

UNITED STATES OF AMERICA

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PRESIDENT'S COMMISSION ON EXCELLENCE IN

SPECIAL EDUCATION

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FIRST MEETING

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TUESDAY,

JANUARY 15, 2002

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The Commission met at 8:15 a.m. in the Sky Room of the Two Continents Restaurant, Hotel Washington, 515 15th Street, N.W., Washington, D.C., Governor Terry Branstad, Chair, presiding.

PRESENT:

- Terry E. Branstad Chairman
- Adela Acosta
- Steve Bartlett
- William Berdine
- Paula C. Butterfield
- Jay G. Chambers
- W. Alan Coulter
- Floyd Flake
- Thomas Fleming
- Jack M. Fletcher
- Douglas H. Gill
- David W. Gordon
- Nancy S. Gramick
- Stephen Hammerman
- Bryan C. Hassel
- Douglas Carl Huntt
- Michael James Rivas
- Cheryl Rei Takemoto
- Katie Harper Wright

Ex Officio Members Present:

Elizabeth Ann Bryan
Edward Sontag
Robert H. Pasternack
G. Reid Lyon
Wade F. Horn

Commission Staff Present:

| | |
|---------------|---------------------------|
| Linda Emory | Senior Policy Advisor |
| C. Todd Jones | Executive Director |
| Troy Justesen | Deputy Executive Director |
| Marisa Munoz | Confidential Assistant |

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P-R-O-C-E-E-D-I-N-G-S

(8:18 a.m.)

1 CHAIRMAN BRANSTAD: Good morning and
2 welcome. It's a beautiful day in Washington, D.C.
3 and we've got a beautiful view. The sun is shining
4 and glad to have you all here this morning.

5 I want to take a couple of minutes this
6 morning to welcome everyone, fellow commissioners
7 around the table, old friends, new colleagues,
8 viewers and staff, to this first meeting of the
9 President's Commission on Excellence in Special
10 Education. This day has been a long time coming,
11 postponed in the first place by the tragic events
12 of September 11th, then announced by President Bush
13 on October 2nd, only to be postponed again by the
14 wrangling on Capitol Hill over the appropriation
15 bills.

16 Actually, the timing is great since
17 President Bush, just last week, signed H.R. 1, the
18 No Child Left Behind legislation. It's great to
19 get started. President Bush has made education his
20 highest priority. His education agenda has four
21 pillars; accountability for results, local control
22 and flexibility, expanded parental options, and
23 doing what works to improve student performance.

24 The first stage in this agenda was
25 President Bush's plan to reauthorize the Elementary
26 and Secondary Education Act. The second stage in
27 this agenda will be the reauthorization of the

1 Individuals with Disabilities Education Act, IDEA.

2 The children served through IDEA deserve and
3 demand the same thorough review, the same
4 deliberative attention, and the same significant
5 reform, and this is where we step in.

6 President Bush is asking us to apply
7 the same four principles to special education that
8 he applied to the Elementary and Secondary
9 Education Act.

10 A) Accountability. Accountability for
11 results is just as important for children with
12 disabilities as other kids.

13 B) Flexibility and freedom from Federal
14 red tape can help school districts tailor their
15 services to the needs of their students, something
16 that has eluded our special education policy under
17 current law and practice.

18 C) Expanded parental options will help
19 parents of disabled children choose a format for
20 services that fits their child's needs.

21 And finally, supporting teaching
22 methods and procedures based on scientific research
23 will ensure that we are doing what works for our
24 children with disabilities.

25 The commission was formed by President
26 Bush to recommend policies for improving the
27 educational performance of students with

1 disabilities. The commission will supplement and
2 complement the standard process of reauthorization
3 of the Individuals with Disabilities Education Act,
4 but it is not intended to replace the process which
5 has already begun at the Department of Education.

6 The commission will collect information
7 and study issues relating to Federal, state and
8 local special education programs. It will hold
9 hearings and meetings around the country, and all
10 meetings will be open to the public.

11 The commission is charged with
12 producing a final report to the President by this
13 summer, containing findings and recommendations in
14 the following nine areas:

15 1) Cost Effectiveness: The
16 effectiveness and costs of special education and
17 the appropriate role of the Federal Government in
18 Special Education programming and funding,
19 including an analysis of the factors that have
20 contributed to the growth and the cost of special
21 education since the enactment of the Education of
22 all Handicapped Children Act, a predecessor of
23 IDEA.

24 2) Improving Results: How Federal
25 resources can best be used to improve educational
26 results for students with disabilities.

27 3) Research: A special education

1 research agenda.

2 4) Early Intervention: The impact of
3 providing appropriate early intervention in reading
4 instruction on the referral and identification of
5 children for special education.

6 5) Funding Formulae: The effect of
7 special education funding on decisions to serve,
8 place, or refer children for special education
9 services and possible alternative funding formulae
10 that might distribute funds to achieve better
11 results and eliminate any current incentives that
12 undermine the goals of insuring high quality
13 education for children with disabilities.

14 6) Teacher Quality and Student
15 Accountability: How the Federal Government can
16 help states and local education agencies provide a
17 high quality education to students with
18 disabilities, including the recruitment and
19 retention of qualified personnel, and the inclusion
20 of children with disabilities in performance and
21 accountability systems.

22 7) Regulations and Red Tape: The impact
23 of Federal and state statutory, regulatory and
24 administrative requirements on the cost and
25 effectiveness of special education services, and
26 how these requirements support or hinder the
27 educational achievement of students with

1 disabilities.

2 8) What Models Work in the States: How
3 differences in local education agencies, size,
4 location, demographics, and wealth and in state law
5 and practice affect which children are referred to
6 special education and the cost of special
7 education.

8 And, 9) Federal versus Local Funding: A
9 review of the experience of state and local
10 governments in financing special education, and an
11 analysis of whether changes in the Federal
12 "supplement not supplant" and "maintenance of
13 effort" requirements are appropriate.

14 Each member of the commission, each of
15 you bring a fresh perspective about special
16 education services, providing the President with
17 new ideas to better serve children with
18 disabilities. We are lucky to have members who
19 represent all areas of the country. You come from
20 all over America, and you can think outside the
21 box. The President is looking for exactly that
22 kind of insight from you to help us as we bring
23 focus and attention on special education policy.

24 You are parents, educators,
25 researchers, and administrators. You will bring
26 the President an understanding of what works and
27 what doesn't in places like California, Iowa,

1 Washington State and elsewhere. You are experts
2 who know that new ways of looking at special
3 education are critical to making sure that children
4 with disabilities can reach their full potential.

5 You also know that current policies do
6 not always deliver the excellent education that
7 every child deserves. Each of you has real life
8 experiences and you've used your expertise in your
9 own unique way to benefit special education
10 teaching and instruction for disabled children.
11 Your time has been spent in the classroom, doing
12 research, serving children and parents in your
13 communities.

14 Most importantly, you are results-
15 oriented people who know what can be done to
16 deliver on the promises of special education. I
17 know you are just as enthused as I am about this
18 special opportunity to serve President Bush and
19 America's children with disabilities.

20 Now, let me introduce you to our
21 commission staff. Todd Jones is the Executive
22 Director of the Commission, as well as the Acting
23 Assistant Secretary in the U.S. Department of
24 Education Office for Civil Rights. Prior to
25 joining the Bush Administration, he served as an
26 Education Trade Association President and as an
27 attorney on the staff of the U.S. House Education

1 and Workforce Committee.

2 During that period, he was the chief
3 negotiator of the IDEA Amendments of 1997. He
4 holds a B.S., B.A., and J.D. from the University of
5 Denver, and an L.L.M. from Georgetown University
6 Law Center. And this is Todd. I think you all
7 know Todd.

8 Troy Justeson and Troy told me ? Troy
9 is back in the back here. Troy told me he's got a
10 brother who graduated from Drake Law School who
11 works in the Justice Department, and I thought,
12 that's pretty good Justeson in the Justice
13 Department.

14 But not talking about his brother now,
15 talking about Troy, he serves as a Deputy Executive
16 Director for the Commission, and prior to this
17 position, he served as a policy analyst for the
18 Office of Special Education Programs Director. In
19 the mid-1990s, Troy served more than three years in
20 the U.S. Department of Justice, working on the
21 enforcement of the Americans with Disabilities Act.

22

23 He also worked at Utah State
24 University's University Center for Excellence in
25 Developmental Disabilities, Education, Research,
26 and Service. Troy has participated as a group
27 member in numerous IDEA eligibility determinations,

1 and as an IEP team member.

2 He's a former adjunct professor of
3 Special Education. He holds a B.S. in Education
4 and an M.S. in Special Education, each from Utah
5 State University, and has a Doctorate in Education
6 from Vanderbilt University. He has several
7 publications in the field of assistive technology
8 and secondary and higher education.

9 Linda Emory, Linda is over in the back
10 here. Linda is the Senior Policy Advisor. Prior
11 to this appointment, President Bush appointed Linda
12 to be Special Assistant to the Assistant Secretary
13 for Special Education and Rehabilitative Services,
14 with Bob Pasternack.

15 Before this, she was an education
16 budget analyst for the U.S. House Budget Committee.

17 She held appointments in the Reagan and Bush
18 Administrations and first came to Washington, D.C.
19 as a staff member with U.S. Senator Don Nickles.

20 Linda began her career teaching Special
21 Education in Gallup, New Mexico, also taught in
22 Oklahoma City and Norman, Oklahoma working with
23 children with cognitive disabilities and emotional
24 disturbance. She holds a B.S. in Education, an
25 M.E.D., each from the University of Oklahoma.

26 Marisa Munoz is a Confidential
27 Assistant to the Commission. Is Marisa here?

1 Okay. Marisa Munoz is the Confidential Assistant
2 to the Commission. Previously, Marisa was employed
3 in the Office of Presidential Personnel at the
4 White House. Some of you may remember her calls
5 during your clearance process.

6 Prior to moving to Washington, D.C.,
7 Marisa worked on George W. Bush's Presidential
8 Campaign in Austin. Her public policy service also
9 extends to the state level, where she worked in
10 former Governor Bush's Office of Constituent
11 Services, and as a Fellow in the Texas Governor's
12 Appointments Office.

13 Marisa is a graduate of the University
14 of Texas in Austin. She also attended Baylor
15 University and also studied abroad in Mexico. A
16 native of Texas, Marisa was born in San Antonio,
17 and grew up in Forest Hill, a small town just south
18 of San Antonio.

19 I'm confident with this small, but very
20 competent and qualified staff, they will provide us
21 with excellent service to you members of this
22 commission, to the President, as we work on this in
23 the coming months.

24 My goal as Chairman of the Commission
25 is to have a very open and transparent process that
26 will give everybody an opportunity for input. Our
27 commission's operations have no preset policy

1 agenda. We will be traveling the country for our
2 meetings and hearings, seeking information on what
3 works and what needs work in Special Education. We
4 will be collecting data on best practices and
5 looking at exemplary programs.

6 I'm sure that you as commission members
7 will agree with me that we have no preconceived
8 ideas or conditions as we begin this process. Our
9 only agenda is to serve President Bush by
10 recommending policies that promote excellence and
11 achievement for children and adults with
12 disabilities.

13 On behalf of the President, I want to
14 welcome the commission members to Washington, D.C.
15 and thank the members of the commission for their
16 service and for the good work that they will do
17 this year for this country. But, we must remember
18 that we are going to be serving as a government
19 body, and we can not start a government entity
20 without following official procedures.

21 In today's case, that includes
22 paperwork. To help us finalize our paperwork,
23 we're joined by Gloria Mounts, a Committee
24 Management Officer from the Department's Office of
25 Inner-governmental and Inner-agency Affairs. It
26 may look like a daunting task and
27 when I looked at the stack of paper and notebooks

1 and everything before me, I said "oh my goodness.
2 What have we gotten into."

3 But even though it may look like a
4 daunting task, with Gloria's excellence guidance,
5 I'm sure it will be done in no time. So at this
6 time, I'm pleased to introduce Gloria Mounts.
7 Gloria, do you want to come up here and lead us
8 through this?

9 MS. MOUNTS: Good morning, and this
10 isn't going to be as bad as it seems. I have
11 nothing to do with that big notebook in front of
12 you. I'm Gloria Mounts. I'm a Committee
13 Management Officer for the Department of Education,
14 and I'm here to give you a very brief briefing on
15 the Federal Advisory Committee Act, and explain
16 some of the management procedures mandated by that
17 law.

18 I think I've gotten a letter out to
19 most of you already, and enclosed a copy of the GSA
20 overview of the FACA. I don't know if you'd had
21 any chances to read any of this information yet, but
22 this is a very condensed version of the Act's
23 requirements. So we're not going to take the time
24 today to go through each area here. But, if you're
25 really, really interested in what the Act has to
26 say, this little brochure from GSA does a very good
27 job in that.

1 FACA was enacted in 1972 by Congress,
2 to formally recognize the merits of seeking advice
3 and assistance from our nation's citizens. The
4 department pocket folder that I passed out this
5 morning in front of you is basically what I'd like
6 to deal with this morning. I think they gave me 15
7 minutes. I'm sorry. Should I lower it a little
8 bit? Okay.

9 CHAIRMAN BRANSTAD: This is the folder
10 right here?

11 MS. MOUNTS: This is the folder and it
12 has everyone's name on it, and on the left-hand
13 side of the folder are the personnel forms that you
14 will need to sign and date for me, and I've
15 highlighted the areas in which ? I've tried to make
16 this as simple as possible. I've highlighted the
17 areas that you really need to focus on, but if
18 you're really into reading government forms, you
19 know, be my guest there.

20 I'll be glad to go over these if I've
21 got enough time at the end of the short briefing I
22 want to give. On the right-hand side is the short
23 brief I'm going to be doing this morning. There's a
24 copy of the Commission's Charter which is probably
25 a duplicate. You probably have this one already in
26 your large folder, but I wasn't sure, so I included
27 the charter.

1 There's a copy of an SF-1199.A, which
2 is a direct deposit sign-up form. This is for
3 reimbursement for when you attend, when you go on
4 travel and you attend these meetings. This is a
5 reimbursement form that you need to sign and date.

6 You need to take this home with you, because you
7 have to get your financial institute to also
8 address Section 3 of this form.

9 And then if you'll just return that
10 form after your financial ? after you've signed it
11 and your financial institute has signed it, we'll
12 make sure you get reimbursed from the department
13 for your expenses that you've incurred.

14 So, I'll just begin with a short
15 briefing. There are three information references
16 that are very important in regards to FACA. There's
17 the Federal Advisory Committee Act itself, and
18 you've heard me say FACA, F-A-C-A is the
19 abbreviation that we use for the public law. There
20 is a GSA Federal Advisory Committee final rule,
21 which is the management guidelines for managing
22 department committees, and there is also Public Law
23 94-904, which is the Government and Sunshine Act,
24 which requires the openness of the meetings for
25 Federal Advisory Committees.

26 These three sources of information can
27 be found on GSA's website. I did not include them

1 in this packet. If you're interested, you may pull
2 them up, but basically I'm going to hit the
3 highlights of what these three sources of
4 information contain.

5 Basically, the law requires the
6 Department of Education to appoint a person, such
7 as myself, to be responsible for the establishment
8 and overseeing of the operations. The CMO
9 established a policy and maintains information
10 about the committee, such as your membership. I
11 provide assistance to the Office of the Secretary
12 in advisory committees that he makes appointments
13 to, and I provide guidance and assistance to the
14 Executive Directors of advisory committees.

15 The Department of Education writes and
16 files a charter for each advisory committee. The
17 law also requires that no committee can meet
18 without a charter being filed on the Hill with the
19 Library of Congress, and of course, yours has been
20 signed by the Secretary and it has been filed, and
21 there's a copy of your charter in your briefing
22 packet.

23 A charter basically contains your
24 authority, your purpose and your function, your
25 structure, your meetings, an estimated costs of
26 what this committee is going to incur, any special
27 reports, and this particular committee is a

1 Presidential Committee. Therefore, it has a
2 follow-up requirement and that basically is
3 required by FACA. It is a response that the
4 department is responsible for, once your
5 recommendations and your report is made. The
6 department must, within a year, respond to those
7 recommendations.

8 At a point, a designated Federal
9 official or Executive Director, which has been
10 done, Mr. Jones is acting in that capacity, and his
11 principal responsibility is that he serves as the
12 liaison with the committee and the department. The
13 designated Federal official must be present at all
14 meetings. He has several responsibilities too that
15 are listed in the laws, and he and I will be having
16 a briefing, just to go over and make sure he
17 understands what his duties are in regards to this
18 commission.

19 The chair, of course, calls all the
20 meetings and works with the designated Federal
21 official, and approves the agenda, working back and
22 forth with the chair and the designated Federal
23 official. The commission must, and this is the
24 DFOs responsibility, he must notify the public of
25 all the meetings and hearings, at in at least 15
26 days, this notice must appear in the Federal
27 Register. This is one of the requirements of the

1 law.

2 If we can't meet a 15-day requirement,
3 we are required in that notice to say why, and
4 sometimes that happens. It's just a matter of
5 making a notation. Basically what they're trying
6 to say is they want you to let the public know when
7 you're having meetings so that they have the
8 opportunity to attend and participate.

9 You must have a quorum to meet. It's
10 very important. There must be 10 commissioners
11 present at each meeting in order to have an
12 official meeting. So it's very important that ?
13 we'll probably have a full commission at all times
14 I'm sure, but it is important to keep that in mind,
15 that if we can't pull 10 of you at least together
16 at one time, a meeting can not take place.

17 Commission and we've mentioned this
18 before, the subcommittee meetings are open to the
19 public. If you're going to close a meeting at any
20 time, or partially close a meeting, we must have
21 our Office of General Counsel approve that. There
22 are exemptions in the Sunshine Law that say you can
23 meet in privacy.

24 But the department really likes to keep
25 these meetings as open as possible, and there are
26 only a few exemptions that you can close meetings,
27 and those are listed in the law and they basically

1 are if you're going to be discussing something on a
2 personal nature, you know, where you're discussing
3 maybe personal information about a body or an
4 entity that might cause some kind of conflict with
5 the public if it were to be released, you know, in
6 a public forum.

7 But contact me or Mr. Jones if the
8 chair wants to or thinks that he has exemptions for
9 closing a meeting, and we will review that and our
10 Department of General Counsel will approve those
11 meetings after reviewing them.

12 Members of the public may file written
13 documents with the commission, either before or
14 within a reasonable time after the meeting, but
15 participation in the commission's meetings is at
16 the discretion of the chair, and there are several
17 ways, I will talk with Mr. Jones, which we can get
18 this public participation. And I think we're going
19 to be working on a website, where the public will
20 be able to ? have a commission's website where
21 everyone can go online and make comments. But I'll
22 be discussing that with Mr. Jones. Several of our
23 other Federal Advisory Committees have done this
24 and this has worked very successfully.

25 Okay, minutes of course, are kept of
26 these meetings. They are official records. You
27 are a Presidential Commission; therefore, all of

1 your actions and your attendance and everything
2 that goes on at this meeting will be recorded, and
3 the chair must verify and sign those minutes within
4 a 90-day period of the meeting. And those minutes
5 are made available to the public within that time
6 so they can get copies of the minutes from the
7 Initiative Office. Todd Jones' office will have
8 those available for anyone who wants to see copies
9 of that.

