph you say that to do the next step you had to then remove the para pro that he had.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Okay. And when did -- how soon after the meeting was the para pro removed?

>> SALLY TABATSALIS: So the para pro, as I remember correctly, the para pro stayed in my classroom because I had other vacancies but I had to shift things around within my classroom.

>> RICH COZZOLA: Okay. And what happened with this student in terms of general terms his or her behavior after this change?

>> SALLY TABATSALIS: Because we had already been implementing intervention with him, that used a paraprofessional, we attempted to -- to the best of our ability to continue those. Because they were quite disruptive behaviors. And so that meant that another student that was supposed to be receiving shared a dedicated support, wasn't receiving their full amount of minutes.

>> RICH COZZOLA: Okay. And then after that, next paragraph you say without his para, ZZ was so disruptive in class that he had to be removed.

>> SALLY TABATSALIS: At times.

>> RICH COZZOLA: An at times, was that connected to the absence of the individual -- or dedicated paraprofessional?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: How so?

>> SALLY TABATSALIS: So he had -- so he -- these are very young students, and so we are trying to teach them how to self monitor. Which is why we require so much adult support. And so we have -- we had very involved like monitoring tools to support him. And if that person wasn't available to provide those tools, he displayed a lot of attention-seeking behaviors, and would have a meltdown where it was too disruptive to continue teaching, so he'd have to be removed from the classroom so he could calm down.

>> RICH COZZOLA: And these detailed interventions that you had were the ones that were had by the individual with the student dedicated --

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And those were gone.

>> SALLY TABATSALIS: Correct.

>> RICH COZZOLA: At the end of that paragraph you say I'm supposed to have two programmatic aides, but I only have one now.

When we're talking about ZZ, we're talking about the 16-17 year; right?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Was that -- and the last sentence seems to be talking about this year, so I'm trying to see which -- which year.

>> SALLY TABATSALIS: So yes, you are correct. Yes. That is...

>> RICH COZZOLA: I was an English major, I'm not...
(Chuckling.)

>> RICH COZZOLA: Not a special ed -- not an education major. So I'm just trying to figure out is -- was that both last year and this year that you're supposed to have two programmatic aides but only this one?

>> SALLY TABATSALIS: I honestly don't know.

>> RICH COZZOLA: Do you know last year if you had one in 16 or 17?

>> SALLY TABATSALIS: I did not know the difference until this year between a shared paraprofessional and a programmatic paraprofessional. That has been clearly communicated to us.

>> RICH COZZOLA: Paraprofessional that was part of the cluster

program -- tabs.

>>SALLY TABATSALIS: Last year the message that I received and impression that I was under was that I had one.

>> RICH COZZOLA: Okay. So physically in the room there was one other than whatever individual aides kids have; is that right?

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: Okay. The -- were there other kids in the classroom last year, in 16-17, that had shared IEPs written -- shared aides written into the IEPs, in your classroom?

>> SALLY TABATSALIS: Last year?

>> RICH COZZOLA: Yeah, in 16-17. If you recall.

>> SALLY TABATSALIS: Yes. But I believe when shared was written into their IEP, or maybe it was with the change in the para justification form or the revision of it where I was no longer required to write the para justification form for dedicated and shared, and I believe I should have been told I didn't need to write it for programmatic.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: So I stopped writing it for kids who would require shared beyond the programmatic aide, if that makes sense.

>> RICH COZZOLA: Okay. So -- so if a child -- if it was enough to have the child having the programmatic aide, you didn't then need to also do the para justification form.

>> SALLY TABATSALIS: Correct. But last year I was unaware of the difference.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: And so if a kid maybe required a shared paraprofessional, that might be shared between him and one or two other students, I did not write that form because I was unaware of the difference between --

>> RICH COZZOLA: Okay. So how was that communicated to you this year? How did you learn about that?

>> SALLY TABATSALIS: I learned about it when I attended a union Special Education know your rights meeting. I also actually -- I -- I learned about the programmatic aides, the two that I'm supposed to have and the three that severe-profound should have, from the special ed administrator.

>> RICH COZZOLA: Okay. That's this year.

>> SALLY TABATSALIS: That's this --

>> RICH COZZOLA: That you've gotten that --

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: Okay. Now, the next paragraph you talked about the staff meeting and the other classrooms in your -- at McNair. Or at your school.

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: The -- and are those from hearing from them, the numbers that you talk about in that paragraph, without going into names of other teachers and things like that, are those -- how have you learned that those were the D what the numbers are?

>> SALLY TABATSALIS: From conversations with those teachers, and they might be -- viewing their students IEPs as they're talking about it. Without sharing that -- you know, the confidential information directly with me.

>> RICH COZZOLA: Okay. So as a result of that -- and go back to

something that you said earlier, that you believe that your school needed one additional teacher and, I believe, were short 14 paraprofessionals this year. Is that right?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And do you know in -- and so when you're referring to a classroom missing a programmatic paraprofessional, you're talking about for the low and moderate, they're missing one of the two that they're supposed to have, in a severe-profound they're missing one or two of the three that they're supposed to have.

>> SALLY TABATSALIS: Correct.

>> RICH COZZOLA: Okay. Are you aware if any of the classrooms have none of their programmatic aides?

>> SALLY TABATSALIS: It's always difficult to answer that question because I don't know how it's being viewed on paper. You know, like if we've been allotted the programmatic aides and we're really missing IEP aides.

>> RICH COZZOLA: Right.

>> SALLY TABATSALIS: Do you know what --

>> RICH COZZOLA: People don't have a label on them programmatic aide O IEP.

>> SALLY TABATSALIS: No. And I've had conversations with my administrators about that and it's unclear on their end as well.

>> RICH COZZOLA: And so your school, you've then had conversations with your principal and your principal submitted an appeal for five?

>> SALLY TABATSALIS: Yes. What they told us was that that was the maximum they were allowed to appeal for at the time.

>> RICH COZZOLA: And your school got 3.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And they were scheduled to start in January?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Who did start in January?

>> SALLY TABATSALIS: The position was open so we had substituted they weren't filled right away. One of the positions were in my classroom and --

>> RICH COZZOLA: Were the other two filled?

>> SALLY TABATSALIS: Yes. One was filled right away, they rehired somebody; and the other one started yesterday.

>> RICH COZZOLA: Okay. All right. I'm going to move to paragraph 24 on the student that's identified as YY.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Can you describe how the -- these processes all kind of come together, and -- restate that.

Can you describe how YY's situation results to the issues we're examining. And this is one of your students, right?

>> SALLY TABATSALIS: Yes, he was one of my students. So YY just -- displays scratching behaviors and he scratches students and teachers often on the face or arms, to the point of like bleeding and leaving scars. And so -- as you can imagine, it is a very dangerous behavior and it happens daily. And so right away from the beginning of the school year I was collecting my data, I was preparing for his upcoming IEP meeting, I had his justification form, my administration approved it right away. They knew that was essential.

And we get it, his meeting was in October, on October 10th. His dedicated paraprofessional was approved. And then the position was one

of those three we just discussed, so it was not granted until January.

>> RICH COZZOLA: Okay. In terms of -- when did -- was in a new student to your school?

>> SALLY TABATSALIS: I -- no, he was in my classroom last year, starting in January.

>> RICH COZZOLA: Okay. And had -- had the -- when did the request for the para pro support begin?

>> SALLY TABATSALIS: Initiate? At the beginning of the school year.

>> RICH COZZOLA: The 17-18 school year?

>> SALLY TABATSALIS: Yes. And the behavior had become so significant that we kind of knew right off the bat. That was --

>> RICH COZZOLA: It was much worse -- it was worse than it had been in the prior year.

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: Okay. Are you aware of any way to -- from what administrators or others have told you, that in certain situations it can be expedited? Are you aware of anything?

>> SALLY TABATSALIS: I'm not aware of --

>> RICH COZZOLA: Okay. And again you said your administrator approved it, meaning they verified that the data was uploaded.

>> SALLY TABATSALIS: Yes. Correct.

>> RICH COZZOLA: Okay. The next thing you say is about a missing -- school missing and occupational therapist for the first three and a half months of this year.

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And can you talk about that?

>> SALLY TABATSALIS: Yes. So I've taught for four years at the same school and I think as an estimate about 60 -- we've had an OT for about 60 percent of those four years. I believe it's a shortage, the position has been open. And we were not staffed until I believe the end of November with an occupational therapist. So my students are not receiving their OT minutes. And in order to -- to continue finalizing IEPs and meeting reevaluation deadlines, other OTs from other CPS schools were assigned to our school just for the purpose of evaluation in writing IEP forms.

>> RICH COZZOLA: Were they also assigned to your school to help provide OT services to --

>> SALLY TABATSALIS: No, they were not.