10 Each year, we must the department must
11 prepare an annual report for all of our advisory
12 committees. So, I'll be working with this committee
13 to give them those procedures. But basically, it
14 will list the membership. It has the
15 accomplishments of the commission, and it lists all
16 the meetings that have taken place during that
17 fiscal year.

18 It is a fiscal year report that is
19 required by the President to Congress. And the
20 General Services Administration has been delegated
21 by the President to be the overall government
22 overseer of this report, and also of Federal
23 advisory committee acts in general. And, I will be
24 working with ? this is an online report.

25 I had given you the website at the top
26 of this briefing. If you're interested in going in
27 and looking at any other department activities, we

1 have four Presidential Advisory Committees in the
2 department at present, and that's something if you
3 want to just take a look at that is available
4 online through gsa.gov.

5 Let's see. This commission may
6 establish subcommittees, but it must be from
7 members that are sitting at this table. You can
8 not go outside and pull in any additional
9 assistants for your subcommittee membership. I
10 must be notified if you decide to do this. I don't
11 know if in your working, when you start developing
12 your working plan, whether ? sometimes committees
13 like to break off and give tasks to a smaller group
14 to get a task accomplished, and I will just need a
15 copy of who those members are and what
16 subcommittees that they're going to be working
17 over.

18 The committee may conduct business by
19 teleconference, with advanced approval of the
20 Assistant Secretary for OSERS. Dr. Pasternack is
21 required by the department to approve this
22 teleconferencing type of meeting.

23 Special provisions for this commission:
24 The members serve as special government employees.
25 You have on your agenda today, Sergio is coming to
26 give you your ethics briefing. That's an
27 interesting time, and he will go over all the

1 standards of conduct that you will be expected to
2 adhere to, when you're serving as a special
3 government employee, which we call SGEs.

4 And that brings me to the point, that's
5 the reason you have the forms on the left-hand side
6 of your packet. Those are the personnel forms. In
7 order for me to get you into the employment part of
8 this action, you need to sign these forms, and I'll
9 be able to put you into our Department of Education
10 personnel system.

11 By not later than April 30th, the
12 Executive Order calls for this commission to submit
13 a report to the President, outlining its findings
14 and recommendations. And as I discussed before,
15 this commission invokes, it's Section 6-B of FACA,
16 which concerns the disposition of recommendations
17 to the President contained in your report. So one
18 year after your report is completed, our department
19 is delegated the responsibility of responding to
20 those recommendations, and that is in your charter.

21 Are there any questions about FACA that
22 someone might have that I might be able to answer?

23 If not, I would ? how much time? Oh, I've gone
24 over a little bit. But I'd be glad to, if you'd
25 like, to just run through the forms on the left-
26 hand side. Do you feel that's important or? Do
27 you want to do that? Okay.

1 The very first thing that you'll see is
2 your Affidavit of Appointment. This came with your
3 ? most of you I hope have received your commissions
4 from the President. I still have three that have
5 not come from the State Department yet, but they
6 will be mailed, you know, as soon as I receive
7 them. They were sent certified mail. So if you
8 haven't received them, you should be receiving
9 them. And the Appointment of Affidavit, I think
10 the Secretary is coming to swear everyone in.

11 Once he has sworn you in, if you'll
12 just sign where I've highlighted, you just sign
13 that you've been appointed. You've taken your Oath
14 of Office. The reason you have to sign two copies
15 is, I have to return one to the State Department
16 for their records. So that's not too difficult.
17 The second form is your Declaration of Federal
18 Employment. Basically, if you fill this form out,
19 I can really take the information from this form
20 and help you where you won't have to be putting
21 your Social Security and your date of birth on all
22 the other forms. So it's just a matter of having
23 to sign them.

24 So I would be glad to do that for you
25 if you would like that. I can transpose this
26 information because this will all be coming back to
27 me. And there are some questions that you must

1 answer, the yes or no questions, and there are also
2 questions on the back of this form, and also under
3 Item 17 ? I'm sorry 16-A and B. That's basically
4 where you will sign and date that. You can put
5 today's date on all these forms.

6 The Personnel Office has ? if you all
7 would like to just fill those out. I mean, that
8 would be heavenly. I just don't want to take up
9 too much more time. But the next form is just a
10 simple, it's race and national origin
11 identification form, and that's a matter of, like I
12 said, I will fill in your Social Security and your
13 birth date on this if you prefer. All you need to
14 do is check one of those boxes. If I'm doing this
15 too quickly for you, please just let me know.

16 The next is a Memorandum of
17 Understanding. This just, you are a non-paid
18 commission and our Office of Personnel wants you to
19 really understand you're not being compensated for
20 your work, so they insist that I get you to sign
21 this form. I think I've attached the Executive
22 Order to the back of that just for your
23 information, that highlights the compensation issue
24 that the President wrote into the Executive Order.

25 The next form is your request for
26 official correspondence. Again, I'll add your
27 Social Security Number if you'd like. All you have

1 to do is answer the question if you've been
2 employed by the department for the last three
3 years, check yes or not, and then your official
4 correspondence address is needed and your signature
5 at the bottom of this form. You sign your life
6 away.

7 We're almost done. The next one is
8 your employment eligibility verification. In the
9 letter that I mailed to you, I asked each of you to
10 bring a copy of a passport or a copy of your
11 driver's license and a birth certificate. If you
12 have a passport, that is the only copy I need. If
13 you only have a copy of your driver's license, I do
14 need two forms of identification there.

15 If you don't have that with you, you
16 may send that to me or fax it to me even. I have
17 put my fax number and my telephone number and my e-
18 mail on that very first three-page briefing sheet,
19 and like I said, all you need to do is basically,
20 on that employment eligibility is attach the copies
21 of your ID and then check the appropriate box that
22 you are a citizen or a national of the United
23 States, or either of those other boxes.

24 And then the last form is the self
25 handicapped identification code, 05 is "I have a
26 handicap but I'm not listed below," or 05, I'm
27 sorry, is "I do not have a handicap." The

1 department has been asked by the Office of
2 Personnel Management to pull this information in
3 for different studies on employment of the
4 handicapped.

5 Are there any questions on these forms?

6 And, if you didn't have a chance to finish filling
7 those out, if you will just at some time today look
8 through those and just sign and add your
9 attachments, that would be great. You can return
10 those forms to Linda or someone on the staff here.

11 MR. JONES: What we'll do is, because
12 there's going to be a break here, after the
13 swearing in, we're going to have photographs with
14 the Secretary taken. During the course of that if
15 you finish, we'll collect them. Linda, would you
16 be willing? Linda's at the door and she'll collect
17 them from you and we'll take them away from you and
18 you never have to see them again.

19 MS. MOUNTS: That's right. And the only
20 other form, of course, that I need you to mail back
21 is on the other side of your packet and that's,
22 like I said, is your self deposit form for your
23 reimbursement check. I need that back as soon as
24 possible, because we can't process any of the forms
25 until they're all completed.

26 So if you can get those completed and
27 back to me at your earliest convenience, that would

1 be most helpful. And, I will be here for a little
2 while if there's any questions on the form during
3 the break, I'll be in the front row. I'll be glad
4 to assist anyone who might need some help.

5 CHAIRMAN BRANSTAD: Why don't you just
6 continue to fill our your forms, because the
7 Secretary isn't scheduled to be here for a few
8 minutes yet. So, this would be an opportunity to
9 just complete that. We'll take a little break and
10 give people a chance to complete their paperwork.

11 (Whereupon, the above-entitled matter
12 went off the record.)

13 The Secretary of Education, I just had
14 the opportunity to be with him last week at the
15 signing of H.R. 1, the Secretary of Education, Rod
16 Paige, and he will give us a welcome. The
17 Secretary of Education, Rod Paige, welcome.

18 (Applause.)

19 SECRETARY PAIGE: Mr. Secretary, thank
20 you. Good morning everyone.

21 PARTICIPANTS: Good morning.

22 SECRETARY PAIGE: Mr. Chairman, members
23 of the commission, welcome to the nation's capitol,
24 and welcome to the President's Commission on
25 Excellence in Special Education. I want to thank
26 each of you for your willingness to serve. This is
27 what makes our country great, good men and good

1 women willing to serve. Thank you so much.

2 President Bush, Thursday in his office
3 announced to the nation that education was his
4 highest domestic priority, and he asked Congress to
5 undergo a vigorous bipartisan debate on how we can
6 use the Federal role in education, to create a
7 culture in education that was based on achievement,
8 and to create a system of American education that
9 leaves no child behind.

10 He proposed four pillars for this
11 reform: accountability for results, flexibility in
12 local control, expanded parental options, and a use
13 of education practices that are based on science.
14 Congress responded in the tradition of that great
15 American institution, and last week President Bush
16 signed into law the No Child Left Behind Act and so
17 a landmark in American education was thus
18 established.

19 Another landmark in American education
20 was established in 1975, for it was then that
21 Congress passed the first version of the
22 Individuals with Disabilities Education Act. This
23 important legislation was good for America and it
24 had made great strides in helping students with
25 disabilities.

26 The idea insured access to public
27 education for millions of children who had

1 otherwise been denied it. Children who were once
2 excluded from our schools were not sitting in
3 classrooms alongside their non-disabled peers.
4 They were graduating from high school. They're
5 pursuing post-secondary education and productive
6 employment.

7 Yet despite this great legislation and
8 despite the progress we've made, all is not well
9 for many children with disabilities. There are
10 still significant achievement gaps between children
11 with disabilities and their peers. Children with
12 disabilities are not completing school and perform
13 at levels of their non-disabled peers. Our system
14 fails to teach many children fundamental skills
15 like reading, and then inappropriately identifies
16 them as having disabilities.

17 Our system identifies many children who
18 have disabilities much too late. Some state data
19 tells us that the proportion of minority students,
20 identified in some disability categories,
21 dramatically greater than their share of the
22 overall population. This is especially true for
23 African-American students in the categories of
24 mentally retarded and emotionally disturbed, and
25 the list goes on and on and on.

26 But let's just sum it up by saying,
27 many children with disabilities are being left

1 behind. That's unacceptable. When the President
2 says he wants a system of American education which
3 leaves no child behind, he means it literally, and
4 he means children with disabilities also. And so,
5 we ask your help. We ask you to take a look at how
6 this law is performing and help us fix it. We need
7 your help.

8 Some have advised that all that's
9 needed is to spend more money. These well-meaning
10 people fail to notice how poorly this law is
11 performing. They've also failed to notice that
12 President Bush's funding is at a historical level.

13 Some of President Bush's commitments to the belief
14 that every child can learn, has led him to ask for
15 the largest increase in spending for IDEA ever
16 requested by any President in the history of our
17 nation.

18 But money alone can not improve our
19 student results. Additional funding must be
20 accompanied by reform. Some have advised that,
21 just like Social Security is the third rail of
22 American politics, IDEA is the third rail of
23 American education. They advise that it is
24 political suicide and said it is politically
25 dangerous. Better just give it more money and
26 leave it alone and hope it fixes itself. President
27 Bush believes they're wrong.

1 This is not about political safety. It is about
2 our children's future.

3 Not only is President Bush the first
4 President to speak publicly about excellence in
5 special ed, he's also been willing to fund it at
6 historical levels, as I've indicated. He's just as
7 concerned about reforming special ed this year as
8 he was about reforming ESEA last year. He's
9 committed to the bold proposition that every child
10 can learn, and we're going to keep saying this
11 until America understands that we mean this
12 literally, every one of them.

13 This doesn't mean that after you siphon
14 off children with disabilities the rest of them can
15 learn. Nor does this mean that when we move away
16 children who have never been properly taught to
17 read in early grades, the rest of them can learn.
18 This does not even mean that when we take the
19 children who have limited English proficiency and
20 push them aside, that the others can learn. Or
21 even the children who are disruptive in their
22 classroom, this means them too, all of them, each
23 and every one of them.

24 (Applause.)

25 SECRETARY PAIGE: In fact, when the
26 President says no child left behind, he means
27 children with disabilities most of all, for they

1 are the children who are most often left behind.

2 And so, we turn to the reauthorization
3 of IDEA. Now we can build on the progress and the
4 momentum that that great law has provided us thus
5 far. The four pillars that reformed ESEA last
6 year: accountability for results, local control and
7 flexibility, expanded parental choice, and doing
8 what works based on scientific research, apply to
9 IDEA just as well.

10 And also, the bipartisan spirit with
11 which ESEA was constructed should also apply to
12 IDEA. Your task as commissioners is to discover
13 what works to improve the performance of the
14 students with disabilities receiving special ed
15 services.

16 Talk to the experts. Examine the
17 research. Study preventative reading programs.
18 Look at how funding affects students with special
19 ed. Investigate how different school districts
20 succeed or fail. Think of ways that we can recruit
21 and retain high qualified teachers for our special
22 ed kids. Listen to what states and districts need
23 to improve special ed services. Think broadly.
24 Think creatively.

25 Bob Pasternack, the Assistant Secretary
26 for Education for the Office of Special Ed and
27 Rehabilitative Services has just completed a seven

1 city listening tour to learn what educators need to
2 improve such special education. He's the Federally
3 designated officer with the commission and is
4 prepared to help you. Use his services. He's a
5 committed professional.

6 Bob and I have many concerns, including
7 our desire to make sure that the right kids are in
8 special education and that they're getting the
9 right services. The wide range of expertise of
10 this commission is a great strength, and we're so
11 pleased that you've agreed to join. Among your
12 parents and teachers, administrators and
13 researchers, and policymakers and elected
14 officials.

15 Many of you bring practical
16 experiences, so it should bring a vast store of
17 theoretical knowledge. But your goal is all the
18 same. You all care deeply, as we care deeply about
19 our students, and we're here to do them good. You
20 may disagree along the way. Remember that
21 disagreement is fine. We'll disagree without being
22 disagreeable, because our goal is the same. We
23 want better services for our children.

24 IDEA is up for reauthorization next
25 year. Your report will be of immediate help, but
26 don't limit your thinking to the recommendations in
27 this legislation. Think deeply and think

1 creatively. The way we educate our children
2 reveals our character. Let's show strong
3 character. No American should be satisfied until
4 every American child is learning, and I look
5 forward to working with all of you to reform IDEA,
6 so that all of our students with disabilities are
7 receiving great services.

8 Under President Bush's leadership,
9 we'll transform the role, the Federal role in
10 education. We'll fix it so that every child has an
11 opportunity. I'm confident that the same
12 commitment and dedication that went into ESEA, if
13 applied to IDEA, our children will benefit greatly.

14 Thank you again for your willingness to undertake
15 this great mission.

16 Now, I'm pleased to administer the oath
17 of membership to the commission. So, if you'll
18 raise your right hand and repeat after me.

19 (Members of the Commission Sworn.)

20 SECRETARY PAIGE: Congratulations for
21 each of you, and thank you so much for joining us.

22 (Applause.)

23 CHAIRMAN BRANSTAD: Mr. Secretary,
24 thanks for your inspiration and your challenge to
25 us. Now, I'd ask you to take your name tags off.
26 We're going to get an opportunity to have our
27 picture taken with the Secretary. I think we're

1 going to go over here for this.

2 (Whereupon, the above-entitled matter
3 went off the record.)

4 MR. JONES: Actually, we're going to be
5 right here.

6 CHAIRMAN BRANSTAD: Oh, between the
7 banner, under the banner. But take your name tags
8 off. We'll go around. We'll go in alphabetical
9 order. We'll start with Adela here, just go right
10 on around the table.

11 (Whereupon, the above-entitled matter
12 went off the record.)

13 CHAIRMAN BRANSTAD: So if you could
14 retake your seats, we're going to start in about 30
15 seconds. Congratulations, you're all official,
16 have now been sworn in, and I think the Secretary
17 challenged us and I think did a great job of
18 giving us a welcome and the charge of our
19 responsibilities coming up.

20 It is likely that our mission will be
21 extended until mid-summer. That's not official
22 yet, but as you know, it was anticipated our first
23 meeting would be in October and since it got pushed
24 back to this time, it looks like our final report,
25 because of the ? and this is an ambitious schedule
26 that we have anyway, we'll probably be extended.

27 So those of you that heard that April

1 30th deadline, I just wanted to assure you that I
2 think there's a good chance that we'll be extended.

3 First of all, we just want to get acquainted with
4 each other. I want to tell you a little bit about
5 my background and we're going to go around the room
6 and give everybody an opportunity to spend two or
7 three minutes just telling about themselves.

8 I guess being a politician, you know,
9 it's not too hard to talk about yourself. I had a
10 lot of experience doing that. I come from Iowa
11 where we're taught to be humble, and so I've had to
12 learn to overcome that. But, I grew up on a farm
13 in Iowa and educated in a state that cares deeply
14 about education, had a mother, a Jewish mother that
15 really was an advocate for education.

16 I came from this little town of Leland,
17 Iowa and we didn't have Kindergarten, but our high
18 school kids went to Four Cities where they did have
19 Kindergarten, so my mother and Mary Jane Holland,
20 another mother, put Martha Holland and I on the bus
21 to go with the high school kids to Four Cities to
22 start Kindergarten and shamed our school into
23 starting Kindergarten one week late. So I did get
24 to go to Kindergarten, and eventually graduated
25 from Four Cities High School, the University of
26 Iowa.

27 I was a Vietnam-era draftee. I went in

1 the service September 7, 1969 and I served in the
2 military police at a time that wasn't very popular
3 to serve, came back and with the help of the G.I.
4 Bill, went to Drake Law School. And Mr. Justeson's
5 brother also graduated from Drake Law School, and I
6 went to Drake after going to the University of Iowa
7 because it was in the capitol city and I was
8 interested in government. And low and behold, my
9 second year of law school, I ran for the
10 legislature.

11 I lived on a farm on the northern edge
12 of the state. You may have heard of Winnebago
13 Industries that makes the motor homes. I'm from
14 Winnebago county. I saw that company start when I
15 was Age 11 and I don't have any stock and it's
16 doubled in the last year. And I'm now in the
17 financial services business. I may not be that
18 smart. I don't know.

19 So, when I was in my second year of law
20 school, the Iowa Legislature was reapportioned, and
21 my mother who cared deeply about education says,
22 finish law school before you run. I said "this is
23 the opportunity. I got to do it now. I will
24 finish law school." I did run for and get elected
25 to the legislature in `72, when I was 25 years old,
26 and at the same time, continued and took 10 hours
27 in law school, passed it, completed my law school

1 just a summer school late.

2 I served three terms in the legislature
3 and practiced law part-time in Iowa. We have a
4 citizen legislature. When I was 31 years old, I
5 was elected Lieutenant Governor of the state, and
6 then four years later, our very popular governor,
7 unexpectedly decided not to run again, and I ran
8 and was elected governor. He served 14 years and
9 low and behold, I went from being the youngest
10 governor to the longest serving. I served 16
11 consecutive years as governor. During the farm
12 crisis of the `80s through the flood of `93. It
13 wasn't always disasters while I was governor, but I
14 did deal with a lot of them.

15 Education has always been a priority in
16 Iowa. It was one of mine. We built a fiber optics
17 network. We focused on improving education in
18 making teacher salaries more competitive. I was in
19 the legislature when we passed the Special
20 Education Law in the state before the Federal law
21 was passed. I think it was 1973 or 4 when we
22 passed that. In fact, Chuck Grassley who is now
23 our senior Senator, I think managed that bill that
24 I voted for.

25 We also have had a long tradition of
26 support for education at all levels in Iowa, and I
27 was honored to serve the people in that capacity.

1 I did leave office after serving 16 years. I
2 chose not to run again in 1998, and I'm not working
3 as a financial advisor with Robert W. Baird. It's
4 a Milwaukee-based company. So if any of you are
5 interested in stocks, bonds or securities, you want
6 to talk to me about that.

7 No, that's probably not the appropriate
8 thing to do here. That's before the ethics
9 discussions, right? So, I'll probably learn now
10 that I can't do that.

11 But I want to say this, I believe ?
12 while I was governor, I had a press conference
13 every week. I come from a state that's had a
14 history and tradition of clean, open and honest
15 government, and we may disagree on issues and also
16 I had the opportunity to work with legislators of
17 both parties, and most of the time I was governor,
18 the other party controlled the legislature. And,
19 I've learned that it's important to work in a
20 bipartisan basis to focus on ways we can make
21 things better.

22 And I know it's a controversial and a
23 challenging issue, and talking with Steve Bartlett
24 here who was saying, you know, it's almost kind of
25 a love-hate relationship. People love the law, but
26 they hate some of the results and want to see them
27 better. I think our responsibility is to take

1 what's been done, build on it to try to make it
2 better and to try to, indeed, make the President's
3 vision of leaving no child behind something that
4 truly works for everybody, including the
5 handicapped and disabled.

6 So, thank you for the opportunity to
7 serve with you and I'm honored to be your chair,
8 and I'm looking forward to the next five or six
9 months that we're going to spend together. If any
10 of you have any suggestions, or ideas, or criticism
11 that you would like to direct, don't hesitate to
12 give me a call. And, again, I want to reiterate
13 the fact that I'm excited about this opportunity
14 and I appreciate the chance to work with all of
15 you. So Adela, we'll turn it over to you.

16 MS. ACOSTA: Wow, how do you top that?
17 Hard act to follow. Buenos dias. My name is Adela
18 Acosta, and I have the privilege of being the
19 principal of a school named Cesar Chavez Elementary
20 school in Hyattsville, Maryland in the great state
21 of Maryland. I have a bifurcated background, if
22 you will.

23 I come from two islands, the island of
24 Manhattan and the island of Puerto Rico, and some
25 of you already know that I am called the
26 "newyorican" on the commission. I bring to this
27 commission gratitude, first of all as an American,

1 to serve on this commission and I'm deeply grateful
2 to President Bush for giving me the opportunity of
3 a lifetime, and I serve here with great
4 appreciation and gratitude to my grandparents who
5 brought out family to the mainland.

6 I serve, hopefully, as the voice of
7 practicality. I have been in education for over 25
8 years, and not only am I a practitioner in the
9 field on a daily basis, but I am a person that the
10 Secretary mentioned. I was placed in a class for
11 the mentally retarded because I couldn't speak
12 English, and because I was disenfranchised and
13 marginalized by poverty and race. So I serve with
14 great passion.

15 I have been able in this great country
16 of ours to receive an excellent education, and not
17 only is it now theoretical and practical, but I
18 bring to this commission a great passion and a
19 great desire to ensure that, like myself, no child
20 be left behind.

21 So I thank you and I also invite anyone
22 to share with me their insights, their experiences,
23 because together we will form the voice the
24 President Bush needs to move the education of all
25 children forward at this great time to be an
26 American. Thank you.

27 MR. BARTLETT: I'm Steve Bartlett. I'm

1 from Texas, where we were not taught to be humble.
2 But my wife of 32 years, and my three grown
3 children have tried to teach me a little bit about
4 it ever since. I'm a recovering politician, having
5 served for some 20 years in elected office, both
6 politics and policy has long been my passion. I
7 was quite involved in the 1980s in Congress. It
8 was a decade on disability issues, in which I
9 believe that the country moved from programs to
10 dependence to laws of independence.

11 I think that's a lot of what we're here
12 today. Students are graduating under IDEA. Our
13 task, I think, is to cause all students to
14 graduate, using the tools available at IDEA. I was
15 involved in the issues during the 1980s of ADA and
16 IDEA, both the 1990 act that converted what was
17 called the Public Law 94-142, into what's now
18 called IDEA.

19 I look forward to the challenges ahead
20 of us. I thought that the secretary's challenge,
21 as he laid it out and as he represented President
22 Bush's challenge to us, is a challenge that I think
23 this commission can rise to, and I look forward to
24 working with you, Mr. Chairman, and each one of you
25 towards meeting those challenges.

26 DR. BERDINE: My name is Bill Berdine.
27 I'm a professor of special education and department

1 chair at the University of Kentucky of the
2 department of special education and rehabilitation
3 counseling. While this youthful visage might fool
4 you, I've been around a little longer than I look,
5 not to be humble. I've 30 years of experience in
6 higher education, and I bring that to the
7 commission very respectfully. I have very strong
8 interests in the transmission of research from the
9 university campuses into the schools.

10 I think we've done a very poor job in
11 that area. I think the research agenda that this
12 commission's been asked to look at is an area that
13 I think I can add to. I think it's one of the
14 areas that higher education really does need to
15 attend to. I'm also very concerned about the
16 quality of the product of special education
17 practitioners or higher education. I think we all
18 are pretty aware, I think, of the shortages of
19 practitioners in the field. It's pretty well
20 documented.

21 What a lot of people are not aware of
22 is the shortage in higher education faculty. A
23 recent study released by the Higher Education
24 Consortium for Special Education (HECSE), in
25 conjunction with OSEP, showed very clearly there's
26 about a 30 percent shortage of faculty in special
27 education.

1 If you translate that to the
2 development of teacher practitioners, you may have
3 some understanding of why there's a concern about
4 the relationship between the shortage of faculty
5 and the shortage of fully-qualified practitioners.

6 So I hope to bring some of that attention to the
7 commission, as well as in the area of early
8 intervention.

9 After 30 years, I see very clearly that
10 we need to start prior to birth. When we talk
11 early intervention, I'm not talking about three and
12 four-year-olds. I'm talking about prior to birth.

13 Parents need to be better educated about human
14 development, growth and development, emphasis on
15 literacy in the home and the impact on schooling.
16 So those are my areas of interest. I'm looking
17 forward to the experience. Thank you.

18 MS. BRYAN: I'm Beth Ann Bryan. I'm an
19 ex officio member of this committee. I'm currently
20 the Senior Advisor to Secretary Rod Paige. In my
21 previous life, I was Education Policy Director for
22 Governor George Bush, the very first year he was in
23 office. Then I worked for the Governor's Business
24 Council on various of the governor's education
25 initiatives, and have done a lot of work with Mrs.
26 Bush's initiatives, in particular her early
27 childhood and obviously now teacher preparation.

1 Both of those issues obviously apply in this
2 circumstance.

3 Prior to that, I taught elementary
4 school for a number of years, and for 12 years I
5 was in a private psychological practice, and I saw
6 children and their families in therapy and I was
7 the one who went to the ARD meetings and was the
8 advocate for the child and the families.

9 MS. BUTTERFIELD: I'm Paula Butterfield
10 and I think I come as a practitioner as well. I'm
11 a recovering superintendent. I've been a
12 superintendent for a decade and stepped back
13 recently to work as a deputy superintendent in the
14 Pittsburgh schools and work on reform in literacy
15 primarily, literacy, mathematics, and special
16 education are major initiatives that we've begun
17 there.

18 As a school administrator, top level
19 school administrator, I've been somewhat of a gypsy
20 and so I've had an opportunity to work in Maryland,
21 and I was superintendent in Montana for a decade,
22 and I've worked in Kansas and a few other places.
23 I think a moving target is harder to hit. But I
24 have a Masters Degree in Reading from the
25 University of Maryland and Ph.D. in Special
26 Education from the University of Maryland as well.

27 DR. CHAMBERS: My name is Jay Chambers.

1 I'm a senior research fellow at the American
2 Institutes for Research. I really come to this as
3 somebody who happens to have done work in the last
4 eight or nine, ten years in special education
5 finance. But I really come to this commission as
6 somebody who has done work in school finance for
7 the last 25 or 30 years of my career, whatever that
8 is. Well, anyway we'll leave the age out of this.

9 I'm currently serving as the President-
10 elect of the American Education Finance Association
11 and am ? which means basically, I planned the
12 conference for this year, which is coming up in
13 March, and I'm doing everything I can to get
14 special education on that agenda.

15 I've asked our new Assistant Secretary
16 Bob Pasternack to be one of the keynote speakers.
17 So I'm saying that publicly, so he can't back out.

18 Anyway, we're looking forward to have him come and
19 talk to us about IDEA and the implications for
20 finance, so I can figure out what it is I'm
21 supposed to have been doing for the last eight to
22 ten years.

23 I have been in academic and in research
24 virtually all my life. I started out, my Ph.D. is
25 in economics from Stanford, and I went from there
26 to the University of Chicago and ultimately the
27 University of Rochester and finally back to

1 Stanford. I'm a rare breed, native Californian and
2 have now concluded I really want to stay there for
3 the rest of my life if I can at all possibly do
4 that.

5 At any rate, I am looking forward to
6 the opportunity to serve on the commission, and in
7 learning a great deal from the practitioners. We
8 get out there once in a while, but I don't think
9 enough to really talk to people in the field.
10 Right now, we are doing projects in about 13
11 states, 11 of those are in special education, and
12 some represented around this table, as well as
13 nationwide. So I'm the Director of the Special
14 Education Expenditure Project, which I am currently
15 finishing, well doing. We'll talk about finishing
16 later, but doing for the Office of Special
17 Education programs.

18 MR. COULTER: Good morning. My name is
19 Alan Coulter and I'm very pleased to join this
20 group. I am, along with all the other recovering,
21 I'm a recovering Texan. I live in New Orleans,
22 Louisiana. I'm proud of my expatriate status. I
23 currently working higher education as an academic,
24 but I came to higher education very late in life,
25 because I worked in special education programs in
26 Texas and in Louisiana prior to that time.

27 I am a proud grandparent of six

1 grandchildren, one of whom is a junior this year,
2 who said to me on Sunday, "you know, gee whiz my
3 teacher in the 6th grade told me that I wasn't very
4 smart and she said, you know, so I don't really
5 know if I'm going to be able to go to college or
6 not."

7 I have to tell you, you know, it's one
8 thing to read. It's one thing to experience the
9 numbers, et cetera. It is a much different thing
10 to encounter an individual child who is a product
11 of public education. And I believe that the role
12 of law is to protect the dreams of children, and
13 that the role of law as it relates to children with
14 disabilities, is to protect the dreams of children
15 with disabilities and their families and the dreams
16 that they have for them.

17 We have a program that has existed now
18 for more than 25 years, which our best effort is
19 that two out of three kids with disabilities
20 graduate with a high school diploma. But I live in
21 a state where one out of eight children with a
22 disability graduates with a diploma, neighboring a
23 state where 12 percent of kids exiting programs
24 with disabilities educate with a diploma. So I
25 think that one of the things that for me is most
26 important is the results. I think it is one thing
27 to make promises. It is a great, great

1 responsibility, you know, to follow up on those
2 promises.

3 I heard the Secretary say that the
4 character ? that the education of children reveals
5 our character, and I have to tell you, I think the
6 character of this commission will be revealed in
7 the recommendations that we make to make things
8 much, much better than they currently exist.

9 So I am looking forward to serving, to
10 working hard, and to getting to know all of my
11 fellow commissioners better. Thank you.

12 MR. FLAKE: Thank you. I'm Floyd Flake
13 and I am a fully recovered politician, because when
14 I went into politics, I was actually pastoring and
15 I still continue to pastor one of the largest
16 churches in the state of New York, although I too
17 am an expatriate from the state of Texas. Now I
18 know why I am on this committee, when I saw Steve
19 down there, I knew something was happening.

20 But I am a pastor in the Great Allen
21 Cathedral in New York, and I am President of Edison
22 Charter Schools, which is the largest private
23 management company in education in America. And
24 back in 1976, I left a job as Dean of Students at
25 Boston University to go to that community in New
26 York, because I felt I could be more effective in
27 ministry if I could do something to seriously

1 impact education.

2 So the first thing we did was build the
3 school, pre-K through 8th grade, and what we
4 discovered was that many of the young people that
5 admitted some of them had been diagnosed for
6 special ed in the public school system, we found
7 that those young people in this environment, with
8 uniforms on and a disciplined environment, actually
9 were able to perform exceptionally well. The
10 majority of them, I think all of them as a matter
11 of fact, that we've taken over these 20 years, have
12 gone on to high school and college.

13 So I have had this kind of bone of
14 contention for a number of years as it relates to
15 trying to reform special education, and education
16 in general as it relates to the delivery process in
17 urban communities, and so I'm grateful for the
18 opportunity to be on this commission, and once
19 again be with Steve. We both served on the Banking
20 Committee during my 11 years in the U.S. House of
21 Representatives, and so I'm glad to be here with
22 you and hopefully can be helpful and be helped.

23 MR. FLEMING: I am Thomas Fleming from
24 Eastern Michigan University, and of the Class of
25 '68 as a special ed teacher, in which I have been
26 teaching for over 25 years. But I started off as
27 some of the names that are given to kids when they

1 come to school, and the name that you ? your proper
2 name is not respected and you have to do certain
3 kind of ways to get your name back.

4 I was not successful in that, but was
5 kicked out of the public school and sent to, in
6 those days something like a delinquent or a
7 detention school and that was on the East Side of
8 Detroit, and I got beat at least three times a
9 week. And so, Carrie Belle, my grandmother who
10 raised me from almost when I was born, took me and
11 moved the whole family to the West Side of Detroit
12 to save her little dear son's life.

13 But that delinquency followed me all
14 the way through, because even on the West Side,
15 still not being one with the fisticuffs, I had to
16 pay protection dues, which was my lunch money, and
17 then just wait until I got home to really eat at
18 the beginning of the day and the beatings kind of
19 went on.

20 But that kind of reality did not even
21 still help me. I was a non-reader. This is long
22 before we had any definitions of learning disabled
23 or any of those things, and so I didn't really
24 recognize that. I put my age up at 16 and got into
25 the National Guard in Michigan, not knowing that
26 that summer I wouldn't have to worry about school
27 anymore, because Harry S. Truman nationalized the

1 engineers and we were off to Korea in 1950.

2 Believe it or not, when we got to Fort
3 Lewis, I wasn't the only one telling one that I had
4 lied to get into the Army, but that didn't slow us
5 down. We still took our training, and to this day,
6 I don't know how that we learned that we were not
7 going to Korea but to Germany.

8 So I get to Germany and I'm in
9 Frankfurt, just outside of Frankfurt, and the cab
10 drivers are taking our Deutsche/marks and saying
11 for a seven mile trip, 20 marks. And I didn't know
12 what that meant until a fellow helped me to
13 understand a mark was equivalent to one dollar.

14 So they said and when the German cab
15 driver says that to you, just say to him (German
16 phrase), which translates, you're crazy in the head
17 that I'm going to give you \$20 for a seven mile
18 trip. Well suddenly then, I recognized as the
19 fellows told me, you better learn a little
20 something about how to communicate with these
21 people, like eins, zwei, drei, vier. You better
22 learn how to count.

23 And then if you really want to get next
24 to the ladies at 18 and everything burning inside
25 of me, I certainly learned how to say Guten Morgen
26 Fraulein, du kuche bist schone, you look so good.
27 I never connected that with education. I came home

1 and began to work on the assembly line and go to
2 night school, and started with first syllable
3 words, crawling back up through this whole
4 educational maze.

5 And somewhere along the way, I went to
6 Bible School, and the first book I ever read
7 comprehensively in my life was the 16 chapters of
8 the Book of Mark. It totally revolutionized my
9 life, and so I went on from there to do a little
10 bit of preaching, Reverend Flake, and found out I'd
11 probably be better in the classroom.

12 And so, I went into the actual
13 classroom as a special ed teacher, and at that
14 point, I began for the first time to recognize,
15 these are some of the kids, some of my home boys
16 and home girls. They act like me. They talk like
17 me. They have trouble reading and understanding
18 like I did.

19 And so, that was the first connection
20 and I tried to start telling them how I learned how
21 to read, write and spell, and somehow we had a few
22 successes, some to the level that approximately 25
23 years later, I'm standing next to George Herbert
24 Walker Bush in the Rose Garden as the 1992 National
25 Teacher of the Year, and still at that point
26 recognizing that if we give our kids a chance, if
27 we give our kids a chance to discover themselves,

1 there's no limit of what they can do.

2 The President invited A. Whitney Brown,
3 a student that I had had my first year of teaching
4 to the Rose Garden ceremony. This kid, when I saw
5 what was happening to him and talked to the
6 administration, because in those days in Michigan,
7 a delinquent in lockup that could not still conform
8 to the program, they sent him to the crazy house.
9 This child was sent to the mental institution, and
10 an English teacher who talked me into my first year
11 going up with her, we brought this kid back from
12 that and I got fired. So I hadn't even actually
13 seen the kid until that happened.

14 But again, I'm just stressing to this
15 committee, which I'm so proud to be on, that it's
16 not just about leaving children behind. It's the
17 confusion between our community and the school.
18 It's some of the things that we still haven't
19 really understood about the power of a Carry Bell
20 Starks, who never had education but had so much
21 faith in her son that she took me out of harm's way
22 and continued to believe in me.

23 So that I hope that we will, all of us
24 in this committee, remember that our children,
25 given the chance to decode the environment that
26 they live in, that's empowerment. That's the thing
27 that's important for them. And so hopefully we

1 will be able to work with each of you and learn
2 more of your stories and your experiences and we
3 will make a real kind of, some kind of a statement
4 to our nation that is still looking for ways to
5 educate every one of our children.

6 DR. FLETCHER: I'm Jack Fletcher. I'm
7 pretty boring. I'm a professor in the Department
8 of Pediatrics at the University of Texas, Houston
9 Health Science Center, and I live a boring academic
10 life. I have lots of different identities.

11 Probably first and foremost, I'm a
12 scientist and I do research on people with
13 disabilities. My research spans kids and their
14 families across the gambit of the IDEA categories.

15 I've done research on children with different
16 kinds of learning and attention disorders. I
17 direct major projects that involve people with
18 spina bifida and traumatic brain injury.

19 I've done research on kids with
20 cerebral palsy. We do research on kids that are
21 high risk because of birth problems. It really
22 cuts the gambit. I'm also a clinician, because I'm
23 a neuropsychologist, and I have very commonly done
24 evaluations of kids that are having school
25 problems.

26 One of the dilemmas we face when I went
27 to the medical school was what to call the clinics

1 that we were expected to run, and we wrestled with
2 things like the "Developmental Disabilities Clinic"
3 and the "Neuropsychology Clinic."

4 We settled on School Problems Clinic,
5 and we essentially took kids who were having
6 trouble with school and tried to figure out what
7 the problem was, and then advocated for them. We
8 went to ARD Committee meetings. We participated in
9 mediation hearings on both side, the school side,
10 the parent side, different sides.

11 And then finally, my most recent
12 incarnation is as a disseminator of research, and I
13 think I am probably most proud of the role I played
14 in the Texas Reading Initiative, which was started
15 by President Bush. We developed a statewide
16 reading center with his help. We have been
17 systematically disseminating evidence-based
18 information to teachers and administrators across
19 the state.