>> RICH COZZOLA: Do you know -- so how many days a week is a -- or parts of the days in a week is an OT supposed to be at your school?

>> SALLY TABATSALIS: I think she's at our school either one and a half or two days.

>> RICH COZZOLA: Okay.

>> SALLY TABATSALIS: I believe.

>> RICH COZZOLA: And as far as you know is it -- is it an issue of -- is it a budget issue or is it just there's nobody -- is it a hiring issue?

>> SALLY TABATSALIS: I believe it's a hiring issue.

>> RICH COZZOLA: Okay. Do you know about how many (issue) from what you know, in your class, how many children have OT minutes?

>> SALLY TABATSALIS: Without looking and counting, I don't know. But I'd say about three quarters of them do, if not consultative.

>> RICH COZZOLA: And does your school do any assessment of how many minutes are we short on that school line?

>> SALLY TABATSALIS: Not to my knowledge.

>> RICH COZZOLA: Okay. Then you talk about later that you now have this OT assigned to your school. And she has talked about students that you work with, with you?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And what has she told you about those students' IEPs and their needs?

>> SALLY TABATSALIS: So one of my issues with an outside OT coming in to just do an evaluation of a student was that at least one of my students was dismissed from direct services and put on consultative. Which to me is a disservice to my students, especially since they didn't receive their occupational therapy minutes.

And so she happened to be sitting in on that meeting as she was transitioning, she had just started. And so she -- she saw the professional back and forth of the OT, and I had at the table where I expressed concern about the dismissal of direct services and transition to consult. And later since she's gotten to know my students and the student in question, she expressed that she would have kept direct services for him.

>> RICH COZZOLA: And the student, the services that the student is not getting, or was not getting -- strike that.

Do you know if -- have you notified parents when their students have not gotten OT minutes?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: Okay. So the -- the next student you talk about is XX. And it seems that this kind of falls into the first category of students that you were -- I'll let you talk about it. So how does he fit in with the issues that you identified?

>> SALLY TABATSALIS: Yes. So he falls under the category of students that has I guess -- learned how to do school, are -- the small structured environment is really supportive and he's progressing, he's more independent, he's ready for more access to the general education curriculum.

And so I -- this was last school year. I spoke with his parents at length about him transitioning to an inclusive setting, which is a less restrictive environment. And their hesitation was that they didn't want him to leave Mc Nair. I guess I could backtrack to one of your first questions.

A cluster -- a low incidence cluster program is not a part of a neighborhood school, so kids are bussed into our cluster program. Our principal often gives permission for students from the cluster program to remain at Mc Nair but transportation services are lost once they no longer qualify for the cluster program.

>> RICH COZZOLA: And is it your understanding that that's an automatic loss of services?

>> SALLY TABATSALIS: That's my understanding, and my experience.

>> RICH COZZOLA: Okay. So the student that you're talking about here, is this a student who would have been able to make his way to a neighborhood school on his own?

>> SALLY TABATSALIS: No.

>> RICH COZZOLA: Or her own?

>> SALLY TABATSALIS: No.

>> RICH COZZOLA: No? Would he or she have had issues that would have made it unsafe for him or her to go to -- to transport to a

neighborhood school?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: The...YY is a -- going back to YY, is that again pretty much -- where does that fit in within the issues you identified? He should be spending 50 of -- percent of his day in a cluster and 50 percent in general education.

>> SALLY TABATSALIS: Yes. I apologize, but the reference to YY this time is a different --

>> RICH COZZOLA: It's a different YY.

>> SALLY TABATSALIS: -- student. I apologize.

Would you still like me to explain?

>> RICH COZZOLA: Yes. Yes.

>> SALLY TABATSALIS: So this is actually the student I spoke about previously when you asked me about -- to speak about that transition and how it's played out.

>> RICH COZZOLA: So you've already talked about the issue.

>> SALLY TABATSALIS: Yeah.

>> RICH COZZOLA: Okay. And then WW, is -- describe the issue that relates to WW, and if its he at same as the one you just touched on with another student.

>> SALLY TABATSALIS: It's a different. So this was last year around this time of the school year we -- as an IEP team we had decided that he would transition, he'd be going into third grade in the fall so we decide at that time, the beginning of third grade school year that that would be the best time for him to transition fully to the inclusive setting with resource or pullout minutes, so out of my cluster program entirely. At the beginning of third grade.

And so we wrote it into a -- his IEP in that manner. And I believe the day or two after his IEP was finalized -- he was still -- he was still in my cluster classroom for the remainder of the second grade year. He had been receiving bus services and bus services were taken away.

>> RICH COZZOLA: And was this a student who could make his or her way to a neighborhood school --

>> SALLY TABATSALIS: No.

>> RICH COZZOLA: -- safely?

Did anybody...at the IEP meeting were you able to review the -- either the transportation policy that was in the procedural manual or transportation policy that was in guidance documents?

>> SALLY TABATSALIS: No.

>> RICH COZZOLA: Okay. A couple of wrap-up questions. The first is if all of the paraprofessional positions were -- I don't know if -- on the ground -- on the ground floor as a teacher if you're able to kind of sort this all out.

But if all the positions, the paraprofessional positions and the Special Education positions, were kind of funded closer to maybe the way they were 14-15, 15-16, from downtown rather than at the school, are you able to know whether that would make things better in the future?

>> SALLY TABATSALIS: I think so. I've had some conversations with our administration like when the -- when the change was made and how that affected other programming at our school. And especially since we have such a large cluster program, that requires so many paraprofessional minutes, I know -- I -- my administrator actually

recently told me the three positions we did get in January, she's paying for. And then she has alluded to like then they start looking at other positions after school. And so I think she has to make tough decisions.

>> RICH COZZOLA: Okay. When you say has to look at other positions, meaning --

>> SALLY TABATSALIS: Like clerk assistance.

>> RICH COZZOLA: Anything else that you can tell us that haven't already covered in the affidavit that you believe would be helpful to either CPS or us in general about this -- this issue?

>> SALLY TABATSALIS: Not at this time.

>> RICH COZZOLA: Okay. So both the advocates and CPS lawyers will ask you some questions now.

>> NANCY KRENT: CPS lawyers have questions?

>> NICKI BAZER: We do. Can we have one minute?

>> NANCY KRENT: Absolutely.

>> NICKI BAZER: We do have some questions. We just have one point of question clarification given Mr. Mr. Cozzola's line of questioning. We just want to be clear of whether the issue of LRE.

Transitions is an issue that the inquiry team is looking at, namely transitioning students out of more restrictive cluster programs into inclusion areas, and if so we'd like to provide information on that.

And then the second question is, this issue of OT support, especially at this particular school there was indication that this was not a budget issue. So is that issue going to be explored further, and if so again we'd like to provide information.

>> RICH COZZOLA: Can we just talk for a second?

(Discussion among inquiry panel).

>> NANCY KRENT: Let's see if we can clarify it. With regard to -- hang on.

With regard to position mapping, we're looking at that as a budget issue, and in this case it's not a budget issue; that's not a separate issue, because it wasn't covered in the budget appeals. So...we're not looking separately at some of those staffing questions ourselves.

You certainly have some -- they may follow up from ISBE, but we're not looking -- that's not a separate issue that we're addressing.

With regard to the issue of LRE, again, as I said, to the extent that the testimony is tied to whether or not the SSM system or the need for approvals verifications, whatever it may be, is forcing choices that limit LRE options, that would be within the scope. But generally decisions at schools about whether students should be in more restrictive LRE, less restrictive LRE, independent of the systems that we're looking at is not something that this team is going to be reporting on.

Does that clarify?

>> NICKI BAZER: It does. Thank you.

>> JENNIFER SMITH: Thank you.

>> MATT COHEN: I think it also related to...it also relates to the issue of transportation criteria as a connection to placement.

>> NANCY KRENT: Right. I thought she was asking a separate question. She was asking about the LRE issue, so I didn't address the transportation issue.

>> JENNIFER SMITH: We okay to get started with our questioning?

>> NANCY KRENT: Absolutely. Ready to -- go ahead.

>> JENNIFER SMITH: Can you please describe -- whether an are your job duties currently?

>> SALLY TABATSALIS: My job duties currently?

I am a diverse learning teacher in the cluster program. So you want like specifically daily?

>> JENNIFER SMITH: Yeah, so what does that encompass?

>> SALLY TABATSALIS: So that encompasses I currently have a caseload of 12 students with a potential for a 13th. I significantly modify curriculum which -- which requires me to make and/or adapt materials for them. I adapt grade level tests so that it's accessible for them. I create math materials to make math meaningful to my students.

I also implement communication training, social skills instruction, and many, many, many behavioral interventions. I trained my six paraprofessionals on -- to also be able to implement evidence-based practices.

On top of that I am the team lead for the low incidence cluster program. Which means I -- I lead my grade level cluster meetings weekly. And I provide professional development for them as well on all staff PDA.

>> JENNIFER SMITH: And you did not mention -- I'm just going to ask you to clarify or confirm -- do you have any responsibility for oversight of making staffing decisions or assignments in your building?

>> SALLY TABATSALIS: I do not.

>> JENNIFER SMITH: And do you have any responsibility or oversight for budgeting decisions in your building?

>> SALLY TABATSALIS: I do not.

>> JENNIFER SMITH: And you mentioned you have -- did you say you're currently have 12 students in your classroom?

>> SALLY TABATSALIS: Yes, I do.

>> JENNIFER SMITH: Okay. And during the day are those 12 students in your class the entire day, or do they ever leave your classroom?

>> SALLY TABATSALIS: They go to specials with their general education peers, and they also go to lunch and recess with their general education peers.

>> JENNIFER SMITH: And are related services provided within your classroom, or are they pulled out for any related services?

>> SALLY TABATSALIS: Most of them are provided within my classroom.

>> JENNIFER SMITH: And so please describe what other adult -- so in addition to you, who else is in your classroom?

>> SALLY TABATSALIS: Six paraprofessionals.

>> JENNIFER SMITH: And are those six paraprofessionals there throughout the school day?

>> SALLY TABATSALIS: Yes, they are.

>> JENNIFER SMITH: And then in addition to the six paraprofessional, you said related service professionals also push in. Can you describe who are those individuals, by title, not name.

>> SALLY TABATSALIS: So -- yeah, the speech language pathologist pushes into my room two mornings a week. The OT pushes into my room one afternoon a week. The social worker stops in for about half an hour once or twice a week. And I think that's it.

>> JENNIFER SMITH: So it's accurate to say currently you have always 7 -- 7 adults to 12 student ratio with the addition of the related service professionals throughout the week on the schedule you just stated.

>> SALLY TABATSALIS: Yes.

>> JENNIFER SMITH: And are you aware sitting here now what paraprofessional minutes are in your students' IEPs?

>> SALLY TABATSALIS: Yes.

>> JENNIFER SMITH: And do the six paraprofessionals -- does that cover and accurately provide service for the minutes that are in the IEP?

>> SALLY TABATSALIS: If -- for the minutes that are in the IEP, yes. The.

>> JENNIFER SMITH: Okay. You testified some about behavioral -- that behavioral support is something that you do routinely as part of your job. Can you talk about what is a functional behavioral assessment?

>> SALLY TABATSALIS: Yes. So we collect data on an antecedent behavior consequence chart. Key we call it an ABC chart. We're looking at the target behavior, what the antecedent is, so what happens right before it to possibly cause the behavior, and then we're looking at the consequence of that behavior.

So what happens -- it's not necessarily like a consequence we give the student but it might be like an environmental consequence much so what might encourage a student to continue to display that behavior. So --

>> JENNIFER SMITH: And then what do you do with that information you collect in an FBA?

>> SALLY TABATSALIS: So then we look at it to determine the function of the behavior, so what is the student getting out of that behavior, is it an escape/avoidance behavior, when a work task is -- a nonproffered task, or request is made of the student? Or is it an attention-seeking behavior, does it fulfill a sensory need? And so on.

So once we discover the function of that behavior, then we can implement appropriate interventions to address that behavior. If it's attention-seeking and it's safe, we'll implement planned enduring, or provide noncontingent attention. If it's escape/avoidance we might implement a token economy where we provide positive reinforcement for a student to display a more positive, appropriate behavior to complete their work.

>> JENNIFER SMITH: In all of those very appropriate ways to address behavior, the way you document those and confirm that a student is entitled to be responded to in that way, is a behavioral intervention plan, is that right?

>> SALLY TABATSALIS: Yes.

>> JENNIFER SMITH: And so before you had testified that a student with significant did not have a behavioral intervention plan but that you were seeking a dedicated aide for the student's behavior; correct?

>> SALLY TABATSALIS: Yes.

>> JENNIFER SMITH: And would you agree that if a student's behavior rose to the level where a dedicated paraprofessional was needed, that an FBA followed by a BIP would be certainly the best practice, if not required for that student?

>> SALLY TABATSALIS: Yes, I would agree.

>> JENNIFER SMITH: Okay. Thanks.

I think it's great the pride you have in your school and what you describe as far as what you can do for students there. But when a student is ready to transition to a less restrictive program, there --

and that might be at a different location, because as you said your students get bussed, it's not necessarily their home school.

You would agree that going to a different school alone is not a reason to not assign a student the appropriate level of restrictiveness. So if a student was ready to go into the general education setting, with some special ed support and that can be done, the -- the selection of a site, the specific school wouldn't parallel services could be provided at both, that is not the determining factor, right?

>> SALLY TABATSALIS: I would agree, but I would like to state that I think when we're looking at a student with a significant disability like autism, where they thrive on structure and routine and familiarity, we option for them to stay at the school where they have their first school experiences and they know the staff. I think that option is viable. I think that that should be considered.

>> JENNIFER SMITH: But it's -- there -- there's many factors.

>> SALLY TABATSALIS: There are many factors, correct.

>> JENNIFER SMITH: Correct? Yeah. During your testimony before, you had described an option where you can trial certain changes to an IEP and collect data to see -- to get data and see how the student responds to the trial.

Can you describe what's the flexibility there, what types of trials are authorized by the zit system?

>> SALLY TABATSALIS: By the system? Or that I've worked out with my IEP team and my case manager and administration?

>> JENNIFER SMITH: Yeah; what kind of trials have you done that you've documented that way?

>> SALLY TABATSALIS: We write into section 7 about a trial, we get the team is all on board. So I have done -- I have had students attend breakfast in a general education setting. And then we might extend that to include morning meeting. And then if -- through anecdotal data, speaking with a home room teacher, if the student -- if they determine that the student would be ready to try more academics, and then they might state beyond that disability block for some whole group phonics instruction or whatever part of the curriculum they're going into.

I've also had a -- in the past a first grader go into a general education classroom for a math centers.

>> JENNIFER SMITH: Okay. So you were able to do that and implement that through the trial -- trial process.

>> SALLY TABATSALIS: Through trial. But beyond that I was not able to write the minutes.

>> JENNIFER SMITH: Okay. But you were able to implement it through a trial.

>> SALLY TABATSALIS: Yes.

>> JENNIFER SMITH: Yeah. Now, in your affidavit you talk about staffing and other classrooms. Have you reviewed the IEPs of students in classrooms other than your own?

>> SALLY TABATSALIS: I have not.

>> JENNIFER SMITH: So you do not know what the IEPs in those classrooms require with respect to para support.

>> SALLY TABATSALIS: I do not.

>> JENNIFER SMITH: Thank you.

>> NANCY KRENT: That was 11 and a half minutes.

>> JENNIFER SMITH: Thanks.
>> NANCY KRENT: The advocates have questions?
>> MATT COHEN: A few.
>> NANCY KRENT: Let's get time set.
>> MATT COHEN: We're ready to go.
>> NANCY KRENT: All right. You may begin.
>> MATT COHEN: Ms. Tabatsalis, I want to note -- and I appreciate counsel noting as well -- not only your personal commitment, but we had testimony yesterday from another teacher, I expect more testimony from teachers as individuals who are working very hard to meet the needs of their students, and I'm sure parents in the classroom are very pleased by the efforts that you make.

I have a couple of clarification question, first with respect to this issue of trial --

>> NANCY KRENT: Can you slow down a little bit?

I know you're trying to use your time, but I have to make sure that the person who's closed captioning can assist with us.

>> MATT COHEN: With respect to the trial that you were describing, it would be correct to say that that trial was an informal process that you developed yourself?

>> SALLY TABATSALIS: Yes.

>> MATT COHEN: Was there any mechanism within the SSM system for you to record or document a trial like that?

>> SALLY TABATSALIS: No, there's not.

>> MATT COHEN: If you had attempted to put a trial like that into the IEP and into the SSM, what do you think would have happened?

>> SALLY TABATSALIS: I don't even know how I would go about doing that.

>> MATT COHEN: Given your testimony about the -- what you understood to be the need to be either in cluster or not in cluster, without in between, do you have any concern that you had put into the IEP as a formal process that the student would be in regular Ed for part of the day even if only for home room or some of the other not academics that that might have impacted their qualification for cluster?

>> SALLY TABATSALIS: Yes, I would be concerned about that.

>> MATT COHEN: In fact based on your understanding how the system was working would that have meant they wouldn't technically meet the criteria for cluster any longer?

>> SALLY TABATSALIS: I don't know if that would...