20 We developed an early identification
21 instrument that's used in over 90 percent of the
22 school districts in the state. It allows for the
23 early identification of children that are at risk
24 for reading problems, and helps teachers plan
25 instructional strategies. It's actually
26 administered by the teacher.

27 We do statewide professional

1 development of teachers, and we've also set up
2 model demonstration programs for different special
3 education programs in the state. With the
4 commission I believe there is a huge gap in what we
5 know from research and science, and how it's
6 actually implemented in the schools, and my goal is
7 to help close that gap and insure that we focus on
8 closing the gap for all kids with disabilities as
9 they're served in schools. Thank you.

10 DR. GILL: Good morning. My name is
11 Doug Gill. I'm currently the State Director of
12 Special Education in the state of Washington. I
13 have been State Director for the past 11 years, and
14 I wish my life were a little boring at times, but
15 it has been anything but that.

16 I am not from Texas. I may sound like
17 it. I've been to Texas a couple of times in my
18 life and I appreciate it. I'm actually from the
19 state of Georgia originally. I was born in
20 Savannah, Georgia. My mother was a home economics
21 teacher at Ware County High School in Waycross,
22 Georgia for 35 years.

23 My dad was disabled when I was 12 years
24 old, and I remember some of the decisions we had to
25 make as a family in 1962 regarding what choices we
26 would make in terms of what we would share or not
27 share with the community, and the ability of the

1 work ethic in a small community like Waycross, and
2 some of the decisions we had to make as a family.

3 And that's sort of how I got into the
4 field of special education, before there was a 94-
5 142, before there was a state law. I actually
6 began in state education as a paraeducator or
7 teacher's aide in the schools before I got my
8 undergraduate degree. I taught special ed at the
9 4th grade level, the 7th grade level at high
10 school.

11 I had the fortune of teaching at the
12 undergraduate and graduate level in college. I've
13 also now, as the State Director of Special
14 Education had a lot of wonderful experiences in
15 special ed and hope that we remember that balance
16 is a key issue in special education.

17 There are a lot of things we've done
18 wonderfully well in special education and some
19 things we need to improve, and I hope we don't
20 throw the baby out with the bath water in some of
21 our recommendations or activities here as part of
22 this commission. I think it's important that we
23 take an objective point of view of the issues that
24 are before us. I believe we can do that.

25 Certainly there's the expertise, if not
26 in this room, within this country to enable us to
27 make solid recommendations that will improve

1 special education and not in some way limit or
2 diminish the things that we have been able to
3 accomplish in this field.

4 I appreciate the opportunity to be
5 here. It's certainly a culmination of my
6 professional experience to come from Waycross,
7 Georgia all the way to the nation's capitol and not
8 be here for someone else's conference or some other
9 convention, and not be worried about answering the
10 cell phone because somebody complained back home
11 about something that we should have done in the
12 state of Washington that we didn't do.

13 So I think we have a wonderful
14 opportunity. It's great to be here. I'm pleased
15 to have the opportunity to have at least some input
16 into the reauthorization of IDEA and hope in this
17 reauthorization we won't reauthorize in another
18 couple of years and give folks out there a little
19 opportunity to stabilize some of the changes we
20 felt in special ed. Thank you.

21 MR. GORDON: Good morning. My name is
22 Dave Gordon, and I work as the Superintendent of
23 Schools in the Elk Grove Unified School District in
24 Sacramento, California. We serve 51,000 children.

25 We're growing by 300 children a month, so we
26 project to about 85,000 in seven or eight years.
27 So we build an awful lot of schools.

1 We've had an opportunity to do some
2 innovative things in our district around special
3 education, and particularly around getting special
4 education to work much more closely with the
5 regular program. So, I look forward to sharing
6 some of those ideas as we move along.

7 This is my 35th year in education. I
8 started as a 6th grade teacher in the South Bronx,
9 New York and I worked 17 years in the State
10 Department of Education, finishing as Deputy
11 Superintendent, and then the last 10 years in the
12 Elk Grove School District, and I'm particularly
13 honored to be on this group, because during the
14 campaign in April of 2000, we were honored to host
15 now President Bush in our school district and had a
16 chance to spend about three and a half hours with
17 him and, I was deeply impressed with his personal
18 commitment to children and to public education.
19 So, I am truly honored to be a part of this group.

20 MS. GRASMICK: Good morning. I'm Nancy
21 Grasmick and I'm the Maryland State Superintendent.

22 I'm beginning my 11th year in that position. I
23 developed a very special interest in special
24 education when I was a senior in high school and
25 had a temporary hearing loss. It guided my career.

26 I received my Masters Degree from Gallaudet
27 College for the Deaf in Washington, and went on to

1 receive my doctorate in communicative sciences from
2 Johns Hopkins University.

3 I have been a classroom teacher and a
4 principal, working with special needs children 17
5 years prior to going into administration, and I am
6 really inspired by the success of many of the
7 children I taught and worked with who now hold
8 important positions throughout this country. So I
9 know, having high expectations and standards really
10 will work.

11 In Maryland just last week, through the
12 Quality Counts Report, Maryland was listed as
13 number one in the nation for standards
14 accountability and assessment. And as part of
15 that, we are insistent on disaggregating data. And
16 when we do, we recognize the achievement gaps
17 between our students with special needs and those
18 who are not identified that way has nothing to do
19 with their ability. It has to do with the
20 opportunities, the expertise that is given in terms
21 of the teaching methodologies within the classroom
22 and the application of current research.

23 I'm particularly excited to be involved
24 in this effort because Reid Lyon has been a mentor
25 to me and to many people in the state of Maryland,
26 with his outstanding research and effort, and Bob
27 Pasternack who enjoys such a wonderful reputation.

1 So, I intend not only to contribute what I can,
2 but to learn a lot.

3 I think this is a very pivotal moment
4 with the reauthorization of ESEA, and to look at
5 this companion reauthorization, and to say for
6 children with special needs, there ought to be the
7 same accountability. There ought to be the same
8 commitment to high quality research and the
9 application of that research, so the timing
10 couldn't be better. So I am extremely appreciative
11 and expect to learn a lot from all of you. Thank
12 you.

13 MR. HAMMERMAN: My name is Steve
14 Hammerman, and I'm nervous because I have no
15 political background and I have no education
16 background. I sort of scratch my head and say, I'm
17 not sure whether that's good or bad, but it does
18 make you nervous realizing the tremendous expertise
19 that is sitting in this room.

20 So where do I come into this
21 particular, very important commission? I guess I
22 had my background in special education basically
23 based upon two very important people in my life.
24 Neither one is still with us. One is my father who
25 helped start the Brooklyn School for Special
26 Children, which is a school for mentally retarded
27 children which started with two and today right off

1 the Bell Parkway in Brooklyn have well over 1,000
2 students there.

3 Key to my background and education and
4 knowledge in this area was my beloved brother-in-
5 law who was also a friend of mine from teenage
6 years, Dr. Burton Blatt, who had been the Dean of
7 Special Education at Syracuse University, was one
8 major person responsible for closing Willowbrook
9 down, was the author of a tremendous book called,
10 Christmas in Purgatory. And Burt, while at
11 Syracuse, invited me and I participated on his
12 visitor's committee. Burt was unique in his genius
13 and unique in what he was able to accomplish and
14 was, like too many others, taken prematurely.

15 Sometime back, I got involved with a
16 state school in New York, the National Center for
17 Disability, which also carries the Henry Viscardi
18 School, and Hank Viscardi who is still alive today
19 in his `90s, is a remarkable gentleman who was born
20 without any legs, did not get prosthesis until he
21 was in his 20s because he was too poor to get them,
22 went on to start a manufacturing company, which
23 Governor Rockefeller recognized as a unique
24 situation and then the state developed a school to
25 get children out of the home where children with
26 disabilities were then taught, and get them into an
27 environment which was a school environment and one

1 which could be socially inclined.

2 It's a wonderful school, which has been
3 helped dramatically by technology, and it also
4 assists not only in sending children off to
5 college, but also in getting them jobs.

6 There's an organization in Washington,
7 D.C. that I've been on the board of for some time.

8 It's called NOD, the National Organization on
9 Disability, with folks like Alan Reich and Mike
10 Deland, and Jennifer, are you here? Jennifer, who
11 was with me on the board now works for the
12 President of the United States, and that group has
13 done remarkable things and continues to do
14 remarkable things. And I might also add, it took
15 six years for that group to push to get the
16 Roosevelt Memorial to contain a certain segment of
17 the memorial with Roosevelt being depicted in a
18 wheelchair, and they fought very hard, the two of
19 them, Michael and Alan both being in wheelchairs.

20 I'm Vice Chairman of Merrill Lynch and
21 Company and I'm glad that Reverend Flake is here as
22 being the only other New Yorker, although I do not
23 have any words about Texas, since I never lived
24 there Reverend. But I've spent 64 years living in
25 New York and I love it and I'm very proud of it.

26 At Merrill Lynch, we have defined
27 diversity to include, as an employer, those with

1 disabilities. It is very important to us as an
2 organization to hire people with disabilities. I
3 look on education sort of as the grease that gets
4 people to be independent, but we've got to get jobs
5 and meaningful jobs for these people.

6 Governor Branstad, I know you have a
7 conflict of interest in attracting clients in this
8 room, but I will tell you that we have folks who
9 are disabled, who are in sales, trading, and
10 management, so if anybody does want to set up an
11 account, I'll be happy to refer it to those folks.

12 CHAIRMAN BRANSTAD: Good suggestion.

13 MR. HAMMERMAN: My wife of 42 years
14 started a program. She's on the board of the
15 Hospital for Joint Diseases, which is part of Mount
16 Sinai in New York, and she started a group there.
17 It's fascinating to realize, it's called the IWD,
18 which is the Initiative for Women with
19 Disabilities.

20 There are not many hospitals in the
21 country, let alone on the east side that take
22 special care of folks with disabilities, women with
23 disabilities, so that they can have examinations
24 with dignity, whether they be gynecological
25 examinations or examinations. In fact, acupuncture
26 has become a very major thing for these women.

27 And I guess sort of as the trite

1 expression, the whipped cream on a cake, it's come
2 down to, and Alan I don't try and one-up you, but
3 we have 13 grandchildren. Although clearly in
4 their presence we tell each one we love each one
5 the same way, we do have a star and that is our 12-
6 year-old who is a twin, Stephanie, who is disabled.

7 She has cerebral palsy, and is a remarkable young
8 lady.

9 I was so proud to bring her here when
10 we had the unveiling for President Roosevelt's
11 memorial, and she met so many of the people from
12 the NOD Organization, who were quite familiar with
13 her because Stephanie has been writing an article
14 for We Magazine, which you may know is a magazine
15 for folks with disabilities, every month that it
16 gets published, and what they do is they send her
17 toys to evaluate the toys as to how a disabled
18 child would be able to deal with the particular
19 toys.

20 She was asked on CNN one time as to
21 what the best part of the job was. I would have
22 stammered and stumbled, and she said "well, keeping
23 the toys, of course." So that made a lot of sense.

24 I think that where I come in on my part
25 is I have been an observer and the need for
26 education and fair education, removing stumbling
27 blocks to education for those with disabilities is

1 vital. My granddaughter did that on her own. She
2 was at the National Center for Disability, the
3 Henry Viscardi school, and one day woke up and
4 decided she wanted to mainstream herself.

5 There were discussions within the
6 family, of course, but she won out and she has been
7 mainstream now for almost six years. And, what you
8 learn by taking a disabled child and putting them
9 into the public school system is, yes they do need
10 certain special care. They do need some expensive
11 aides to take them to the bathroom and do other
12 things, but the end product is what we should be
13 looking at, and if the end product can be, if she
14 desires to be one who will be able to teach sign
15 language to those in Galudet, or whether or not
16 they want to be a trader at Merrill Lynch, or
17 whether they want to be a politician, or whether
18 they want to be a teacher, it doesn't matter.

19 It's our divine obligation, I think, to
20 make sure we clear the clutter away so that they
21 can achieve those things. So I'm very proud to be
22 on this committee, and I look forward to
23 participation in this special needs program we have
24 here.

25 MR. HASSEL: I'm Brian Hassel. I'm from
26 Charlotte, North Carolina. I'm very pleased to
27 serve on this commission. I am an education policy

1 researcher and consultant. Some of the areas of
2 focus for my work are improving accountability
3 systems and education, making them more focused on
4 results in ways that appropriately provide an
5 environment in which everyone works hard for the
6 results that kids achieve in the classroom, and
7 that work has included some focus on special
8 education.

9 And secondly, a focus on improving the
10 number and quality of options that families have
11 for their children, and improving the information
12 that families have about the options their children
13 face.

14 On a more personal note, due to some of
15 the public policies that folks have mentioned
16 around the table, I spent a long time in school,
17 from the time I was young up until young adult, and
18 I had the great opportunity to go to school with a
19 lot of different people, including many students
20 with disabilities. And, in college, devoted quite
21 a bit of activism to try to make our old university
22 campus an accessible place for people of all kinds.

23 And now as a grownup, have several
24 friends whose children have special needs and have
25 watched them and worked with them as they've
26 struggled with that within the educational system.

27 And those experiences have really inspired me and

1 challenged me, and I hope to bring that inspiration
2 and challenge to this commission.

3 DR. HORN: Good morning. My name is
4 Wade Horn, and in contrast to William, I am a lot
5 younger than I look, and I am the Assistant
6 Secretary for Children and Families at the U.S.
7 Department of Health and Human Services, where I
8 oversee a wide range of programs that support the
9 healthy development of children, including welfare,
10 child welfare, child abuse and neglect, youth
11 programs, and so forth. And I want to acknowledge
12 too the staff members of ACF who are here as well.

13 Pat Morrissey, who is the Commissioner for the
14 Administration on Developmental Disabilities, and
15 Sally Atwater, who is the Executive Director of the
16 President's Commission on Mental Retardation.

17 My interest in special education date
18 back to when I was in graduate school, a time when
19 a comb had a function in my life. Though I'm a
20 clinical psychologist, my minor was in special
21 education and my dissertation's title had the sexy
22 title of "Early Identification of Learning
23 Disabilities using Multiple Analysis in a Model."

24 From there, I went to teach at Michigan State
25 University, where I ran a series of treatment
26 outcome studies, examining different treatment
27 modalities for children with Attention Deficit

1 Disorder.

2 From there, I went to Children's
3 Hospital here in Washington, D.C., where I
4 established the first Washington, D.C. specialty
5 clinic for children with Attention Deficit
6 Disorders. I then served under George Herbert
7 Walker Bush, as the Commissioner for the
8 Administration on Children, Youth and Families. I
9 left that position on January 20th, 1993 at noon,
10 if I remember correctly, and went on to be the
11 Executive Director of an organization called
12 Children and Adults with Attention Deficit
13 Disorder.

14 I then left that in 1994 to help found
15 the National Fatherhood Initiative. I'm also a bit
16 of a commission bon vivant. I've been a
17 Presidential appointee on the National Commission
18 on Children, appointed by the Speaker of House to
19 the National Commission on Childhood Disability,
20 appointed by the Secretary of HHS to the U.S.
21 Advisory Board on Welfare Indicators, and also
22 served on the U.S. Advisory Board on Kinship Care.

23 I look very much forward to working
24 with all of you. I particularly look forward to,
25 over a drink, discussing my Merrill Lynch portfolio
26 and get his advice as to how to have a better 2002
27 than I had in 2001.

1 DR. HUNTT: Hello, my name is Doug
2 Hunt, and much like the chairman, I too went to
3 Kindergarten. Unfortunately, I barely made it
4 through. I still can remember not getting my star
5 because I was coloring horizontally instead of
6 vertically, but I soon got over that.

7 I grew up in social services. My
8 parents were active in the Salvation Army, so from
9 the age of eight years old, I was out ringing bells
10 in front of Kmart, which stock isn't doing very
11 well, and spending my summers in an inner city camp
12 here for D.C. kids, and not far from here,
13 Fredericksburg, Virginia.

14 At that point, after 18 years in the
15 Salvation Army, I rebelled and decided I didn't
16 want anything else to do with social services, so I
17 went into the Marine Corps and two years later,
18 became disabled. So I became a disability
19 advocate, went back to school, and received my
20 Bachelor's in Secondary Education at Asbury
21 College, a small Methodist college in Kentucky.

22 I have my Ph.D. in social work from the
23 Ohio State University. I've been considered
24 confused at times, because I happen to be a
25 Republican with a disability, and I think all two
26 of us are here today. I'm also a social worker
27 that's a Republican, and that's even more rare.

1 I believe, one thing that I am sure of
2 is that education is the cornerstone for
3 independent living for people with disabilities,
4 and whatever we do here, we need to enhance and
5 increase independent living for people with
6 disabilities and full inclusion.

7 I don't think it would be a government
8 commission unless there was one complaint. Never
9 put a Buckeye next to somebody from Michigan. It's
10 very bad form. And I have one observation. I
11 could not figure out why our Certificate of
12 Commission was so large. For those of you who
13 didn't get one, it's about the size of that banner
14 up there. Now I realize why with so many Texans
15 here. Todd, I still haven't found a frame yet.
16 But I'm looking forward to serving with all of you.

17 MR. GORDON: Actually, Doug, yours is
18 twice as big because you're a Republican.

19 DR. LYON: I think they're so big
20 because they don't pay you a heck of a lot. Good
21 morning. My name is Reid Lyon. I'm delighted to be
22 here. I'm also an ex officio member of this
23 commission. My main day job is as chief of the
24 Child Development and Behavior Branch at the
25 National Institute of Child Health and Human
26 Development. My other day job is I do whatever
27 Beth Ann, Bryan, and the President want me to do.

1 My road to interest in special
2 education is not borne out of an identified
3 disability. I grew up on a farm, luckily so
4 because I had all the underpinnings to be a
5 juvenile delinquent. But when you grow up in the
6 country, there's not a lot of people out there to
7 catch you. I didn't do well in school for whatever
8 reasons, whether they be behavior drove lousy
9 grades or something else.

10 But I found myself in an infantry tour
11 as a young paratrooper in Vietnam in 1968 and '69
12 where I grew up a lot and then returned for an
13 aviation tour for another eight months. And it
14 wasn't until I think I went through those
15 experiences that I felt like I wanted to do
16 something with my life, other than say yes, sir and
17 no, sir, which I frankly feel like I'm doing more
18 now than I did in the military.

19 I started out my training as an
20 experimental and physiological psychologist and I
21 studied macaque monkeys. I was trying to
22 understand whether the periventricular gray in
23 brain supported certain kind of vocal things. The
24 thing I really did learn about macaque monkeys is
25 they bite and bite heavily and so I decided to
26 change my focus to children, because I didn't at
27 that time see a big different macaques and kids,

1 and the kids didn't bite.

2 But of course, there are large
3 differences, and I was in a dual doctoral program
4 at the University of New Mexico, where I was
5 specializing in special education as well as
6 neuropsychology, and I had a wonderful committee
7 that told me to go teach if I wanted to do the
8 business of children. So, I taught the third grade
9 and I did horribly. I didn't know what I was doing
10 and that was the first time that I saw that the
11 course work that I received in the preparation
12 courses was so dismal, all I wanted to do, when I
13 got into that third glass classroom, was call the
14 role. That's all I knew how to do.

15 In that third grade classroom, I saw at
16 least 30 percent of the kids that I was trying to
17 teach, struggle mightily with reading. They didn't
18 get it, and it not only obviously encumbered their
19 academic development, but it made them feel lousy
20 about themselves.