>> MATT COHEN: You also said -- I think you said that you were asked whether you were familiar with the minutes provided for the IEPs of the kids in your classroom, and you said yes. And then I think you -- you were asked did the staff that you had in the classroom cover the minutes.

>> SALLY TABATSALIS: Yes, per IEP.

>> MATT COHEN: But I also understood you to say that you actually were short position.

>> SALLY TABATSALIS: Yes.

>> MATT COHEN: Could you explain how you reconciled the fact that the minutes were covered but you were short a position.

>> SALLY TABATSALIS: Those are the programatic aides that are assigned to the cluster program.

>> MATT COHEN: So you're short a programmatic.

>> SALLY TABATSALIS: Yes.

>> MATT COHEN: In your opinion are the programmatic aides also important to provide other services in the classroom?

>> SALLY TABATSALIS: Yes. I teach in small group instruction all day. So it's essential to have the program aides to meet other small group instruction.

>> MATT COHEN: Does the absence of the programmatic aide impact all of the students in the classroom instruction?

>> SALLY TABATSALIS: It can.

>> MATT COHEN: You testified that it was your understanding at your school that currently there was a shortage of one teacher relative to what was needed, correct?

>> SALLY TABATSALIS: Correct.

>> MATT COHEN: And that students were missing 300 minutes per week per grade level?

>> SALLY TABATSALIS: Yes. That's a rough estimate.

>> MATT COHEN: How many grade levels are there at your school?

>> SALLY TABATSALIS: Kindergarten through 8th grade?

>> MATT COHEN: 2700 minutes of classroom minutes they're missing?

>> JENNIFER SMITH: This witness testified that she is not responsible for staffing or budgeting and so this would be outside of the scope of what she's testified her own expertise is.

>> NANCY KRENT: I -- I'll see where these questions go. So far it sounds to me like a math problem.

>> JENNIFER SMITH: Well, then that's not -- she's not a math teacher.

>> NANCY KRENT: She does teach math in her cluster, to the extent all the question was how to multiply 300 times 9, that's not exceeding, we'll see where he goes next. And if he goes beyond that, we may have to stop.

>> MATT COHEN: You talked about the experience of ZZ, and that the aide was stopped -- a dedicated aide was stopped because there hadn't been a behavior plan in place; correct?

>> SALLY TABATSALIS: Correct.

>> MATT COHEN: Could you tell the panel what happened after that? Was there a behavior plan subsequently completed?

>> SALLY TABATSALIS: Yes. Immediately following that.

>> MATT COHEN: And how long did it take to get one-on-one dedicated aide reinstated?

>> SALLY TABATSALIS: He never got one reinstated.

>> MATT COHEN: Nothing further.

>> NANCY KRENT: 4 and a half minutes. All right.

>> RICH COZZOLA: For the students in -- might have been something to consider before and I just wanted to -- for the students in your class who only have -- who don't have a dedicated aide -- okay -- are there other students who just are getting only a -- benefit of a programmatic aide?

>> SALLY TABATSALIS: Yes.

>> RICH COZZOLA: And do those students have minutes in their IEPs?

>> SALLY TABATSALIS: For paraprofessional?

>> RICH COZZOLA: For paraprofessional.

>> SALLY TABATSALIS: No, because there's a box you can click on the justification form that says something along the lines of if the student is in a cluster program, do they require support outside of programmatic aide.

>> RICH COZZOLA: Okay. And how many students then would have that box --

>> SALLY TABATSALIS: Clicked? One second. Let me remember. Seven.

>> RICH COZZOLA: Thank you.

>> MS. KRENT: I think we --

>> JENNIFER SMITH: Can I ask just to clarify this aide issue?

>> RICH COZZOLA: Yeah. That's what I was trying to do.

>> JENNIFER SMITH: How many students in your class have a dedicated aide?

>> SALLY TABATSALIS: Five.

>> JENNIFER SMITH: So right now you have five dedicated aides, one classroom aide, one teacher, and then the related service personnel. Those are the adults in the room.

>> SALLY TABATSALIS: Correct.

>> JENNIFER SMITH: And so the aide you're talking about missing would be a programmatic aide.

>> SALLY TABATSALIS: Correct. Smith okay. All right. No other questions.

>> NANCY KRENT: Thank you. Thank you very much, Ms. Tabatsalis. You may step down. We're going to take five minutes. For the next witness. This will be our last witness of the day.

(Break.)

>> NANCY KRENT: All right. We're going to come back. We're back. We're going to swear the witness.

(Witness sworn.)

>> RICH COZZOLA: Good afternoon, Ms. Tsitsopoulos.

>> BESSIE TSITSOPOULOS: Good afternoon.

>> RICH COZZOLA: We're going to do same way that the last witness did, we have about five minutes at the beginning, then I'll ask a series of questions based on the affidavit and some of the things that were attached to it. Then if there's other people on the panel they'll ask questions they'll ask. And then we'll go to Chicago Public Schools counsel and then to the advocates' counsel. Okay? Great.

>> BESSIE TSITSOPOULOS: Thank you for giving me the opportunity to be here today. I want to thank ISBE and the other agencies for looking into this matter. I hope that the results will be helpful for all of our Special Education students.

>> RICH COZZOLA: Okay. If you could pull up your chair just a little bit and move the microphone a little closer to you. Thank you.

>> BESSIE TSITSOPOULOS: So my name is Bessie Tsitsopoulos. I'm a licensed clinical school social worker.

I have worked with Chicago Public Schools in that capacities since 2001. I have worked in many schools, mainly in K-8 buildings. However, this year I'm at Amundsen and DeVry Academy high schools. I have chosen to file two affidavits with ISBE in order to have an opportunity to discuss concerns and experiences in providing services to Special Education students.

One of my affidavits is a continuation of one filed by a parent of a student I service in school year 2016-17 at Nathan Hale School.

The district at that time determined that he did not qualify for transportation services, so there were removed from his IEP. I filed a dissenting opinion in that IEP, as I did in a few more. In that particular school year new policies and procedures were introduced by the district in regards to transportation, paraprofessional support,

extended school year, therapeutic day schools, et cetera. It required much more advanced documentation and the approval of administrative district personnel and principals for Special Education students to call for these services.

The IEP team, which included the parental guardian that had the most intimate knowledge of the student, no longer had the approval authority for the services.

In addition, in the last three years, class sizes in the general education classroom have increased by an average of five students, and this has made it very difficult for Special Education students that are taught inclusion classes to receive the support they require in the least restrictive environment. And many a getting pulled back to a separate classroom in order to be more successful.

Many teachers and clinicians like myself find ourselves swamped with additional paperwork as we try to complete all the additional justification documents. At times we found ourselves in adversarial roles with the district, when many of the services were denied, as in the case of my student.

Some of us lost our jobs due to our activism, others like myself had their hands slapped and were moved to other schools. Regardless of how staff reacted, the most important part was that many of the special ed students, primarily minorities, had their services reduced or taken away completely.

Few parents have the necessary skills and resources to advocate and appeal the decisions. As my student's mother stated, her advocate -- they beat us down.

Clinicians with extreme caseloads, triple what the national organizations recommend, found themselves having to choose between providing services to students, completing documents, or responding to crisis of their students and their families.

As you will see by some of my exhibits, many clinicians including myself have not been able to provide all the Special Education service minutes for their disciplines for the last few years. And once again, Special Education students lose out.

Clinicians and staff members have tried to address our concerns with Chicago Public Schools in various ways. By bringing in professional problem-solving committees, joint committees between CPS and staff members, union contractor negotiations, parent advocacy group, et cetera, without much success. Our concerns continue.

For example, I have two schools this year with a total of 1400 students. My caseload is 96 Special Education students and growing. 32 of them require full reevaluations. All of them require new IEPs, in addition to weekly minutes of services.

And I also have to provide a social-emotional needs for the general education students, which some of them have even more significant problems and concerns than Special Education students.

The national association of social workers status for social work services recommends the following: School social work services should be provided at a ratio of one school social worker to each school building, serving up to 250 general education students. Or a ratio of 1 to 50 students.

When a school social worker is providing services to students who have intensive needs, the lower ratio such as 2 to 50 is suggested.

All clinician, regardless of their disciplines, should have much

lower ratios than though assigned by CPS for their professional organizations recommendations.

Clinicians with professional problems committee have attempted to address with Chicago Public Schools personnel and negotiate more reasonable ratios, but have not been -- but we have been unsuccessful thus far.

I hope that these hearings will be helpful in assisting our Special Education students to finally have their much-needed services restored and to create a system of services that is equitable for them. Thank you.

>> RICH COZZOLA: Thank you. So in the 2016-17 year you were at Nathan Hale, and now you're at Amundsen and DeVry.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: I'm going to follow kind of the order of things in your affidavit, with the beginning of the 2016-17 school year and the policy changes that you became aware of at that time that were instituted. So describe briefly -- because we're aware of what came in around that time -- but the ones that are most significance to you in policy changes.

>> BESSIE TSITSOPOULOS: The requirements for transportation's changed significantly. The requirements for paraprofessional support. Extended school year. I would say those are the three main ones.

>> RICH COZZOLA: The three main ones that you were involved in.

>> BESSIE TSITSOPOULOS: That I was involved in and some therapeutic day school issue, yes.

>> RICH COZZOLA: At the beginning of the 16-17 school year did you attend any trainings on these changes?

>> BESSIE TSITSOPOULOS: Yes. In the beginning of the school year clinicians have several days of professional development.

>> RICH COZZOLA: Is that before the school year begins?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Before the academic school year begins.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: And the -- attached to your exhibits -- attached to your affidavit are Exhibit B, which is a PowerPoint, Exhibit C which is a PowerPoint, and Exhibit D which is also a PowerPoint. The one -- you have is dated September, was that -- did you get any of these at the pretraining?

Or not pretraining, the training that you talked about that was -- have you received these or --

>> BESSIE TSITSOPOULOS: Received training on all of these in slide form, and then the case managers also shared the information that they received in their trainings with us. Yes.

>> RICH COZZOLA: When you did the training before the beginning of the school year were you given copies of the PowerPoint at that point?

>> BESSIE TSITSOPOULOS: We were emailed copies of PowerPoint, yes. The.

>> RICH COZZOLA: The -- in terms of the training, you said that you believed that the policies and procedures had a negative impact.

Did you know -- did you have that opinion at any time or was it more -- at that time or was it more issues that emerged with students that you saw the problems?

>> BESSIE TSITSOPOULOS: No, we had -- we -- all us at clinician group had concerns as all this new policies and procedures were

explained to us at the beginning of the school year. And we tried to raise those concerns.

Many times during these trainings there's no questions allowed. The presentations are provided, and then there is...an electronic parking lot to put the questions in. If you have any.

>> RICH COZZOLA: Okay. So how did you raise -- how did the -- the -- how did you work to raise these issues with CPS administration in the fall of 2016?

Let's start with.

>> BESSIE TSITSOPOULOS: I am part of a commission steering committee, made up of various disciplines of clinicians. And we meet with the head of Special Education department and we have a professional problem solving committee where we address some of these concerns.

>> RICH COZZOLA: So are those two committees or one committee?

Or is it a committee and subcommittee?

>> BESSIE TSITSOPOULOS: There's two.

>> RICH COZZOLA: Two committees and when you say the head of special education, that would be the head of ODLSS?

>> BESSIE TSITSOPOULOS: One of the top administrators.

>> RICH COZZOLA: So in the fall of -- of 2016, who were you meeting with?

>> BESSIE TSITSOPOULOS: With Mr. Adamowski.

>> RICH COZZOLA: Was that for both of those committee, the professional problem solving and the commission steer --

>> BESSIE TSITSOPOULOS: The economies steering is an internal committee.

>> RICH COZZOLA: Internal --

>> BESSIE TSITSOPOULOS: It's a committee made up of professionals in various clinical fields. That meets between ourselves and our union and we discuss what are the concerns for the clinicians.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: And then we bring them up in professional problems committee with the with Chicago Public Schools administrators.

>> RICH COZZOLA: So first you discuss it internally within the Chicago's teacher's union and that group then brings it up in the professional problems meeting with Chicago Public Schools.

>> BESSIE TSITSOPOULOS: Uh-huh.

>> RICH COZZOLA: How often does the professional problems committee meet with the school's administration?

>> BESSIE TSITSOPOULOS: Monthly to maybe every two months.

>> RICH COZZOLA: Okay. So the first issue that you address in your affidavit is paraprofessional services. And what were the issues that you individually identified or that you identified within this committee?

With the -- talking out about the CTU committee and we'll get to the conversations with CPS.

>> BESSIE TSITSOPOULOS: As a clinician, when we have IEP meetings, it is the time to kind of come together and review the students' progress as well as the students' challenges. Prior to the 2016-2017 school year we could have those dialogues, and if you became evident from the discussion that we had in the IEP meeting that there was a need for a paraprofessional support, and everyone's in agreement, then it was written into the student's IEP, and then the appropriate

paperwork was done to get a paraprofessional assigned to the school.

In 2016 there was no longer the process. We had to provide documentation of the needs for paraprofessional support prior to the IEP meeting, it needed to be reviewed by a district representative, the principal also had to provide some documentation and some observations of the student; and all of that had to come -- kind of come together, be approved by the district representative by the time we had the IEP meeting.

>> RICH COZZOLA: Now, going back to the first part of what you just told us about prior to the -- the 16-17, you said it was determined that this IEP meeting through the give and take that it was appropriate for student, would that just be based on people's opinion or would it be based on the data you received in that meeting from other teacher, professionals?

>> BESSIE TSITSOPOULOS: It was based on the data. Uh-huh.

>> RICH COZZOLA: And the change in 16-17 was that you couldn't have that same kind of -- come -- information, data comes out at the meeting, certain things had to be approved before, I believe was your testimony, is what you're saying; correct?

>> BESSIE TSITSOPOULOS: Correct.

>> RICH COZZOLA: What kind of things had to happen before the meeting?

>> BESSIE TSITSOPOULOS: I'm sorry?

>> RICH COZZOLA: What kind of things had to happen and what had to be approved before the meeting?

>> BESSIE TSITSOPOULOS: Well, first of all, as a staff we would have to bring up the need that the student may need a paraprofessional support. And that kind of was done -- is done in isolation because we're not meeting as a group, and the parent is not part of that.

So it's not cohesive in nature. It's done more in isolation. And then once that is determined, then a lot of paperwork has to be collected by the teacher and turned in ahead of time. And then the principal also has to do an observation and complete the -- certain paperwork and approve that, yes, indeed I feel like the student needs paraprofessional support. And then -- all of that has to be submitted to the district rep and district rep has to approve it. And have all of that be ready by the IEP. So it can be with the IEP.

>> RICH COZZOLA: In that process for the paraprofessional did you I have to provide any information, did you have to provide any data for the entry?

>> BESSIE TSITSOPOULOS: Not usually, no. It was usually the teacher.

>> RICH COZZOLA: And do you know where that gather -- that information would be -- or data would be -- where would it be uploaded or...

>> BESSIE TSITSOPOULOS: There's a system called SSM, there's forms there that need to be completed. Many times I would consult with teacher, around the behavioral concerns or the emotional concerns that the para could support.

>> RICH COZZOLA: Okay. The -- as a result just on staying only on the paraprofessional issue, did that eventually end up being one of the subjects that was discussed either in the committee with CTU or with Chicago Public Schools that you were involved?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Okay. Tell us about it.

>> BESSIE TSITSOPOULOS: So we were observing that getting the access of the assistants needed varied by teachers and schools abilities to complete this process and that impacted the -- the needs of the student being met. So we would have those discussions. And we would also discuss how we can support that process, but also the burdensome quality of the process.

>> RICH COZZOLA: And how did it then become part of the discussion with Chicago Public Schools's administration?

>> BESSIE TSITSOPOULOS: It was brought up in the professional problem solving committees and it was more -- the discussion was more narrow as far as how to -- it impacted the clinicians.

>> RICH COZZOLA: Meaning...

>> BESSIE TSITSOPOULOS: Meaning that we were -- since it's a new policy, we were still trying to figure out how -- what was our role in it. So a lot of the discussion was focussed more the role of each of the clinicians in that process.

>> RICH COZZOLA: Okay. Earlier in the hearing there's been some testimony that in the -- that some changes eventually got made in the para pro justification form and it began the fall of -- changes began sometime in the fall I believe 2016.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Are you familiar with that?

>> BESSIE TSITSOPOULOS: Uhm...

>> RICH COZZOLA: With the changes in -- I'm trying to figure out this came out of one of the committees that you were on, the changes in the para pro justification form.

>> BESSIE TSITSOPOULOS: Change as far as --

>> RICH COZZOLA: I'll give you an example. So one was that it had originally been ten days and later it got reduced to five days, I'm just trying to figure out -- I don't know if the committee that you're talking about is the same committee that somebody else may have talked about.

>> BESSIE TSITSOPOULOS: So I can't say that we took credit for that. I think that it was a lot of pushback from various, you know, committees, you know, special ed committee, admissions committee and all of that. And how unreasonable it was becoming.

>> RICH COZZOLA: So there's more than just related service, or clinicians committee meetings, also a special ed committee.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: That's what I was trying to figure out. Okay. For transportation services in that year you say that district representatives began making decisions outside of IEP meetings. How was that coming across from what you observed?