21 So I spent another year in a special
22 education classroom as a teacher in what was called
23 a self-contained classroom, working with kids with
24 severe reading difficulties, and likewise didn't do
25 them any good either.

26 But that certainly set in motion a
27 number of questions that I think has taken me

1 through the years since then and that is, how do
2 kids learn to read and what goes wrong when they
3 don't. But most importantly, what do you do about
4 it? And I try to bring some of those experiences
5 to the research program I direct at the NIH.

6 I hope that I can be of whatever
7 support this committee needs, as an ex officio
8 member. I hope we can bring all of the resources
9 to bear to you all, as you go about addressing your
10 task. I think clearly what is in front of us is
11 looking at a way of providing services to children,
12 which has for years, done a wonderful job of
13 opening access and making sure kids have the right
14 to a free and appropriate public education.

15 But the job in front of us is obviously
16 to make sure that that right actually leads to an
17 education that works, that no child is left behind,
18 and it hasn't ever done that. We have got to
19 figure out how all of our children can receive the
20 most scientifically, relevant-based instruction so
21 that they, in fact, indeed feel no difference from
22 their normal achieving counterparts. So if I can
23 help everybody in any way, I'm here to do that. My
24 other main job is to write jokes for the Assistant
25 Secretary of Special Ed.

26 DR. PASTERNAK: Good morning. You have
27 to pardon my back. You have to pardon my front.

1 But either way, I'm privileged to be here this
2 morning with you. I'm privileged to serve our
3 country as the Assistant Secretary for Special Ed
4 and Rehabilitative Services. I have a brother with
5 Down's Syndrome who is 58, and who was at
6 Willowbrook and subsequently went to Letchworth
7 Village, which was another very large-scale
8 institution in upstate New York.

9 I've been around kids with disabilities
10 my whole life and have learned that, as a country,
11 if we look down the road that we've been on, we've
12 come a very long way and there are people in this
13 room behind me who, in large measure, deserve a
14 great deal of credit for the work that's been done
15 to improve the quality of life for people with
16 disabilities, the challenges that too many young
17 people with disabilities, and too many adults with
18 disabilities continue to be left behind.

19 As Mr. Reid was just saying, I think
20 one of the things that we need to do is acknowledge
21 the wonderful work that goes on across the country
22 everyday, but change the perception that instead of
23 just being in school and having the free and
24 appropriate public education, kids with
25 disabilities have the right to high quality
26 education. Many families, unfortunately, feel that
27 their kids are not getting that kind of high-

1 quality education.

2 There are many challenges ahead of us,
3 and as an ex officio member and as a Federally-
4 designated official, I look forward to working with
5 you all. I think that my boss, who was here this
6 morning and talked so eloquently, the Secretary
7 talks about the need for us to move from the
8 culture of compliance to the culture of performance
9 and I think nowhere is that more evident than in
10 the area of special education.

11 With all due respect to the work that's
12 gone on before I arrived on the scene, we have
13 evolved a system that is so overregulated. It's so
14 complex. It's so focused on compliance and
15 process, that we've ignored the important issue,
16 which is producing results and outcomes for kids
17 with disabilities in public schools and private
18 schools and parochial schools across this great
19 country of ours.

20 I think Reid and I taught at the same
21 elementary school. I was down the hall teaching
22 first grade, had the great blessing of being best
23 friends for over 30 years, and have struggled
24 together to try to come to grips with some of the
25 issues that you now will be helping us come to
26 grips with, and I'm very excited to have the
27 opportunity to work with you.

1 From being a teacher, I've done a lot
2 of different things, was a superintendent myself,
3 13 years spent working in the State Institution for
4 Delinquents in the great state of New Mexico
5 working with kids that really face incredible
6 challenges.

7 I recently looked at convening a group
8 of people to talk about the fact that 70 percent of
9 kids in juvenile facilities are purportedly kids
10 with disabilities, and what are we going to do to
11 really fulfill the President's mandate that no
12 child be left behind.

13 When I had the privilege of meeting the
14 President the first time and looked him in the eye
15 and he looked me in the eye, he made me a believer.

16 He really cares passionately about this issue and
17 is totally committed to it, as represented by you
18 all being selected to be on this commission.

19 I started the first residential
20 treatment center for kids with very serious
21 emotional and behavioral problems in New Mexico,
22 and went to other states and brought those kids
23 back to New Mexico, because at that time, people in
24 New Mexico did not have the culturally competent
25 family center system of care, community-based. I
26 just have been very blessed to have done a number
27 of wonderful things before coming to this job.

1 Before I came to this job, I was the
2 State Director of Special Education and a colleague
3 of Doug's, and understand and have great empathy
4 and compassion for the difficulties inherent in
5 trying to lead a state system, as I now lose a
6 great deal of sleep given the awesome
7 responsibility that I'm entrusted with of leading
8 the country's system.

9 I think that in just saying how excited
10 I am to have the opportunity to work with you, I
11 sort of look at my job as two-fold. One is to
12 comfort the afflicted and the other is to afflict
13 the comfortable, and I think unfortunately people
14 have gotten comfortable, and feel that just getting
15 kids into public schools is sufficient, and it's a
16 necessary condition, but not sufficient to
17 producing the kinds of outcomes that the kids have
18 a right to and the families demand.

19 Beth Ann and I had an interesting
20 experience a month ago. We went to California and
21 as soon as we got off the plane, she said "come on,
22 let's go see a school" and so we zoomed over and we
23 went to see a school as we like to do when we're
24 out on the road. And I met a teacher in the
25 school. Beth Ann went and met with a group of
26 people and I went my way and met with a woman there
27 who has been teaching in that same school for 22

1 years, teaching special education.

2 And I asked her if she was in my seat,
3 what would she do to change special education in
4 the United States. She went to her desk and
5 unwrapped a book that she had received in the mail
6 that day, and the book was bigger than the notebook
7 that the staff has done such an excellent job
8 preparing.

9 That book was entitled The 21st Annual
10 Compilation of Special Education Law in California.

11 I'm sure David knows that book, and my question to
12 her and my question to the Secretary and to Beth
13 Ann and to others is, what does the teacher need
14 with a law book?

15 I think that to me, it's so indicative
16 of the system that we have created in this country.

17 It's so heavily focused on process and compliance
18 and legal issues, rather than education, rather
19 than outcomes, rather than results. I think that
20 one of the many exciting challenges that we have in
21 front of us is the opportunity to really create
22 excellence in special education. As Nancy was
23 saying, the moment is now and I'm really blessed
24 that we have this opportunity together and really
25 look forward to working with you.

26 I think that as the Secretary said, I
27 just finished with meeting with lots of folks

1 around the country in an effort to talk with them
2 and really, just by my current moment, I've been
3 telling people that I think God gave us two years
4 and one month for a very particular reason and
5 that's to listen twice as much as we talk. I think
6 that in listening to people, I've learned a great
7 deal and some of those wonderful people are in this
8 room, many of the families who were counting on us
9 to really evolve a system that does demand and
10 produce excellence, and excellence in results.

11 I want to also say that with the
12 reauthorization of the ESEA, it really to me
13 dramatizes the fact that we're never going to fix
14 special education by only looking at special
15 education. We have to look at all of education.
16 It's not, as Reid and I have talked a lot about,
17 it's not just about general education, nor is it
18 about special education.

19 It's about kids, and it's about
20 families, and I really am here as the other ex
21 officio members are to offer our support to make
22 this effort successful in your goal of advising the
23 President on how we get to excellence in special
24 education as I struggle with the very difficult
25 issues of approaching the reauthorization of the
26 IDEA.

27 And finally, I've been involved with

1 the IDEA since its inception, when I was told to
2 cut my hair and come to Washington and be an intern
3 at what was then the Bureau of Education for the
4 Handicapped, where I had the great pleasure and
5 privilege of working with Ed Sontag, and that was
6 in 1976, and I hadn't seen Ed since. It was easy
7 to recognize him because he hasn't changed much of
8 the years. He's still as handsome a guy now that
9 he was back then.

10 But it's amazing how from an
11 internship, have the awesome responsibility and
12 great privilege of serving the President in the
13 role of Assistant Secretary and I look forward to
14 working with you all and I congratulate you all on
15 being selected by the President to serve on this
16 commission, so thank you.

17 MR. RIVAS: Good morning. My name is
18 Michael Rivas. I'm only from the great state of
19 Texas, born and raised. I think I contribute, or
20 will contribute a lifetime of experience to this
21 commission. My experience is more on a personal
22 level than on a professional level, like most of
23 you all.

24 I have an older brother who is mentally
25 retarded and is currently in the state school
26 system, lives in San Antonio right now. Having to
27 deal with that from a very early age through the

1 stigmatism and everything else that we had to go
2 through as a family, my younger brother included,
3 and I still keep real close contact with him and my
4 family and trying to keep him some sort of a public
5 lifestyle as a family.

6 Also, I come as a parent. My second
7 son was just recently diagnosed with autism. He is
8 currently in the public school system special ed
9 classes right now. He is five years old and he was
10 diagnosed about a year ago. In talking to some
11 people, I find out that was kind of later, but
12 that's what I'm here for.

13 I don't really have much of a political
14 background, other than a little bit of student
15 council in junior high, but that's about it. What
16 I bring to this commission is basically some of my
17 past experiences, some of my current trials, and
18 some future questions that I have, that my family
19 has, and other people that I'm associated with that
20 are in the same predicament that I am in.

21 I appreciate the opportunity to work
22 with all of you all with your expertise, and so
23 with interaction I think we can, you know, have
24 some accomplishments. I talked to my son's
25 teachers and my brother's state school workers and
26 they know that I was being appointed to this, and I
27 have them doing some research and coming up with

1 some ideas, you know, what they see, what we can
2 improve. I think in future meetings, I would like
3 to bring that to this table. Again, I appreciate
4 it. Thank you very much.

5 DR. SONTAG: My name is Ed Sontag. It's
6 a pleasure to be with some of my older colleagues,
7 Reid, Bob. I do appreciate this opportunity. It
8 is an honor to be on this commission. My
9 background is in special education. My Bachelor's
10 Master's and Doctorate are all in this field. I
11 love this field and I think this is a rare
12 opportunity to talk about some significant change.

13 One person who has had a great impact
14 on my professional life was mentioned earlier by
15 Mr. Hammerman. I was fortunate to be a doctoral
16 student with your brother-in-law, and I often think
17 of him. He clearly had an impact on, not only my
18 mind, but I think my soul and my advocacy in this
19 field.

20 I've had opportunities to serve with
21 other members of this commission. Governor Branstad
22 was the chair of the President's Summit in 1989 in
23 Charlottesville, Virginia an event that
24 fundamentally changed the course of public
25 education in the United States. It's really good
26 to be associated with Governor Branstad. And to
27 the two doctoral students, I remember as quite

1 surly, Bob Pasternack and Reid Lyon. It's nice to
2 be associated with them again.

3 I'm reminded of another person who has
4 had an impact on my life, Bill Cosby. Bill Cosby
5 produced a record in 1967. I still have this aging
6 record, and I play it once in a while.

7 In this record, he talks about his life
8 as a student in an urban school system and he
9 comments on special education. His comment on
10 special education was, "gosh, I wish I was in
11 special education. They're always going on field
12 trips. I have to stay here in school and they're
13 always going on field trips."

14 I think the era of field trips for
15 special education students has ended, but I think
16 the future lies in some of the words that we've
17 heard here today, analyzing data, disaggregating
18 data, teaching fundamentals of reading. It is time
19 for change. I think we need to look at the basic
20 efficacy of the field. Does special education
21 work? So I am very pleased to serve on this
22 commission, Mr. Chairman.

23 MS. TAKEMOTO: Hi, I'm Cherie Takemoto.
24 I'm very nervous today. I'm a parent of a child
25 with disabilities. I have two kids. As a
26 professional parent, I'm never without pictures, so
27 I'm going to send my picture around. This guy is

1 Peter. He's 13 years old, goes to Arlington County
2 schools, and his sister is 15, Margaret. Pass that
3 around.

4 DR. SONTAG: Yes, ma'am.

5 MS. TAKEMOTO: One thing about Peter is
6 that you can't put a label on that guy. You can't
7 say, or people have tried to say, "oh he won't
8 read. He won't go to college. He won't do this.
9 He won't do that." Sometimes I don't think he's
10 every going to get organized, that he's going to
11 keep up with us. But I also have the awesome
12 responsibility because Peter is a consumer. He
13 loves to go spend money, and it's about the gifts.

14 So right now I have the responsibility
15 of a child who is going to have to have two or
16 three jobs so that: 1) he can buy what he wants to
17 buy; and 2) that he doesn't have time to buy
18 everything that he wants to buy.

19 And sometimes Peter doesn't know what a
20 gift is. For Christmas, it's about opening a
21 present, being excited about the toy or whatever,
22 and then that gift goes away. We have this barking
23 dog that we've shoved into a drawer because it
24 won't be quiet, but we don't know what else to do
25 with it.

26 I say that because I think that I have
27 been given a wonderful gift of being appointed to

1 this commission, and I am always remembering the
2 gift that I have been given, and using those gifts
3 to the best of my ability. I am the Executive
4 Director of PETC, Parent Educational Advocacy
5 Training Center.

6 I'm one of the many Federally-funded
7 parent training information centers that helps
8 families who have children with disabilities in the
9 United States, both at the state levels and the
10 community levels. I have the privilege and the
11 burden of talking to hundreds of parents for whom
12 special education is working, and for whom it isn't
13 working.

14 I take that responsibility as seriously
15 as I take the responsibility of being a parent of a
16 child with disabilities, that somehow I need to be
17 a part of, and the people that are a part of
18 whoever I'm around, need to be a part of making
19 this world a better place for people with
20 disabilities.

21 I've learned from families. I've
22 learned from students, from adults with
23 disabilities many, many wonderful things. I've
24 learned a lot from teachers and from the research
25 that many of you around the table have been
26 writing. I am one of those consumers of those
27 research, and I try to share that information where

1 I can.

2 Most of all, I guess my greatest
3 concern is not just the importance of parent
4 involvement, but there are many teachers and
5 parents who haven't gotten the message about how
6 important that parent involvement is, who haven't
7 seen the wonderful things that can happen when
8 students with disabilities, or students who don't
9 have disabilities, but someone might think they
10 have disabilities, when there's someone that
11 believes in them and believes in them strongly, and
12 tries to be realistic at times.

13 But we have big dreams. Right now, my
14 son ? he always tells me what I have to say when
15 I'm in front of folks. So what my son wants you to
16 know, two things: 1) that he wants to be a special
17 education teacher when he grows up. That's going
18 to take a lot of work and he might not get there.

19 But that's what it is he wants to do,
20 and he wants to let everyone know that. If not
21 that, he's going to work at Safeway. So he'll have
22 something out there for him. And, 2) that he wants
23 to make sure that we get to go to the White House.

24 So when you have your ? Governor Branstad, when we
25 have our meeting at the White House, you have to
26 remember to make sure that family members are
27 invited. Thank you so much.

1 CHAIRMAN BRANSTAD: Thank you.

2 DR. WRIGHT: Mr. Chairman, may I go to
3 the podium?

4 CHAIRMAN BRANSTAD: You sure may.

5 DR. WRIGHT: Is the microphone live?

6 UNIDENTIFIED PARTICIPANT: It is.

7 DR. WRIGHT: I'm not going to give a
8 speech, but I just want everybody to see me and
9 hear me without craning your neck and all of that.
10 Can you see me?

11 PARTICIPANTS: Yes, ma'am.

12 DR. WRIGHT: Can you hear me?

13 UNIDENTIFIED PARTICIPANT: Yes.

14 DR. WRIGHT: Mr. Chairman and other
15 members of the commission and everybody, I'm Katie
16 Wright and I come from the great state of Illinois.
17 Illinois was one of the first states in the union
18 to mandate special education. We were mandated in
19 1969, that was before 94-142. I was one of the
20 lobbyists for 94-142, which was signed by President
21 Ford in 1975 and so I do come from Illinois.

22 I've been a special education teacher.

23 I've moved up through the ranks from regular
24 teacher to special teacher. I've been an
25 instructional media director, a special ed
26 director, superintendent of schools, and college
27 professor, where I help to train teachers. I was a

1 learning specialist at St. Louis University and
2 now, I'm a writer for the St. Louis Argus
3 newspaper. So I do have a varied background.

4 I'm so pleased to be on this
5 commission. I have received my commission
6 certificate. It's so big. It cost me \$63 to get
7 it framed, but I will not add it to my expense
8 account.

9 You will notice that I'm wearing an
10 elephant. I'm a member of Delta Sigma Theta
11 Sorority, which is a public service sorority. Dr.
12 Flake knows about it and everybody knows about it,
13 but Deltas always wear these elephants. And so, in
14 East St. Louis and I live in East St. Louis,
15 Illinois. We're so impoverished and everything.
16 Most of them are Democrats.

17 So, President Clinton came to East St.
18 Louis to promise them money, which he didn't ever
19 send. I had on this elephant. And so he said, and
20 I had my tag on. He says "oh" he says "Dr. Wright
21 you are a Delta." I was so shocked that here's a
22 White man that knows about Delta Sorority. I said
23 "yes, Mr. President, I am a Delta but I'm also a
24 Republican." He said "oh, Doctor Wright" he says
25 "I won't hold that against you."

26 I jotted down a few things that I
27 wanted to tell you about myself. My doctorate was

1 done at the University of Illinois, my Bachelor's
2 too and my Master's. But my doctorate was done at
3 St. Louis University. My dissertation was on
4 legislation and mitigation affecting handicapped
5 children.

6 My doctorate is in special ed and
7 political science, and I was working as a director
8 of special education then, and I knew that I needed
9 to know something about dealing with politicians,
10 Governor, in order to get things for my students
11 and for my department. So my doctorate is in
12 special ed and political science.

13 I did my Master's at the University of
14 Illinois under Sam Kirk. Any of you know Sam Kirk?
15 He was one of the granddaddy's of special
16 education, and I was trained as an elitist, that
17 nobody could teach special kids but us. We're
18 special people. But now we know better. We know
19 that there are some regular teachers who can do a
20 better job, at least a good job of teaching our
21 kids, and so I'm no longer an elitist in special
22 education.

23 As I say, I write for a newspaper, so
24 I'm here on two things. I'll be writing about this
25 conference too. I was one of the 100 Black leaders
26 summoned from around the country to meet a few
27 months ago at the White House and with Secretary

1 Paige. So I am considered one of the leaders.

2 I'm married. My husband is a retired
3 educator. My daughter is an educator. Her
4 daughter is a radio ministry. My granddaughter is
5 a radio ministry and really does well. She can
6 preach and she can pray and all of those things.

7 One of my main concerns is teacher
8 training, of course teacher recruitment, special
9 teacher recruitment, special teacher training and
10 retaining these teachers. And I don't play the
11 race card, but I do say this, I am very concerned
12 about the over-representation of Black boys,
13 African-American boys in special education. So I'd
14 sort of like to zero in on that.

15 I'm with Secretary Paige when he says
16 "we want the right kids in special ed in the right
17 programs and getting the right education for them."

18 I wanted to tell you too that I do serve on the
19 school board for the Illinois Department of
20 Corrections, having been appointed by Governor
21 Ryan. We have special education students, people
22 in corrections, of course, and so in Illinois, we
23 do have programs within our prisons for special
24 people.