>> BESSIE TSITSOPOULOS: So in the beginning of the school year what I observed was that if a student was receiving transportation, the IEP, the draft IEP, had to be completed and sent to the district representative to review and determine whether that individual would approve the transportation services or not.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: So in some cases it got approved, and in other cases it did not.

>> RICH COZZOLA: And when it was -- this approval or not approval, was that going on inside of the IEP meeting?

Or was it going on outside of --

>> BESSIE TSITSOPOULOS: No. It happened outside of the IEP meeting. And then when we had the IEP meeting, when we arrived to the point where transportation was the next item to be discussed, in this particular school the case manager would say that has been determined under the new CPS policies that the student no longer qualifies for transportation.

>> RICH COZZOLA: Were you aware to then -- at the IEP meeting look at the CPS transportation policy and the various exceptions to the no transportation rule and say, wait, maybe the student qualifies under this category or that category? At the IEP meeting?

Were you able to have that discussion?

>> BESSIE TSITSOPOULOS: Yes. If somebody from our team initiated that discussion, and we were able to have that discussion.

>> RICH COZZOLA: Did a parent ever initiate that discussion?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Okay. Based on CPS policies.

>> BESSIE TSITSOPOULOS: Yes. Many parents that had transportation taken away in meetings -- and I was involved in, were not in agreement with it.

>> RICH COZZOLA: Okay. So they were not in agreement, and then discussions had about what the parents' disagreement was.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Did any of those get reversed?

>> BESSIE TSITSOPOULOS: No.

>> RICH COZZOLA: So in other words they stayed as no transportation.

>> BESSIE TSITSOPOULOS: Correct.

>> RICH COZZOLA: A little bit about Hale. So is Hale a neighborhood school.

>> BESSIE TSITSOPOULOS: Yes, it is.

>> RICH COZZOLA: Does it have cluster programs?

>> BESSIE TSITSOPOULOS: It does not.

>> RICH COZZOLA: So the special education students who were getting transportation, were they all in he is essence neighborhood students, or were some -- were some of them neighborhood students?

Let's start there.

>> BESSIE TSITSOPOULOS: Some were neighborhood students but because we had a special ed population, some of the students came from other neighborhoods as well.

>> RICH COZZOLA: When you said you had a special ed population but didn't have cluster classrooms, what kind of special things did you have at your school that they needed to have special education?

>> BESSIE TSITSOPOULOS: So the cluster classrooms are for usually the severely and profound student. So the students that we had were mild or moderate, various disabilities, learning disabilities, emotional, behavior disorders, autism. Out of --

>> RICH COZZOLA: Where would they get their special he had case services, what kind of classrooms?

>> BESSIE TSITSOPOULOS: So we had -- we had a least restrictive continuum. So some students would get their services in a separate classroom, others would get their services in a Gen Ed classroom. And some would get their services in a mixture of the two.

>> RICH COZZOLA: And was that something that was -- does every CPS school have that? Every neighborhood school have that?

>> BESSIE TSITSOPOULOS: Yes. Yes.
>> RICH COZZOLA: Okay.
>> BESSIE TSITSOPOULOS: And then some of the cluster.
>> RICH COZZOLA: Okay. The next thing you talk about in your affidavit is extended school year services and the problems that people run into regarding that. And what did you observe, your own experience about that issue?

>> BESSIE TSITSOPOULOS: There was a significant reduction of students, again, being approved for extended school year. Every quarter there was a requirement for documentation to document any kind of regression. Usually after school breaks. And it required both clinicians to fill in certain types of documentation as well as the teachers in order for a student to qualify for extended school year.

>> RICH COZZOLA: So what were the challenges that you then saw regarding the children -- did you see any challenges that made it more difficult for children to get into the extended school year services? From your own work.

>> BESSIE TSITSOPOULOS: Yeah. For me a lot of the expectations were very gray nature. So depending on how you interpret it, some of the policies you could go either way. And I -- I found that -- without having checks and balances of everyone coming to the table and discussing their concerns, it eliminated checks and balances and individuals kind of made their own interpretations as far as the students' needs, the students' growth and that sort of thing.

>> RICH COZZOLA: So prior to that year had there been the process you talked about earlier, the IEP process, the give and take?

>> BESSIE TSITSOPOULOS: Yes. Prior to that, the extended school year usually was reviewed in the IEP and if the IEP was earlier in the school year where there wasn't enough time to make that determination, then later on in the school year we would reconvene and revise the IEP if we felt that services need to be added for school year or removed if the child was doing much better. Was progressing.

>> RICH COZZOLA: Were you able to do that the same way in the 16-17 school year?

>> BESSIE TSITSOPOULOS: No. It was pretty much if the data was gathered, if it was completed, was -- entered into the system, that's how it was implemented.

>> RICH COZZOLA: The -- and I think you -- you've talked already about the impact on the IEP process, I believe; correct?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: So now I'm going to ask you about the 17-18 school year, the current school year that we're in. And do you still see these issues in this school year?

>> BESSIE TSITSOPOULOS: Yes. I mean the policy has not changed as far as transportation or paraprofessional support. Those are -- those continue to need prior approval. And are not really decided by the team and the parents that know the child in an intimate way.

>> RICH COZZOLA: The -- in terms of the reasons that you -- you made aware of the reasons for these changes at the beginning of 2016-17, you went into the trainings at the beginning of the year, were you told why these changes were occurring?

>> BESSIE TSITSOPOULOS: There seemed to be an overall concern by Chicago Public Schools that children who are oversighted for special education or receiving services in -- in more restrictive kinds of

ways, and that we were not following the least restrictive options as far as transportation, as far as classrooms. And that it was being looked at a lot more closely and the procedures were put in place in order to provide more checks and balances in that respect.

>> RICH COZZOLA: You've talked about checks and balances within the IEP meeting and you talked about checks and balances here just a second ago.

What are the differences between those two?

Checks and balances in the IEP meeting and you said -- the sense that it was spring DR on or about fall of 16-17, that a different kinds of checks and balances was being utilized.

>> BESSIE TSITSOPOULOS: I'm not sure I understand.

>> RICH COZZOLA: Okay. Strike that question. I probably stated ... Give me a minute. Then let's just go through the issues again in terms of your own experience with the students, you said the paraprofessional issue has remained.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: And is it your understanding that an administrator has to approve that the data is good enough or just approve that data is there?

So in other words, when the principal looks at the data for paraprofessional, does the principal have to say this is good data and it supports it or does the principal just have to say yes data has been entered?

>> BESSIE TSITSOPOULOS: Actually the principal has to do an observation of the student. And maybe even a couple of observations. Of the student. And verify that -- that the data is also correctly --

>> RICH COZZOLA: Do you know whether that policy has been changed from 16 to 17, or 17 to 18; or is it your observation that the policy is still the same?

>> BESSIE TSITSOPOULOS: It's still the same.

>> RICH COZZOLA: That occurring at your school?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Transportation services, are you aware of any changes in the policy?

>> BESSIE TSITSOPOULOS: I'm not aware of any of any changes.

>> RICH COZZOLA: And there again, is it your understanding -- you said the district representative has to approve the transportation?

And your understanding -- are you aware of any changes in that that might allow the principal to approve -- review the transportation issue rather than the district rep?

>> BESSIE TSITSOPOULOS: I'm not aware of that.

>> RICH COZZOLA: And whether it's the district representative or the principal, are you aware of whether or not the district representative or the principal has to approve that the data supports transportation or just that there's data there?

>> BESSIE TSITSOPOULOS: I think that the data supports transportation.

>> RICH COZZOLA: Just give me a second. I think you mentioned that the Nathan Hale student who had some follow-up regarding that student as to the 17-18 year in addition, or maybe I misunderstood that.

>> BESSIE TSITSOPOULOS: No. I'm no longer in that school.

>> RICH COZZOLA: Okay. So whatever information you had about that student was at the Nathan Hale school.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: You said -- you mentioned at the beginning that you also -- although it's not in your affidavit, some concerns -- you also had some concerns about separate day placement. In the 16-17 year.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: What were those concerns?

>> BESSIE TSITSOPOULOS: The district had -- the district representative had to review all the data provided by the school, and also have to -- made the final decision whether it was approved or not. And many times the data was not good enough or enough. And we had to continuously keep providing more and more data. And there was also a therapeutic day school kind of packet that had to be completed as well. A student had to go through all the least restrictive environment steps, whether it was to their benefit or not. There was kind of a requirement. And at times it would -- that student in the classroom that -- where it wasn't really the best fit for that particular student.

>> RICH COZZOLA: And was that different than it had been before?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: How so? I mean before meeting -- before the 16-17 year.

>> BESSIE TSITSOPOULOS: The process was more clap tiff, and there was more trust in the school staff who knew the student when we made those types of recommendations. The district came, review the data, and it was easier to approve.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: I want to say that because I worked in quite a few school, there is a difference in how schools and case managers and also district reps handle the situations. And it depends on how collaborative they are so my experience at Nathan Hale was very different than what it was at Mark Twain School for the 16-17 school year. And it's different now that I am at Amundsen High School.

>> RICH COZZOLA: Some years it had been more collaborative in some ways.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: One of the affidavits that you attached, not affidavit, exhibits to the affidavit, Exhibit H talks about something called the HSMP compliance report.

>> BESSIE TSITSOPOULOS: Okay. Yes.

>> RICH COZZOLA: And could you just tell us what the HSMP report is as you understand it?

>> BESSIE TSITSOPOULOS: Clinicians are required to document also this is -- all services that we provide to educational students in program that CPS has.

>> RICH COZZOLA: Is that the same program as SSM program?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Because the microphone -- you have to document the services that you provide to the students.

>> BESSIE TSITSOPOULOS: Yes. Yes.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: We have to write progress notes, and from our documentation they take the minutes that we are providing and then come up with individual school and then districtwide percentages of how we are meeting those services. Per month and then for the whole year.

And for breakdown of discipline. Like social workers, for speech and language, for nurses. And then per school, per month and also for the whole district. Per discipline and per -- and for the whole entire district altogether.

>> RICH COZZOLA: Okay. The -- the -- how does the HSMP fit were that? The compliance report? What does it show?

>> BESSIE TSITSOPOULOS: It shows that clinicians are not able to provide 100 percent of the services for Special Education students. And many times throughout the last few years the percentages are much lower.

>> RICH COZZOLA: So let me ask you about just the columns on this and what they mean.

>> BESSIE TSITSOPOULOS: Okay.

>> RICH COZZOLA: So the -- looking at I guess the one on the top that says...CPS percentage of IEP required services districtwide 2016-17.

>> BESSIE TSITSOPOULOS: Okay. Okay.

>> RICH COZZOLA: In terms of the -- is this districtwide? This one is districtwide it says at the top.

>> BESSIE TSITSOPOULOS: The top is districtwide.

>> RICH COZZOLA: The top that says column of minute, what does required minutes mean?

>> BESSIE TSITSOPOULOS: Okay. So they take all the required minutes that are on the student's IEP for clinicians, and they put them all together, and they come up with a number.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: So that is the number of all required minutes for all the special education students in Chicago Public Schools for the month of September.

>> RICH COZZOLA: Okay. And then direct --

>> BESSIE TSITSOPOULOS: That would be by nursing, social work, all of it.

>> RICH COZZOLA: Each occupation --

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: The next column direct service minutes means...

>> BESSIE TSITSOPOULOS: Those minutes would be the service minutes required to provide directly to the student.

>> RICH COZZOLA: The direct service percent.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Is -- is what, the direct -- the --

>> BESSIE TSITSOPOULOS: That's the percentage of whatever the direct minutes, that we're providing much.

>> RICH COZZOLA: Direct minutes as a percentage of the required minutes.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: The next column is something that says explanation, no service minutes.

>> BESSIE TSITSOPOULOS: Right. And those -- those are minutes that were not provided, that that clinician provided an explanation for.

>> RICH COZZOLA: So the ones where -- that were not provided where an explanation was provided.

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: And are there a number of different ways that a student might not have had his or her minutes met, in terms of options?

>> BESSIE TSITSOPOULOS: Yes.

>> RICH COZZOLA: Does the SSM allow you to list what these various options are?

>> BESSIE TSITSOPOULOS: Yes. So the SSM has a no service code for the explanation of no service minutes.

>> RICH COZZOLA: Okay.

>> BESSIE TSITSOPOULOS: And what's listed under the quote is student absence, no-show for high school students only, a student unavailable, clinician absent, assessed instead, IEP meeting instead, clinician redeployed. Nonattendance day for student, off track site was for year round schools, or other.

>> RICH COZZOLA: So is there a code there for saying we just didn't have a particular related service provider available?

>> BESSIE TSITSOPOULOS: Yes. So for example, today I'm not at my school, I'm here. So I would be using clinician redeployed code. For not providing the service minutes per my students much because clinicians do not have subs assigned to their schools when clinicians are not there. So the students -- either -- not get the service or we are supposed to try to make up the service, but there's not enough time to make up the service.

>> RICH COZZOLA: Okay. If you're not redeployed but just -- so if you're -- is that the code for there's just -- I'm trying to figure this out. If there's just -- if you're unable to because you have other commitments that take up the whole day, you're not able to do that, is that the code or -- how would we figure that out?

What we are --

>> BESSIE TSITSOPOULOS: Again, it's the clinicians kind of interpretation, as close interpretation as possible to the codes.

>> RICH COZZOLA: Yeah. Okay. So there's -- so those percentages take in a lot of things.

>> BESSIE TSITSOPOULOS: Yes. Yes.

>> RICH COZZOLA: Okay. I'm done with my questions.

>> NANCY KRENT: I just have a follow-up so I can understand. Where it says required minutes on that form, so if three kids all have social work on their IEPs, but it's a small group because social work, as I understand it, is often good to work in small groups so kids can have social interaction.

>> BESSIE TSITSOPOULOS: Or -- yes.

>> NANCY KRENT: For that one social worker, are those minutes recorded in the first column of direct minutes, is that reported as the total number of direct minute, so it might be 60 minutes of direct services each child had 20 minutes, but they were all together?

But the social worker only needs 20 minutes to serve those 60.

Is that making sense to you?

I just want to make sure I understand how the system measures the minutes.

>> BESSIE TSITSOPOULOS: Well, the way that it's figured out, I believe it's through the -- taking each of the IEPs and the minutes on the students and calculating it. Now, how -- a social worker decide toss provide the minutes is up to the clinical judgment of that individual. And what makes sense for the student, what are their needs. And how they get grouped as far as their needs or...grade level, age. You know, similar goals.

>> NANCY KRENT: So I think I understand that piece. I gist want to

make sure as I'm sort of processing what these numbers mean that it's possible for certain disciplines, social work being one, where you could have lots more social work minutes if you totaled the kids' IEPs than you would have social work minutes if you totaled the hours in the day that social workers work. Because you would in fact be reporting three separate 20-minute work issues or work moments in 20 minutes.

So it would look like there was a need for 60 minutes of a social worker's time when there was really only a need for 20 minutes of the social worker's time to meet, three kids. I guess I'm asking, you couldn't just put together this is how many social workers and they work 8 hours a day and let's look at this chart and this chart says you need X number of minutes and it doesn't seem to add up.

>> BESSIE TSITSOPOULOS: Right. Right. Usually they look at the number of students on the population on the school, the severity of the students to determine their skills.

>> NANCY KRENT: I was just trying to clarify the math. Since you can tell from these question, sort of -- the math part has been something I ever' been working on. That makes it clearer for me to understand how we compare apples to apples, and which are the apples, and which are the oranges.

>> RICH COZZOLA: And if you see in Nancy's example, we're seeing three students for an hour together in group session, do you record it as one hour each -- in each of the --

>> BESSIE TSITSOPOULOS: No, you record it as a group, and the amount of mines you provided in that group.

>> RICH COZZOLA: Okay. Okay. Thank you very much.

>> NANCY KRENT: Do you need a minute or are you ready?

>> JENNIFER SMITH: Give me just one minute?

>> NANCY KRENT: Absolutely.

>> JENNIFER SMITH: Good afternoon, Jennifer Smith, asking questions for CPS. Thank you for your testimony this afternoon.

You testified that you recently moved to a high school. Can you tell me what now are your job responsibilities as a high school social worker?

>> BESSIE TSITSOPOULOS: They're pretty much the same as it was in grammar school. I provide individual IEP minutes for my students, I collaborate and consult with the teachers, and other clinicians that provide services. I do student evaluations, initials and reevaluations. I write IEPs, social emotional goals. I provide classes in -- crisis intervention. I also support the general education population as needed.

>> JENNIFER SMITH: And can you describe at the high school level is there a new emphasis or an increasingly urgent emphasis as students reach the age where they'll exit the school district on post-secondary transition? So what is their plan after high school?

>> BESSIE TSITSOPOULOS: We talk quite a bit about that.

>> JENNIFER SMITH: I was guessing.

>> BESSIE TSITSOPOULOS: Talk quite a bit about that. Some of the counseling that I do focuses on what we do next, what kind of skills you need to work on in order to be able to achieve your goals for post-secondary. And we work much closer with special ed teachers and the counselors in regards to that. And the parents.