25 I want to tell you too that I have made
26 presentations in this country and abroad, and
27 that's why I always go to the mike so people can

1 see and hear me. My last presentation was in South
2 Africa, studied and worked in South Africa in
3 special education for a month. Several years ago,
4 I have lobbied for special education.

5 What else do I want to tell you? Oh, I
6 want to tell you that one of my main concerns, and
7 I'm so thrilled to be on this commission, one of my
8 main concerns is that no child be left behind, but
9 particularly that special children not be left
10 behind. But I want to say too that I'm not greedy.

11 I was glad to hear Secretary Paige say
12 that in the education appropriations, there's more
13 money for special ed and all like that. But we
14 have to have money for all of the children, and
15 special ed not be greedy and try to get all of the
16 money, and that is certainly one of my main
17 concerns.

18 I want to tell you too that I bring to
19 you, and I know there's separation between church
20 and state. I know that. But I bring to you
21 perspective of compassion, and religion as a
22 special educator. I serve as an elder at my
23 church. I'm on the Session in my Presbyterian
24 Church at home, because I feel that teaching and
25 special ed and all these kinds of things are
26 ministries. This is a ministry that we're in.

27 I also want to tell you that I love

1 public relations. I've served as a public
2 relations director of my school district and I'm a
3 writer. I like to write about things. I love the
4 Internet. I know all about Charles Todd Jones,
5 from having surfed the Internet about him. I found
6 out he's a lawyer. I surfed the Internet on the
7 governor. I know all about you and it's all good.

8

9 CHAIRMAN BRANSTAD: You didn't read it
10 all then.

11 DR. WRIGHT: I surfed the Internet on
12 some of you, and I know that it's all good. So
13 it's just a joy and a pleasure to serve with you.
14 It's just a joy to meet the people, the staff
15 people.

16 One of my favorites is Marisa, and I've
17 named her down there. She's still in here, I hope
18 she's not. I don't want to embarrass her. But I
19 e-mailed her. I said "are you ? her initials are
20 MM. I said "are you as nice and as sweet at M&M."

21 She e-mailed me back. So I named her the M&M
22 girl. But it's just a pleasure to work with the
23 staff and to work with all of you, and it's just
24 such an honor.

25 I've done a lot of things in regular
26 education and in special education. Like I said,
27 I've come up through the ranks. I've been

1 superintendent of schools. I don't ever want to be
2 superintendent of schools again. That is so tough
3 and so hard. The parents are on you. The kids are
4 on you. The media is on you. The politicians are
5 on you.

6 But my favorite, and I'm going to sit
7 down, my favorite population of all to teach, and
8 I've taught all the way up from the 4th grade to
9 graduate school, my favorite population to teach is
10 mildly mentally retarded children. That's my very
11 favorite to teach, and this is going to be my
12 favorite public service, Todd. Thank you.

13 CHAIRMAN BRANSTAD: Thank you, Dr.
14 Wright. I think that was a ? I don't think you
15 could sit through the last hour without being both
16 impressed and inspired by the diversity of
17 background, knowledge and experience and the
18 compassion and commitment of the people around this
19 table that are the commissioners the President has
20 appointed.

21 I am very proud and very pleased, very
22 honored, to have the opportunity to chair this very
23 distinguished group and to work with you. And
24 also, I've got to say I'm impressed with the
25 communication skills of the people, every one of
26 you, and the experience and backgrounds are
27 different. But the commitment and the desire to do

1 a good job and to meet the challenge that's been
2 given to us by the President and by Secretary Paige
3 is something that we all share.

4 Now, it says in the agenda that we're
5 supposed to approve the agenda, and it says that
6 before the introductions. Well, I did it
7 backwards. We did the introductions first. But
8 now we know each other better. I think it's
9 important, and we've all be sworn in, that we start
10 with the official business. I asked Todd, where is
11 the agenda, and he said this one-page deal in our
12 book is the agenda.

13 MR. BARTLETT: Move approval.

14 CHAIRMAN BRANSTAD: Steve Bartlett makes
15 a motion to approve. Is there a second to approve
16 the agenda?

17 MS. ACOSTA: I second the agenda.

18 CHAIRMAN BRANSTAD: It's seconded by
19 Adela. Discussion, all in favor of approving the
20 agenda, signify by saying aye.

21 (Chorus of ayes.)

22 CHAIRMAN BRANSTAD: Those opposed,
23 signify by saying nay. The agenda is approved.
24 With that, I think we have some more paperwork ?
25 actually, we're ahead of schedule. So,
26 congratulations we're off to a good start. I'm
27 really pleased. I like to see things start on time

1 and stay on time and that's not easy. But I think
2 we have some additional paperwork. We're going to
3 explain the reimbursement and travel vouchers and
4 things like that. Todd, I'll turn it over to you.

5 MR. JONES: That's right. Since we have
6 a few minutes before the ethics official arrives
7 from our Office of General Counsel at the
8 Department of Ed, we're going to have our staff
9 distribute some reimbursement forms. You don't
10 have to fill out these forms unless you want to be
11 reimbursed. It's really a choice, but given that
12 most folks would like to be reimbursed.

13 CHAIRMAN BRANSTAD: You're not getting
14 paid, so that is all you get is reimbursement of
15 your expenses.

16 MR. JONES: So they're distributing
17 packets, and actually I will have ?

18 CHAIRMAN BRANSTAD: Is this
19 reimbursement just for these meetings?

20 MR. JONES: Linda, is this just
21 reimbursement for this meeting?

22 MS. EMORY: This is for people who
23 traveled here from out of town.

24 MR. JONES: Okay.

25 CHAIRMAN BRANSTAD: Today or?

26 MR. JONES: Today. And this will become
27 more automated as we prepare for various other

1 meetings and hearings as we go. But the difficulty
2 of our commission not having actually official
3 funding until five days ago. Of course, we knew it
4 would be by five days ago, when Congress agreed to
5 the bill three weeks ago. But it's one of the
6 small difficulties of the process for this first
7 meeting.

8 Let me take you through this briefly.
9 Section 1 is travel authorization form. We have
10 travel procedures. Important to note, especially
11 for those of you who ended up having to go through
12 Chicago, which seems to make absolutely no sense,
13 or those of you that had to come into Dulles, there
14 are a variety of planning procedures that we must
15 deal with at the department being Federal
16 employees.

17 There is a worksheet for you to prepare
18 for your expenses as we go. There is also
19 international travel, which you will not have the
20 opportunity to do, unless you come to a hearing in
21 say, San Diego, and drive across the border for
22 amusement the night before. I don't know.

23 This will give you the guidance you
24 need to prepare for our reimbursement processes as
25 you will come to understand them. The only thing I
26 can assure you is that they will take far longer
27 than it seems evident for you to be reimbursed.

1 We will do everything we can to make it
2 as efficient and speedy as possible, but as one who
3 now has over six months experience, being
4 reimbursed by the Federal Government as a Federal
5 employee, it is certainly something you will have a
6 month or two of lag. But we will move that as
7 quickly as we can.

8 Troy, do we have our Office of General
9 Counsel representative here?

10 DR. JUSTESEN: No.

11 MR. JONES: Well, Mr. Chairman would you
12 like to take a recess for a few minutes until we
13 have our official here?

14 CHAIRMAN BRANSTAD: That's right. Why
15 don't we take a recess and you can overlook the
16 forms or get a cup of coffee. I don't know if
17 there's still coffee or not, but whatever.

18 (Whereupon, the above-entitled matter
19 went off the record.)

20 CHAIRMAN BRANSTAD: Let's get started.
21 We need to stay on schedule, so I encourage the
22 commissioners to take your seats. Now we've come
23 to the part of the agenda that I probably need the
24 most and that is the ethics briefing so we don't
25 get in trouble. And lo and behold, I find out that
26 our presenter is a native Iowan from Greenfield,
27 Iowa. He's from the same town as Hugh Side, and

1 our presenter is Sergio Kapfer.

2 He is with the Office of General
3 Counsel, Department of Education. He's going to
4 give us the background briefing on ethics, so we
5 can do the right thing and not get in trouble.
6 Sergio.

7 MR. KAPFER: Thank you. It's a
8 privilege and honor to be here before you.
9 Governor Branstad introduced me. I'm Sergio
10 Kapfer. What I want to talk to you about today is
11 the government ethics rules that apply to you as
12 special government employees. It's a whole lot
13 different than is sometimes considered as ethics
14 training.

15 We're not talking about moral values,
16 what to do in a difficult moral situation with
17 competing values. We're talking about the statutes
18 and the regulations that apply to you as special
19 government employees, and as special government
20 employees, you're actually considered to be
21 Federal government employees, but in this special
22 category.

23 So if you didn't think you were special
24 before, you're officially special government
25 employees now. I want to go through this real
26 briefly because there's probably very, very little
27 likelihood that any of you are going to have a

1 conflicting financial interest, which is the most
2 problematic type of ethics problem that people
3 working for the Federal Government encounter.

4 Because of the nature of your
5 commission, it's very unlikely that you're going to
6 be faced with a conflicting financial interest.
7 And what that really is, it means that if ? a
8 conflicting financial interest situation would be
9 where you might have a financial interest in some
10 entity that you're going to be working on a matter
11 that involves that entity.

12 What you're prohibited from doing is
13 working personally and substantially on a
14 particular matter before the commission that
15 involves a financial interest that you might have,
16 if the actions of the committee are going to have a
17 direct and predictable effect on that interest.

18 Now, as I said, it's very unlikely
19 given the nature of the commission, that this is
20 going to come up, because my understanding of the
21 commission, you're going to be collecting data.
22 You're going to be studying the data. You're going
23 to be inviting people to present information to
24 you, and then you're going to be issuing a report.

25 You're not going to be ? you don't have grant
26 funds to give out. You don't have contracts to
27 let, so it's going to be highly unlikely that

1 you're going to be faced with this situation.

2 If for some reason the commission is
3 going to let a contract out for someone to do some
4 work for them, then the situation might come up.
5 If that happens, I'll try and keep abreast of
6 whether or not the commission is going to do that.

7 If that happens, then I'll probably be contacting
8 most of you for a little more clarification on
9 those financial disclosure forms that you sent in,
10 to make sure that there isn't going to be any
11 conflicting financial interest with respect to that
12 contract.

13 Now the major issue that you'll
14 probably be faced with as a member of this
15 committee, and some of you probably find this
16 surprising, is gifts. You'll be surprised how
17 often this issue comes up. People, you know, when
18 you have meetings, may come up after the meeting
19 and say "we really appreciate what you've been
20 doing" and offer some little gift.

21 You, as a member of this commission,
22 may not receive a gift given to you because you're
23 a member of the commission or from a prohibited
24 source. Prohibited source means someone whose
25 business is going to be affected by what this
26 commission does. Obviously, that would be anyone
27 in the special education area. It includes school

1 districts, states, organizations dealing with
2 special education.

3 There are some exceptions to this
4 prohibition. The major exception is a gift that's
5 valued under \$20, \$20 or less. If somebody says
6 "here's a book" that's valued at say \$19.99 or
7 something on special education or the law
8 surrounding special education, you would be able to
9 accept that book from anybody. Obviously, it would
10 be given to you because of your position, and it
11 could very well be from a prohibited source. That
12 exception would allow you to accept that gift, as
13 long as it's valued at \$20 or less.

14 Throughout your time of the commission,
15 the commission, my understanding doesn't have a
16 real long life. While the report's going to be due
17 earlier, you may still be on for several years.
18 The further limitation on that \$20 is, you can't
19 accept more than \$50 in gifts from that one source
20 over a calendar year. So, you know, if that same
21 source says "here's another book" and it's still
22 under \$20, you can accept that second book. But
23 then that third book comes in the mail to you and
24 it's again close to \$20, you're over that \$50 limit
25 and you would not be able to accept it.

26 Another exception is gifts that are
27 given to you as a result of a personal or family

1 relationship. Obviously, we're not going to say
2 you can't accept gifts from personal friends and
3 family, if it's clearly motivated from friendship
4 and it's not because of your position on the
5 commission.

6 And also, all of you have your own
7 business relationships. If it's a gift that arises
8 from your business relationship, again you're not
9 prohibited from accepting a gift. The other two
10 exceptions I'm talking about, you know, it doesn't
11 matter what the value is. I mean if it's a \$500
12 gift from your family, your brother-in-law,
13 whatever, it would be okay. For business
14 activities, again the \$20 limit doesn't apply.

15 Now there are some other types of
16 issues that may come up that you have to be aware
17 of. One is fundraising. You're not allowed to use
18 your official title, position, or authority to
19 engage in fundraising, whether it's political
20 fundraising or fundraising for non-profit
21 organizations or anything like that.

22 You may solicit funds or support from a
23 prohibited source if the person or entity does not
24 have an interest before the commission. So if, say
25 for example, somebody wanted to raise funds for the
26 National Organization on Disability, it would be
27 considered a prohibited source because its

1 interests are definitely going to be affected by
2 what this commission does. So that wouldn't be
3 anything that you'd be able to raise funds for.

4 Well, actually it depends on whether or
5 not the activities of this commission are actually
6 going to affect substantially their interest. So
7 if a situation like that arises, please feel free
8 to give me a call. Before I go any further, let me
9 give you my phone number. It's 202-401-6003, and
10 please feel free at any time that you have any
11 question whatsoever that involves ethics, to call
12 me and I'll be more than happy to try and provide
13 you an answer right away or research the question
14 to give you an answer in as little time as
15 possible.

16 If I'm not there, let me give you the
17 division number, the Ethics Division number for the
18 General Counsel's Office is 202-401-8309. Someone
19 will be able to get you in touch with another
20 attorney who will be able to answer your question
21 if it's an immediate need.

22 CHAIRMAN BRANSTAD: Can you repeat that
23 number again.

24 MR. KAPFER: It's 202-401-8309.

25 CHAIRMAN BRANSTAD: And repeat yours too
26 again, please, would you?

27 MR. KAPFER: It's 202-401-6003.

1 CHAIRMAN BRANSTAD: Thank you.

2 MR. KAPFER: And there are four other
3 attorneys that work with me and any one of them
4 will be more than happy to assist you and we'll be
5 able to get your questions answered.

6 Another area you have to be concerned
7 with is lobbying. In your role as a committee
8 member, you may not urge others to contact Congress
9 or State Legislature to urge passage or defeat of
10 legislation. There's some additional restrictions
11 on this.

12 Let me backtrack for a second. I've
13 passed out what we call an ethics primer for
14 special government employees. Each one of you has
15 one. There's an executive summary. It's just a
16 two and a half page summary, and then there's a
17 more detailed summary of the ethics laws that apply
18 to you as special government employees.

19 Everything that I'm talking about right
20 now is covered in much more depth in these
21 materials that I handed out to you. So, you know,
22 if you have questions, if you want to refer to this
23 summary, this primer that I handed out, that would
24 be your first source of information, if you want to
25 read that before you call me, or if you don't feel
26 like reading it, go ahead and call me right away.
27 Either way is fine with me. But that does provide

1 you with much more detail about the rules that I'm
2 just very briefly covering right now.

3 Another major area is political
4 activities. As a member of the commission, you may
5 not engage in political activity while you're on
6 duty, or in a Federal Government building or a car,
7 and you may never use your official title as the
8 member of a committee in connection with political
9 activities and this includes political fundraising.

10 Again, there's some additional rules on
11 this that you need to be aware of, so if there's
12 any possibility that you're going to be engaging in
13 any kind of political activity, please feel free to
14 call me or call the division and we'll talk this
15 out to make sure that you're not going to
16 inadvertently violate any of these rules and
17 regulations that apply to you.

18 And the final area that I want to talk
19 about is teaching, speaking and writing, as most of
20 you have done one of these activities and will be
21 doing this activity. The restriction on this is
22 you may not receive any compensation for teaching,
23 speaking, or writing if the invitation is offered
24 to you because you're a member of this committee.
25 The information that you're going to convey draws
26 substantially on non-public information that you
27 obtain while working for the committee.

1 If the invitation was extended to you
2 by an organization whose interest may be
3 substantially affected by your performance on the
4 committee or the subject of your work deals in a
5 significant way with a matter involving specific
6 parties that you worked on while on the committee.

7

8 And there's lots of exceptions to this.

9 The last one is probably one that won't come up
10 because you're not going to be dealing with
11 specific party matters with this commission to the
12 best of my knowledge. So you don't have to worry
13 too much about that.

14 But there are a lot of exceptions with
15 respect to this restriction on teaching, speaking,
16 writing. So again, if you're going to be doing any
17 of this, you know, that has any, any connection
18 whatsoever with your committee work, please give me
19 a call to make sure that it's not going to violate
20 this restriction.

21 One last point that I want to mention
22 to you that may be of value to you. I don't know
23 how many of you are aware that Congress and the
24 President just signed a law that now allows you as
25 individual special government employees, and we as
26 Federal employees to keep frequent flier miles
27 earned while in government travel for our own

1 personal use.

2 That had been a major, major issue for
3 the last 30 or 40 years, that under the law those
4 frequent flier miles were considered government
5 property and you couldn't use them at all in any
6 way, shape or form to either upgrade or get free
7 tickets or anything like that. Congress just
8 changed the rules on that, so any frequent flier
9 miles that you earned getting here to Washington
10 and flying back are going to be yours to keep, use
11 however you want.

12 If anybody has any questions, I'll be
13 more than happy to answer. Again, I want to
14 emphasize that this is just a very, very brief
15 presentation on what the ethics rules are that
16 apply to you and the materials again are also very
17 brief, and there are lots of rules and regulations
18 that apply that, you know, you may inadvertently
19 violate if you don't ask questions. The major
20 admonition that I want to give to you is to call me
21 whenever you have any question that you think might
22 raise, you know, an ethics issue.

23 CHAIRMAN BRANSTAD: Yes. Dr. Berdine,
24 go ahead.

25 DR. BERDINE: I teach a doctoral pro
26 seminar, an ongoing pro seminar and I intended
27 using this particular semester to focus around the

1 commission's activities. I'm already compensated
2 for that by my university, so I'm assuming that's
3 okay. I was wondering about the reproduction of
4 materials.

5 MR. KAPFER: I'll give you a call and
6 we'll discuss that in detail.

7 DR. BERDINE: I have a second question.

8 MR. KAPFER: Yes.

9 DR. BERDINE: As a department chair, I
10 frequently work to educate the Kentucky
11 Congressional delegation about the interests of the
12 University of Kentucky. As long as I indicate that
13 I'm there as a department chair from that
14 university and not there as a member of the
15 commission, is that all right?

16 MR. KAPFER: Yes, the main thing you
17 want to always avoid in that kind of situation is
18 using your title, position, authority as a
19 commission member with respect to those
20 activities, as long as you make it clear that
21 you're not representing this commission in any way,
22 shape or form, then that should be okay.

23 DR. BERDINE: A third question. The
24 Kentucky Council for Exceptional Children, Kentucky
25 CED, their division case division, division for
26 administrators has asked me to meet with them in
27 the very near future to discuss their interest in

1 the commission. Can I do that as a member of this
2 commission?

3 MR. KAPFER: Probably, but let me get
4 back to you on that.

5 DR. BERDINE: I anticipate I'll get more
6 of those kinds of requests.

7 MR. KAPFER: It shouldn't be a problem.
8 You're going to be getting ? all of you will
9 probably get those similar types of requests.