>> JENNIFER SMITH: And particularly because you're at a high school without cluster program, would you --

>> BESSIE TSITSOPOULOS: No, this high school has a cluster program.

>> JENNIFER SMITH: Oh, it does.

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: So I'm thinking for many students is it -- is competitive employment a possible post-secondary transitioning goal that your students have?

>> NANCY KRENT: Miss Smith, I'm going to --

>> JENNIFER SMITH: I am going somewhere and I've taken very short time for our questions.

>> NANCY KRENT: I understand. If you're going to somehow bring it quickly back to what the issues are, unless you're asking us to look in this issue.

>> JENNIFER SMITH: No.

>> MATT COHEN: We'd be happy to.

>> NANCY KRENT: Go ahead.

>> BESSIE TSITSOPOULOS: Some of the students that I support focussing on getting a job, others are planning college or junior college. The cluster program might be looking at some other options.

>> JENNIFER SMITH: So there are post-secondary goals such as competitive employment or you mentioned college where -- would you say independence is and self-advocacy is an important skill that students are building as they're reaching for those goals?

>> BESSIE TSITSOPOULOS: Absolutely.

>> JENNIFER SMITH: Okay. So there is -- and so encouraging independence through the IEP planning process is -- would you agree -- a worthy effort on behalf of an IEP team?

>> BESSIE TSITSOPOULOS: Yes. Smooth.

>> JENNIFER SMITH: Okay. And as you're planning for IEP meetings, you talked to a coming together at this table on the actual day of the meeting, but before the changes and now would you describe -- there is planning that happens before the meeting; correct?

>> BESSIE TSITSOPOULOS: Absolutely.

>> JENNIFER SMITH: And as a social worker, for example, do you write draft goals, both -- since probably 2001 you drafted goal, you didn't just sit at the table and spontaneously come up with them; right?

>> BESSIE TSITSOPOULOS: No, we pretty much draft the IEP ahead of time, yes.

>> JENNIFER SMITH: And as a matter of fact many parents appreciate getting a draft in advance; correct?

>> BESSIE TSITSOPOULOS: Correct.

>> JENNIFER SMITH: But that --

>> BESSIE TSITSOPOULOS: Most of the time they do not get that. It's an assumption.

>> JENNIFER SMITH: Some parents can, like to get a draft and just see what the team is thinking; right?

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: But that doesn't mean that you've predetermined -- that draft is a working document.

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: Correct? And so even if you plan for things, you draft goals, you -- in drafting goals wouldn't you agree sometimes you're gathering data to support, hey, what kind of goals should I draft?

You look at data in advance of the meeting; correct?

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: And so my question is, well, I understand burdensome and time consuming, I've heard that as many or at least it's been described as burdensome and time consuming, the new requirements as far as data collection is of a kind of thing that you always did for -- for IEP team meetings. You always gathered information and data in advance of the meeting; is that right?

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: Okay. And you talked some about a district representative's involvement. Did district representative ever attend IEP team meeting?

>> BESSIE TSITSOPOULOS: IEP team meetings?

>> JENNIFER SMITH: The actual IEP meetings, did they ever come.

>> BESSIE TSITSOPOULOS: Some.

>> JENNIFER SMITH: Sometimes they would. And sometimes when they attended was that because of some of these issues that you've raised? It was identified that they might have a concern about a decision being made and so they came to the meeting?

>> BESSIE TSITSOPOULOS: Sometimes we might have been that, other times I'm not sure. How they decided to come or not to come. Definitely if there was any kind of discussion that either took her about therapeutic day, they had to be present.

>> Smith: So they would actually be at the table with the --

>> BESSIE TSITSOPOULOS: Yes.

>> JENNIFER SMITH: Okay. No other questions. Thank you.

>> NANCY KRENT: That was six minutes.

>> OLGA PRIBYL: Okay. So you were talking about that practice from your -- the national social worker's organization. Do you know how?

>> NANCY KRENT: Bring it really close to you. Thank you.

>> OLGA PRIBYL: Did you hear the question?

>> BESSIE TSITSOPOULOS: Are you asking if I know how the national association of school social workers came up with that ratio? No, I do not know.

>> OLGA PRIBYL: Okay.

>> BESSIE TSITSOPOULOS: Nor do I know how CPS came up with their ratios that they currently have.

>> OLGA PRIBYL: Okay. And has your committee expressed concern about the high numbers that you have?

>> BESSIE TSITSOPOULOS: Yes, we have.

>> OLGA PRIBYL: And has there been any response to the concerns that you brought to their attention?

>> BESSIE TSITSOPOULOS: Not really. We've -- we've problem solved around some disciplines a little bit. As far as being a little bit proactive in the hiring. But not the ratios. We've also requested information on how they come up with the ratios. And they have not been able to provide that for us.

>> OLGA PRIBYL: And I believe in your affidavit you talked about how the IEP system has changed and that the decision makers are now people -- think you described it as an eye towards the budget. Can you explain that?

>> BESSIE TSITSOPOULOS: Services that cost additional monies to provide, like paraprofessional support, transportation, extended school year, you know, therapeutic day, have to be reviewed and approved by

someone else other than the IEP team and the parents that are intimately involved with the students.

>> OLGA PRIBYL: And this is a change that occurred in the 2016-17, is that correct?

>> BESSIE TSITSOPOULOS: For all except the therapeutic. I think the therapeutic needed approval before that.

>> OLGA PRIBYL: Okay. And did -- sometimes district representatives say no to something without being at an IEP meeting?

>> BESSIE TSITSOPOULOS: Yes.

>> OLGA PRIBYL: And did the new restrictions that came about with meetings to have the DR approval or principal approval, did that have an affect on reducing amount of staff, service, transportation and --

>> BESSIE TSITSOPOULOS: I'm aware that at Nathan hail school quite a few students had a reduction in transportation services and extended school year.

>> OLGA PRIBYL: And you've indicated that sometimes you were told that the data was not good enough. Under the new system.

>> BESSIE TSITSOPOULOS: That the what?

>> OLGA PRIBYL: That the data that was collected wasn't good enough. Were you given any explanations or training or materials that would help you collect the data that was required for the various components that we've been talking about in IEPs?

>> BESSIE TSITSOPOULOS: The training was minimal, and there was a lot of gray areas for interpretation. What I was talking about more specifically was the therapeutic day school data. And again, it varied depending who the district rep was who determined what kind of data was required.

>> OLGA PRIBYL: So there were no clear guidelines given to you?

>> BESSIE TSITSOPOULOS: No.

>> OLGA PRIBYL: And then turning to the document -- the advocates 3359, where it was an explanation of the minutes, did the minutes ever -- was there a tracking of when there were vacancies and there were missed minutes because of vacancies in the positions?

>> BESSIE TSITSOPOULOS: That's a CPS question, not my question. I mean, does --

>> NANCY KRENT: Ms. Sop last, if you don't know, you don't need to answer. Just tell her you don't know.

>> OLGA PRIBYL: In trance minutes, is there a way to show that you just didn't have enough time to meet all the minutes of the services that you were required to do for the students?

>> BESSIE TSITSOPOULOS: No, there was no way to track that.

>> OLGA PRIBYL: That's all I have.

>> NANCY KRENT: All right. That was 6 minutes. It was fast. All right. That's our last witness for today. Miss Tsitsopoulos, you can step down. We will resume on Tuesday at 9:00 a.m. That will be the last day of hearing. At this point the witnesses scheduled to be called on Tuesday will be Ms. Gibbons, who will testify first. Ms. Lucas, Miss Wakelin.

At one point the advocates indicated that they may ask to have Ms. Brooks present again. I'll ask you to confirm, let us know before we leave here today whether you're still asking Ms. Brooks to be present next Tuesday, and if so, we'll make a decision after we hear from Ms. Gibbons as to whether we think additional testimony from her will be necessary.

Also both sides should be prepared to deliver their 15-minute closing if that's what they decide to do on Tuesday. So -- because that will be the last day of hearing.

We will resume at nine o'clock Tuesday morning here. Thank you all.

>> MATT COHEN: Can we have the minutes remaining?

>> NANCY KRENT: We can do that. I don't think we need to do that on the record.

>> RICH COZZOLA: One of the other things I was going to say, because it's a little bit different than normal hearings, we also appreciate the attendance of all the witnesses who have come in and all those witnesses who have come early and stayed late, whether they're teacher, parents or administrators. Here to learn about the process. We appreciate the number of people that stayed on from all of those hearings groups, teacher, parents, and administrators. Thank you all.

-END-

(This text is created by a realtime captioner in order to provide communication access as a realtime service and is not to be copied and/or saved from any live event. Please contact Efficiency Reporting if you would like to receive a properly formatted text file of this event.)