10 DR. BERDINE: They're not interested in
11 me as a University of Kentucky faculty member.

12 MR. KAPFER: No, exactly. Yes.

13 MR. FLEMING: I'm trying to understand
14 now, because when I was first made aware of the
15 commission, I'm at a university and a very large
16 part of our actual teaching is in the whole
17 education and producing teachers. And so I had
18 gone to the dean to talk to him about possibly
19 having some input from the experts that are right
20 there on campus. Are you saying there is some
21 contradiction or something that would happen if I
22 was trying to get information from them that I
23 think would help me to understand?

24 MR. KAPFER: No. Not at all. Let's say
25 for example, this is not what this commission does,
26 but say that this commission was going to have
27 authority to award grants, you know, with Federal

1 funds and your university was going to be competing
2 for that grant, that's the kind of situation where
3 you would not be able to participate in the
4 decision-making process of the grant process
5 because your employer has a financial interest in
6 receiving that grant.

7 As I understand it, the commission's
8 not going to be doing that. So, the commission is
9 going to be collecting information and studying the
10 issues issuing a report based on the information
11 that you get from experts and people in the field,
12 and there's very, very little likelihood that
13 there's going to be any kind of conflicting
14 financial interest with any of you with any of your
15 financial interests and the work that you're going
16 to be doing on this commission.

17 REVEREND FLAKE: That would be true also
18 for a for-profit then?

19 MR. KAPFER: Yes.

20 REVERENT FLAKE: As in my case with
21 Edison?

22 MR. KAPFER: Yes. Like I said, it's
23 going to be very, very unlikely ? your report is
24 going to be recommendations to the President. The
25 President may or may not take your recommendation.

26 He may take some, may not take some others. The
27 President then is going to have to present whatever

1 actions he wants to take to Congress. Although
2 there may be some regulatory action he might take,
3 but particularly if it goes to Congress, it's in
4 Congress' hands.

5 The link that causes a problem is if
6 you can say that there's going to be a direct and
7 predictable effect from your activities on the
8 commission, the commission's activities, and the
9 financial interest of some entity with which one of
10 you or more of you is involved, you know, under a
11 covered relationship.

12 The covered relationship means if you
13 are an employee, a general partner, executor,
14 officer, various other capacities of an entity,
15 then that entity's financial interests are imputed
16 to you. Your spouse's financial interests are
17 imputed to you. Your minor child's financial
18 interests are imputed to you. So there's a range
19 of people, other entities, whose financial
20 interests are going to be imputed to you that if
21 this commission's activities were going to affect
22 the financial interests of those entities or
23 persons, then a conflict could arise.

24 But like I say, I doubt very much from
25 my understanding what the commission's going to do
26 that that will be the case. The more likely
27 example, if in fact the commission ends up, and I'm

1 not even sure that the commission has the authority
2 to award a contract from somebody to do the
3 collecting of information or analysis of it, then
4 you know, if there was somebody, if one of you had
5 a financial interest, an employer whose spouse is
6 employed by some kind of research group out there
7 that might compete for this contract, then you're
8 going to have a problem and we need to talk. But
9 otherwise, it's highly unlikely.

10 MR. JONES: And as you'll see when we
11 propose the draft budget, and of course that's
12 subject to commission approval, the draft budget
13 only contemplates a handful of out contracts, and
14 that includes contracts for design, for example, of
15 the report for some outside communications
16 activities. But really, it's mainly airplane
17 tickets and paper.

18 DR. WRIGHT: I have burning question. I
19 write for one of the premier black newspapers in
20 Missouri. Many people in Missouri, in Illinois and
21 Missouri where I live, for examples, are fans of
22 and know Reverend Flake from his ministry. Okay,
23 and I write a column for them and I get paid for
24 writing for them. Is it okay if I put his picture
25 in there and say, you know, Reverend Flake and I
26 are on this commission together? Is that out of
27 line?

1 REVEREND FLAKE: If you pay me also.

2 DR. WRIGHT: Those people in Missouri
3 and East St. Louis, say oh, Reverend Flake, there's
4 Reverend Flake and we want to ? is that out of
5 line?

6 MR. KAPFER: Okay, we're going to have
7 to talk about that.

8 DR. WRIGHT: Okay. I'm glad I asked
9 about that.

10 MR. KAPFER: Yes, I'm glad you asked.
11 This is exactly the kind of question we want
12 brought to us, to me and to my division. I
13 wouldn't be able to give you an answer right off
14 the top of my head.

15 DR. WRIGHT: I'll check with you before
16 I do that.

17 MR. KAPFER: Yes.

18 MS. TAKEMOTO: Is this something you
19 suggest we submit to you in writing and that you
20 respond to us in writing or just verbal questions?

21 MR. KAPFER: Either way. I mean, if
22 you're more comfortable, you can either send me
23 something in writing, you can send me an e-mail.
24 My e-mail address is my first name, S-E-R-G-I-O.

25 DR. WRIGHT: Wait a minute. Don't go so
26 fast. What it it?

27 MR. KAPFER: S-E-R-G-I-O, Sergio, dot,

1 my last name, K-A-P-F-E-R, Kapfer, the @ symbol.
2 I'm not sure what it's called. I know there's a
3 special name for it.

4 MS. TAKEMOTO: It's called "at."

5 CHAIRMAN BRANSTAD: The "a" with a
6 little circle around it.

7 MR. KAPFER: The "a" with almost a full
8 circle around it, and then E-D for education, dot,
9 G-O-V for government. So, sergio.kapfer@ed.gov.

10 DR. WRIGHT: do we use capitals?

11 MR. KAPFER: It doesn't matter whether
12 it's capitalized or not.

13 DR. WRIGHT: So it's K-P ?

14 MR. KAPFER: K-A-P-F-E-R. I think your
15 agenda has my name on it.

16 DR. WRIGHT: I see it.

17 MR. KAPFER: Unfortunately, it's not on
18 the primer that I gave you. And so you can either
19 e-mail me, telephone me, or actually ? do you
20 remember what our fax number is, Sean? 260-5103?
21 Do you have it?

22 SEAN: 260-5104.

23 MR. KAPFER: Okay, my fax number is 202-
24 260-5104. That's the division fax number, Ethics
25 Division Fax Number. You can feel confident that
26 if you send a fax to that number, that it's going
27 to be seen only by Ethics Division staff, no one

1 else. So you don't have to worry about that.

2 If you feel you'd rather call me right
3 before you send the fax, that's fine. Let me know
4 and then I'll go pick it up right away. Otherwise,
5 it's going to be picked up by our secretary who we
6 have full confidence in will keep your information
7 completely confidential.

8 Any other questions? Yes.

9 DR. GILL: I don't know if this is an
10 ethical question or a protocol question for us as a
11 group. But I think the notion of what we discuss
12 outside the context of meetings, other than just
13 input from other people is something I'd like to at
14 least hear a little bit more about, because I think
15 we are going to have opportunities for a lot of
16 people to come to us and ask us questions and try
17 to get advanced information about positions that
18 may or may not be taken. Whether that's true or
19 not true is a different issue, and I'd like to have
20 some guidelines in terms of what we share or not
21 share.

22 MR. KAPFER: Okay, I'll let Todd respond
23 to that later. It's really not an ethics question
24 with respect to the rules and regulations and
25 statutes that I'm discussing with you. Any other
26 questions? Okay, well thank you very much for your
27 time and I wish the commission well. Thank you.

1 CHAIRMAN BRANSTAD: Thank you very much,
2 Sergio. We appreciate your presentation. We've
3 got a little time, so since we're running ahead of
4 schedule, Todd has volunteered to begin on the
5 presentation he's supposed to make this afternoon.

6 So that might just be able to move us along.

7 So with that, I'll just turn it over to
8 Todd who's going to talk about the description of
9 the draft meeting schedule, the task forces,
10 hearings and other things that are scheduled for
11 the beginning of our afternoon session. Unless
12 anybody has an objection, we'll just go ahead and
13 do that because I don't think lunch is ready.

14 MR. JONES: That much I'm certain of.
15 Lunch is not ready. So, what I thought I would do
16 this afternoon is give you a little overview about
17 some planning work that I've been able to do over
18 the last two months for your benefit, to offer to
19 you as a commission for your consideration of
20 adoption as we go forward, because there are only a
21 few constraints, being a Federal commission on what
22 we do.

23 But in the case of ours, there are
24 particular constraints, and the first one is time.

25 When this commission was announced on October 2nd,
26 it was placed as an Executive Order. It was with
27 the expectation that the commission would be

1 meeting, start meeting shortly thereafter and be
2 able to issue a report in the time line outlined in
3 the Executive Order.

4 That time line was April 30th. Anyone
5 with any understanding of how a commission operates
6 knows that you can have tight time frames and then
7 you have tight time frames. And, April 30 is
8 clearly out of the question for doing any sort of
9 report more than all of us getting together saying
10 we had a good time and then issuing some papers
11 saying that.

12 So instead, the White House is
13 currently working and will shortly be issuing a new
14 Executive Order as to how soon the President would
15 like the results of our commission report and the
16 work of this commission. My expectation is that it
17 will be sometime during the summer, and that's the
18 general understanding we have to this point.

19 In light of that, what I've done is
20 created some preparatory materials for your benefit
21 that would work within the time constraints that
22 were originally our time constraints. If it turns
23 out we have more time than that, we can certainly
24 modify ? you can modify your schedule to meet those
25 extra ? that extra time availability. And if we do
26 not, well then we work from the expectation we had
27 originally.

1 That's the first constraint.

2 The second constraint we have, and
3 based on our Executive Order it's not as strong a
4 one as you might see, is the scope of what we've
5 been charged to do. This is the President's
6 Commission on Excellence in Special Education.
7 Special Education is not IDEA. Special Education
8 is not Section 504 of the Rehabilitation Act. It
9 is not any particular pedagogical approach. It's
10 not any structure for administering special
11 education.

12 It is special education and the issues
13 surrounding it, all of those combined. And if you
14 look at the charge that the President has set forth
15 for us, it certainly lays out a list of topics that
16 must be addressed by the commission as it goes
17 forward, and by addressed, not necessarily meaning
18 coming to some sort of solution or conclusion or
19 recommendation, but certainly including as part of
20 the scope of the work of this commission, what the
21 President has set forth needs to be done.

22 So with those two constraints, what
23 I've done over the last two months with our staff
24 is prepare a concept for you all to consider, and
25 that's what we'll do after lunch on this agenda is,
26 you'll be able to consider this concept as to
27 whether you want to adopt it as how this commission

1 will go forward over the course of the spring.

2 One of the first things we did is offer
3 you these. They are large, bulky, and have lots of
4 copied pages. But I assure you they're more than
5 that. There's actually useful information
6 contained therein, and I would certainly suggest
7 folks take a look at it. It's a compilation that's
8 been put together by the staff of generally one
9 page issue briefs on a variety of topics around
10 special education.

11 Some I'm certain you're familiar with.
12 Others you may have never heard of before. And
13 one thing I can assure you, it is not the
14 definitive case study on public policy around
15 special ed. There are topics we haven't included
16 there in a couple cases because we thought of them
17 in the last week and thought they'd be important
18 and simply time constrained us from doing so.

19 What I would encourage you to do is
20 review those for your benefit and also, if you have
21 other areas where you would like to know more, or
22 believe there needs to be additional information
23 for other commission members, please let me know
24 and we can have that material drawn up and added to
25 the materials that you have at hand.

26 Included therein at the end of the
27 section is a copy of IDEA, as amended in 1997.

1 That will also be something I'm sure, especially
2 those of you who are less familiar with the actual
3 statute will be interested to have at hand as there
4 are certain issues such as maintenance of effort,
5 which is a concept embedded in IDEA, the statute,
6 which are in our charge as a commission, but which
7 are also clearly linked to a specific statutory
8 provision. So that's there for your benefit as
9 well.

10 The solution to the tight time frame,
11 however, is more than just this material. It's
12 actually a structure which we would propose for
13 your consideration. And that would be to create a
14 flexible structure in which smaller groups of you
15 can pull together the necessary scope of what the
16 President is charged with this, in a manner that
17 allows you to also define your own scope of what
18 our work is.

19 There are a whole host of issues that
20 this commission can consider, and if we work for
21 six months, there are only so many of them that are
22 going to make it on the plate. You're the ones who
23 get to make that decision. But based on the
24 Executive Order, and frankly I can say I've talked
25 to almost all of you or reached out and we have
26 your interviews from when you were being considered
27 for the commission by the President, to look at

1 some of the relevant topics that you saw out there
2 as important.

3 And what we did, and what we are
4 suggesting is that you break the commission into
5 six task forces. There will be six different
6 groups that you can ? six different topics that
7 would broadly be put together for groups of the
8 commission to consider.

9 A copy of that breakdown is on this
10 piece I'm going to pass around right now, Task
11 force Overview. There are six task forces, or as
12 we would propose, and please if I'm changing
13 phrasing there to say there are, please understand
14 I'm just saying this is for your consideration.
15 But in this proposal there are six task forces:
16 Accountability Systems, Research Agenda,
17 Professional Development, Finance, Assessment
18 Systems, and System Administration.

19 And what we at staff did was put
20 together groups of commission members onto task
21 forces broadly within those constraints that also
22 fit with their particular area of previously
23 expressed interest. To give you a good example of
24 one the easy and most obvious ones, it's not
25 surprising that staff thought it useful that Jay
26 Chambers, a man who has dedicated his professional
27 life to school finance systems and particularly

1 special education school finance systems, is on the
2 finance task force of the commission.

3 I want to say that there are a couple
4 of other elements that came into play here and
5 I'll explain those in a second. But the idea would
6 be that the commission would have six broad areas
7 in which it would conduct its inquiry, and those
8 who are on that task force then define what goes
9 into that inquiry.

10 The inquiry would take the form of six
11 commission hearings. Each task force would have
12 one hearing. Each member of the commission, by the
13 way, is on two task forces. So you would have two
14 hearings in addition to our meetings that you would
15 attend. The scope of those hearings would be
16 defined by the task force members themselves.

17 Now this is going to be on a quick time
18 frame, and I'll explain more about how that will
19 function in a minute. But at this least this way,
20 we can quickly move to having hearings, hopefully
21 starting in the month of March around these issues.

22 The next is to try and put together a
23 workable schedule within that, and by going to a
24 task force structure, we believe as staff you'll be
25 able to accomplish your mission by taking input
26 from the public, by considering the issues, by
27 developing report language, more on that later,

1 that you can pull together all of by mid-April of
2 this year. Working from the presumption that
3 sometime in June or July, we will have to bring
4 this to a close.

5 Lastly, there's an additional piece of
6 support and that's staff support. You're the
7 commissioners. The ideas that you're putting
8 together are yours. It is our job to help you
9 bring that to fruition. And so, as we talk about
10 what a hearing would look like on finance, it will
11 be the staff who go out and try to pull together
12 those witnesses that you're recommending, and
13 others to meet the needs.

14 If you say, we want somebody to talk
15 about X, can you find that person? We, as staff,
16 will be there to help you do that. But we're also
17 going to be looking for your recommendations. Who
18 do you think should be at these hearings? What
19 should they be talking about?

20 The same is true in the report
21 language. There are going to be a lot of ideas
22 that you bring to the table but, of course, you
23 have busy lives and this is a commission position.

24 You want somebody to bring that into text reality.

25 We, as staff, will be available to help you with
26 that as well, and that will be part of our job.

27 The task force, as I said, will have

1 one hearing and each member would serve on two of
2 them. But I also want to say it's not the
3 exclusion of the other members of the commission.
4 First of all, you'll notice that none on this list,
5 none of the ex officios are listed, nor is Governor
6 Branstad listed as members of task forces. That's
7 because they'll be ex officio members of all of the
8 task forces.

9 The same will be true of you all. If
10 you have an area of particular interest that you
11 want to involve yourself and make the time
12 commitment, you can participate in other task
13 forces during the conversations about report
14 content, about what the scope of the hearings
15 should be.

16 But to get us going ? and you have
17 practical lives to live ? you can't be involved
18 with everyone of the hearings preparations we have,
19 because I'm sure certainly you don't want to
20 dedicate all of your life. Well, that's what I get
21 paid to do in my actual job. So you're all going
22 to be looking probably to truncate that a bit, and
23 that's what the task force structure lends itself
24 to.

25 In addition to that, there's also the
26 flexibility, and I'll pass out in a moment a draft
27 schedule, of additional hearings. What we've done

1 is structured ? in fact, why don't I just pass that
2 out right now. What we've done is put together a
3 schedule that would allow commission members to
4 learn from the process as they go and then have
5 meetings where the substantive topics that have
6 arisen during the hearings can be addressed as a
7 larger group and have the conversations in between
8 as task force members.

9 So you'll note the proposed schedule
10 would have four meetings. Our first meeting would
11 be here. Our second will be in Houston at the end
12 of February, and it would in a sense also ? it
13 would have a hearing attached to it, which is
14 intended as an overview hearing, bringing together
15 some generalists about a number of topics that are
16 raised in the President's charge. And then we'd
17 have a series of four hearings, and those would be
18 task force hearings around the country.

19 We would then have another meeting of
20 the task force in Miami in early April. It would
21 also have a hearing attached to it for all
22 commission members to attend, so one day of
23 meeting, one day of hearing. Then we'd have
24 another two hearings and then we have a fourth
25 meeting.

26 Now before getting into the alternate
27 site additional hearings, let me tell you a little

1 bit about how the locations were selected. As a
2 practical matter, we used two primary criteria,
3 larger cities and geographic distribution. We have
4 ? well I've mapped it. Most of you probably
5 haven't. I'm sure all of you haven't. We have a
6 task force that's heavily slanted toward the right
7 side of the map, if you're looking at the United
8 States and, in fact, Mr. Rivas is the fourth most
9 western member of the commission, and he's in
10 central Texas.

11 We have two members from California and
12 one from Washington. As a practical matter, we try
13 to structure it so that the hearings that involve
14 the task force members from the West Coast happen
15 on the West Coast and the rest of the commission
16 members are as close to the location selected as we
17 could.

18 The first location we actually selected
19 for the second meeting was Houston. We thought
20 that the President from Texas and the Secretary of
21 Education from Texas would see the wisdom of having
22 an early meeting in Texas, and Governor Branstad
23 saw that as wise as well.

24 We also proposed as staff to Governor
25 Branstad that Des Moines would be a wonderful place
26 to have a hearing, and Governor Branstad ?

27 CHAIRMAN BRANSTAD: Especially in the

1 winter.

2 MR. JONES: He did concur. From there,
3 we did try and work for larger geographic areas,
4 distributed across the country, and that's what
5 you'll see here. There was an additional function
6 though in a few cases where the location was
7 targeted for something in particular associated
8 with a topic.

9 The assessment systems topic, and as
10 you'll notice on Tuesday, April 16th, there's a
11 proposal that you meet in New York City to look at
12 assessment practices, identification practices, and
13 minority over-identification. New York City
14 actually has a recent modest success story to tell,
15 addressing minority over-identification.

16 In fact, in my day job as Acting
17 Assistant Secretary for Civil Rights, the Office
18 for Civil Rights in New York in 1998 concluded an
19 agreement with New York City, and over the last two
20 years, New York City has substantially changed the
21 input ratio of young Black men and other minorities
22 going into the New York City School system, special
23 ed system, which was significantly disproportionate
24 and there's a success story to tell. Given where
25 some of these issues are, we thought New York would
26 be a good place to have a hearing like that. So
27 that's on the proposed list.

1 And lastly, we would drag you back to
2 Washington for the last hearing, to have our last
3 meeting here, to finalize the report and for folks
4 to get together and talk about it.

5 Let me mention one other issue on this
6 and that is, how the hearings are going forth. I'm
7 somebody who has worked on Capitol Hill, and I've
8 worked in trade associations and dealt with
9 meetings, and one of the skill sets you bring to
10 bear when you have that kind of work life is
11 holding public events. There are a whole lot of
12 ways to go about holding commission hearings, and
13 our suggestion to you is to adopt a rough model of
14 how Congress goes about it, and that is holding
15 public events where you invite people to come speak
16 to you about particular topics and bring you the
17 substance of the knowledge around which they have
18 information.

19 If you're able to do that, it will not
20 only make the best of your limited time, but it
21 also allows you another piece of flexibility on the
22 table. You can have facilitated discussions with
23 those folks. You can have it set up so that we're
24 sitting at a square like this. The witnesses you
25 bring in sit down with you, and not only do they
26 testify, but they interact with you. You can ask
27 them questions. You can bring in a facilitator to

1 talk about what are some conclusions that this
2 might lead one to, where is there a consensus in
3 this area?

4 It can be structured as any kind of
5 process you want, but our suggestion to you is that
6 you make it primarily a process of your invitation.

7 The reason we say that is a couple fold. First of
8 all, the public recently has had an actually grand
9 chance to make input to the administration on the
10 issue of special education. That was done through
11 the IDEA hearing process that Bob Pasternack had a
12 chance to chair this fall.

13 Bob and Department of Ed visited seven
14 or eight cities ? eight cities around the country,
15 open all day and night in a number of cases, to
16 bring folks in to talk about areas that were of
17 interest to them.

18 Now, of course, this leaves the
19 question of what about the commission's interest in
20 public input? That actually is still something
21 that you're able to facilitate as well, and I'm
22 going to do so right now, or I should say after
23 this. This is a stack of letters we've received
24 for the commission. It's not this thick. It's
25 actually copies of letters, one for each of you
26 that we've received to date from various interested
27 parties around the country.

1 We've been advancing letters that, it
2 struck staff, are particularly noteworthy to you
3 early on. The Consortium for Citizens with
4 Disabilities, for example, last week we forwarded
5 to you a letter that they sent to us last week.
6 When we have larger organizations come, we forward
7 those electronically whenever possible, but of
8 course we have parents, teachers, administrators
9 around the country who are writing in and making
10 their comments and suggestions.

11 We want to facilitate the distribution
12 of that as best we can. What I have here is the
13 first wave of those letters and we're going to
14 offer them for your input, and you'll still have
15 the opportunity to hear from people in a written
16 manner. But also, from what Doug brought up a
17 little while ago, and that is what about people who
18 want to come to you. Your name is out there.
19 You're now a public official, and want to talk to
20 you about the commission.

21 My answer is, listen and talk to them
22 as actively as you have time for. You have your
23 own lives in addition to this commission, but if
24 somebody wants to talk to you about the commission,
25 you can feel free to talk about any public matter
26 that goes on that you'd like. There will be
27 certain offline conversations that you have that

1 may or may not be appropriate to bring in the
2 public domain, and task forces when we have
3 conference calls, are not public conference calls.

4 That's how the task force structure allows you to
5 work.

6 But you certainly, as independent
7 commissioners, are free to talk to whomever you'd
8 like and garner the input you'd like from your own
9 experience, because fundamentally it's no different
10 talking to somebody in this six months about these
11 issues than it has been the rest of your life. That
12 was useful information as you learned it the rest
13 of your life. The next six months of input you'll
14 get from people is equally valid. And so, we want
15 to offer that to you. You're certainly free to
16 talk and gain public input, however other informal
17 means that you'd like.

18 So the structure that we've offered you
19 is essentially this. A task force structure breaks
20 you up into smaller groups. Everyone's on two task
21 forces. Every task force holds one hearing, so you
22 attend two hearings around the country, and in
23 fact, to facilitate your understanding of that, I
24 have another chart conveniently, which has the
25 draft suggestions of who is on what commission, and
26 what cities you end up going to.

27 And yet, you as commissioners are going

1 to have the ability to participate in any aspect of
2 this commission's business that you think is
3 important. If you want to talk about professional
4 development and you're on the finance and systems
5 administration task forces, you can be included in
6 those conference calls.

7 Within our budget constraints, which
8 I'll talk about this afternoon, you can attend
9 commission hearings. We'll even bring you,
10 depending upon how airfare is going, especially as
11 we have an idea of how much the commission is
12 costing, we'll have the ability for you to attend
13 commission hearings if that's what you desire.

14 So it really is an open process for
15 you, but we as staff offer you this suggestion as a
16 way to get yourself organized quickly and quickly
17 get moving into the process. Because one other
18 aspect you'll notice about this proposal is that we
19 start meeting quickly.

20 While the end of February does seem a
21 long way away, it's actually just six weeks away.
22 Most importantly, the next seven weeks away is a
23 hearing in Denver, eight weeks away is a hearing in
24 Des Moines, nine weeks away is a hearing in San
25 Diego, followed the next day by a hearing in Los
26 Angeles. That's a pretty active schedule.

27 Two more things before I conclude, and

1 then at that point, we can look at heading down the
2 hall to lunch, and afterward you can come back and
3 have your discussion about this proposal.

4 The first is, alternate additional
5 hearings. At the bottom of this page, you'll
6 notice that we have suggestions for makeup slots.
7 We actually have four of them scheduled. As you'll
8 remember from my introduction, I went to law school
9 and undergraduate college in Denver. It's a little
10 known fact that April is the snowiest month in
11 Denver, and March is the second snowiest month in
12 Denver, despite the fact you think that all occurs
13 earlier in winter. In Denver, it snows in March.
14 We, of course, have wisely chosen to go to Denver
15 in early March.

16 So there is the distinct possibility
17 that in Denver at that time, it will be 65 degrees
18 and sunny. It is also equally possible that there
19 will be two foot of snow on the ground.
20 Recognizing that and that that could happen in Des
21 Moines, or otherwise, or that airports get shut
22 down and commissioners can't make it to the
23 meeting, we've listed a series of alternate slots.

24
25 My suggestion would be to compare which
26 meetings you are planning to attend, and the
27 alternate slots, and block those alternates on your

1 calendar, because if on March 5th it turns out that
2 Denver is closed, we'll be relocating to Friday,
3 April 5th in Denver and attempting to work that
4 around.

5 The other thing we've put down here,
6 given the time constraints, is the possibility of
7 additional hearings. The fact is, we're
8 constrained by our budget. We only have so much
9 money, and that was part of the consideration of
10 how many hearings to do and how actively to be out
11 and about doing so.

12 But there may be the budget ability to
13 do more hearings, and that depends again on how you
14 structure it. Is it done in a space that's small?

15 Are the witnesses local? Those will all play into
16 it. But you as a task force will have the
17 opportunity to do additional hearings if that's
18 what you desire.

19 We've even suggested, and this will
20 show you the honorable mention cities. The other
21 three cities we were looking at as options, because
22 of their geographic distribution and because of
23 their accessibility from an airline standpoint,
24 Seattle, Detroit, and Baltimore. Again, you may
25 have a particular issue you want to go to a
26 particular city to investigate, but our hope is
27 that we would at least, even then, have some

1 guidance about how you might go about it.

2 That leads us coming back into
3 Washington at the end of May to discuss the final
4 report, and hopefully have presentations on pieces
5 and have the commission sign off. But I realize
6 that everyone here also has their own opinion, and
7 one possibility is that folks won't agree at the
8 end of May, so we ask you to put a tentative date
9 in June, in case it turns out that everyone doesn't
10 reach consensus by the end of May, and we'll drag
11 you back to Washington, D.C. again in June.

12 As one who lives in Washington, I can
13 assure you the longer you drag this out, the more
14 unpleasant it will become to come to Washington,
15 D.C. So it's another form of encouragement to
16 bring things to a close. That's the scope of what
17 we have.

18 The last piece I want to say is, I
19 asked the Chairman if we could also offer you draft
20 chairs of the task forces. We did so again to get
21 this off to a much faster start, based on the
22 interests of the people involved, and you'll see
23 those names at the top of those lists in bold
24 italics. I talked with all six of those folks
25 before coming here. They've all agreed to do it,
26 but again, that depends upon the willingness of the
27 commission to accept this plan.

1 So with that, it is 12:27. We've
2 reached the time for our luncheon, and the next
3 item on the agenda is for the governor to lead the
4 discussion on this topic, and we can do this after
5 lunch.

6 CHAIRMAN BRANSTAD: With your
7 concurrence, we'll recess for lunch and then we'll
8 convene back here, what time?

9 MR. JONES: 1:30.

10 CHAIRMAN BRANSTAD: At 1:30. At that
11 time, we'll have an opportunity to discuss this.
12 Thank you.

13 (Whereupon, the above entitled matter
14 went off the record for a lunch break until 1:30
15 p.m.)

16

A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

(1:46 p.m.)

1
2
3 MR. JONES: Before we get started, I
4 want to tell you about the letters I just gave you,
5 which ? well, I put my spare ones over here.
6 You'll notice a number of them are from parents.
7 Parents tend to hard copy and e-mail us more as we
8 receive it, as opposed to e-mailing us documents
9 that we can then e-mail to you, which is what
10 organizations tend to do.

11 These documents we're going to continue
12 to forward to you. If you receive letters like
13 that, you can forward them to us, or you can
14 distribute them to other members of the commission
15 as you see fit. That's the nature of being a
16 commission. You're in charge.

17 But I will also tell you as to a matter
18 of completeness again, if you forward materials to
19 us for a request for a response, we then have to
20 engage the response. The more letters we get, the
21 more responses we write, and given the short time
22 frame, what we would suggest is if you'd like to
23 circulate something, unless you just want it
24 distributed in this manner, where we make copies
25 and ship them to you, we'd be glad to do that.

26 But if you're directing more letters to
27 us, requesting responses, and people are asking you

1 "should I write to the commission," the easier
2 method would be just to have them write to you.
3 We'll make copies of it, but then we don't have to
4 send a series of responses out, which increases
5 that burden.

6 The other aspect is you'll notice the
7 dates of some of these letters stretch back into
8 October and November.

9 As I think I may have mentioned in one
10 of my e-mails to you, this is the important nature
11 of the anthrax scare, and large volumes of mail got
12 shipped off to, I believe, is it Lima, Ohio? Is
13 that how it's properly pronounced? To Lima, Ohio
14 and received some mysterious treatment that when
15 they came back, they were slightly crunchy and
16 crispy paper and germ-free as best we've been told.

17 We've had a delay in mail, and I'm
18 sorry I'm sure it's going to continue, and if
19 people out there have sent us letters and you
20 haven't heard a response, please understand it
21 could be the anthrax scare, and if you want a fast
22 response, send us a new one. They seem to be
23 coming a little faster now. So, with that,
24 Governor.

25 CHAIRMAN BRANSTAD: Okay. I've been
26 given a gavel, so watch out. Let's do it from
27 here? Okay. Well, I'll just preside, I guess,

1 from here. We're really ahead of schedule, so I
2 think the next item of business is listed as
3 discussion and approval of the meeting schedule,
4 the task forces, and the hearings.

5 Before lunch, Todd went through that,
6 and I think this is an opportunity for us now to
7 review that information and decide if this is an
8 acceptable schedule or adjustments or changes that
9 you all might be interested in. So I guess, I
10 would open it for discussion at this time. Yes,
11 Nancy.

12 DR. GRASMICK: This just concerns my
13 personal situation.

14 CHAIRMAN BRANSTAD: Yes.

15 DR. GRASMICK: I have a major budget
16 presentation that conflicts with my participation
17 on March 13th with the accountability. So I was
18 requesting that perhaps I could be considered for
19 the assessment system, as my second committee.

20 CHAIRMAN BRANSTAD: So you'd rather be
21 on the assessment system?

22 DR. GRASMICK: Just because I'm
23 interested in both and the dates worked out better
24 for me on the assessment system.

25 MR. JONES: Bill, did you want to make
26 your comment?

27 DR. BERDINE: Well, I mistakenly e-mail

1 or I e-mailed and I made a mistake in my e-mail in
2 indicating to Todd a preference. I really had a
3 strong interest in the professional development
4 area, obvious to where I am at the University of
5 Kentucky and ask to be included on that, although I
6 also have an interest in assessment.

7 MR. JONES: What's notable about that
8 is, it's like a professional sports trade. Under
9 accountability systems, we actually had a large
10 number of people, in part because of the interest
11 expressed by commissioners before coming on about
12 that particular area. If Ms. Grasmick went from
13 that group to assessment, which is Mr. Berdine is,
14 and Mr. Berdine then went to professional
15 development, which is actually short of people, it
16 actually works out that we have an even number of
17 people across the board, as opposed to a
18 disbalanced number of people.

19 DR. GRASMICK: Thank you.

20 CHAIRMAN BRANSTAD: Assuming that no one
21 else has any objections.

22 MR. BARTLETT: That works.

23 MR. JONES: Assuming that no one else
24 objects.

25 MR. BARTLETT: And we'll see if there
26 are any more trades coming up here.

27 CHAIRMAN BRANSTAD: Are there any free

1 agents out there?

2 MR. BARTLETT: Well, we on
3 accountability, could we like get a utility
4 infielder or a draft choice or something?

5 CHAIRMAN BRANSTAD: Are there others
6 that have comments? Yes.

7 MR. FLEMING: If we actually have a
8 chance to trade, I'd probably be more at least in
9 the area of professional development over against
10 where you have me on assessment. That's probably
11 more of my strength there. So I could take that
12 professional development if no one else wanted it.

13 MR. JONES: That would still ? part of
14 the goal here also is to make sure there are at
15 least five people on every group, and that still
16 would be the case if, again, the number of switches
17 going on. But right now, that would still keep
18 five on there and that would be fine. Or, I should
19 say, no fewer than five, no more than seven, which
20 is why the chart looks like it does.

21 CHAIRMAN BRANSTAD: Are there others
22 that have comments or suggestions, changes that
23 they would like to look at? Dr. Wright.

24 DR. WRIGHT: I haven't necessarily a
25 change, but I am intensely interested in how these
26 children are assessed. I am intensely interested
27 in that and have some expertise in that, but I

1 don't need to change if it's going to bother
2 anybody or anything.

3 CHAIRMAN BRANSTAD: It is possible I
4 think to attend these task force meetings even if
5 you're not on the task force?

6 MR. JONES: That's correct. Unless we
7 have 40 requests that don't align to this, and then
8 we get into budget difficulties, no it wouldn't be
9 a problem at all. If you're willing to come, it
10 would fit within the structure and the budget.

11 DR. WRIGHT: Because that is really one
12 of the big issues, how our children are assessed,
13 and I really would like to work on that if I could.

14 DR. BERDINE: Then you and the staff
15 will redo the X's?

16 MR. JONES: Oh, yes.

17 DR. BERDINE: Do we get rid of this
18 then?

19 MR. JONES: Yes, you may.

20 CHAIRMAN BRANSTAD: Are there others?

21 MR. JONES: Yes.

22 CHAIRMAN BRANSTAD: Nancy.

23 DR. GRASMICK: This is not a trade.
24 This is just an inquiry. Can you just give us an
25 idea of some of the time parameters when we have
26 multiple days involved, like February 25th through
27 the 27th? That makes a difference. When would it

1 begin?

2 MR. JONES: The design of that would be
3 to start on the morning of the 25th and we would
4 end by noon on the 27th, so that all of our East
5 Coast members, and you and I are on that list and
6 Mr. Hammerman, Mr. Flake, so that we can be home
7 for dinner. That's the commitment we would make
8 for that one.

9 CHAIRMAN BRANSTAD: The first day it
10 would start at what time, 9:00, 8:00?

11 MR. JONES: 8:00 or 9:00.

12 DR. WRIGHT: On the 25th?

13 MS. TAKEMOTO: We'd have to come in the
14 night before.

15 CHAIRMAN BRANSTAD: We'd probably have
16 to come in the night before, but you could leave in
17 the afternoon and still get back the third day.

18 MR. JONES: That's right, and the
19 composition of that one and the Miami event would
20 be one day, and actually the Miami date should say
21 April 9 through 10.

22 CHAIRMAN BRANSTAD: Well, it's not
23 through the 11th, it's just two days?

24 MR. JONES: It's a two-day event. In
25 each case, it's one day of hearing at the
26 beginning, and in the case of Houston, a day and a
27 half of meeting. In the case of Miami, one day of

1 meeting.

2 DR. CHAMBERS: So it's Tuesday,
3 Wednesday for Miami?

4 MR. JONES: Right.

5 DR. CHAMBERS: Not Tuesday, Thursday.

6 MR. JONES: Right.

7 MS. TAKEMOTO: So we fly in?

8 CHAIRMAN BRANSTAD: That's right. We
9 fly in the night before or the day before for both
10 Houston and Miami, is that right?

11 MR. JONES: That's right.

12 MS. TAKEMOTO: We fly in on the 8th?

13 MR. JONES: Right.

14 MS. TAKEMOTO: And we're leaving?

15 MR. JONES: On the 11th, unless of
16 course particular people, and you would be one,
17 could probably return that night.

18 CHAIRMAN BRANSTAD: So that would be all
19 day on the 10th, instead of half day?

20 MR. JONES: That's right.

21 CHAIRMAN BRANSTAD: So it's a two-day.
22 It's all day the 9th, all day the 10th?

23 MR. JONES: Yes.

24 DR. GILL: And you couldn't leave until
25 like after 5:00 on the 10th, right?

26 MR. JONES: Right.

27 DR. GILL: 6:00 on the 10th?

1 MR. JONES: Right.

2 CHAIRMAN BRANSTAD: So, Mr. Horn.

3 MR. HORN: So is that also true for the
4 May and the June dates? They should be two dates,
5 not three?

6 MR. JONES: Yes, thank you. Actually,
7 the June day is to be three, because it's a
8 contingency day and we just, again it's because it
9 would be in the case of there being disagreement on
10 the final day in May. The May event is actually
11 intended to be the 30th and 31st.

12 CHAIRMAN BRANSTAD: Not the 29th?

13 MR. JONES: That's correct, and the 31st
14 would be a half-day meeting. So it would be the
15 full day on the 30th, half day on the 31st.

16 CHAIRMAN BRANSTAD: So the Houston one
17 gets done at noon, and the last one in May,
18 hopefully that's noon on the 31st?

19 MR. JONES: Yes.

20 MR. BARTLETT: So not the 29th?

21 MR. JONES: That's right.

22 MS. TAKEMOTO: So the committee meetings
23 that aren't one of these multiple day meetings, is
24 it all day, no other hearing or anything else that
25 day?

26 MR. JONES: That's right.

27 MS. TAKEMOTO: So someone would fly, if

1 it was far, they'd fly in the night before and then
2 leave that night?

3 MR. JONES: Right, or in the case of,
4 for example, San Diego and Los Angeles, no one
5 would be expected to fly back that night unless
6 they wanted to.

7 MR. RIVAS: I had a question on the ?

8 DR. WRIGHT: On the Houston one, the
9 time frame on the Houston one? What time would the
10 commission start meeting?

11 MR. JONES: It would start meeting at
12 8:00 or 9:00 in the morning on the 25th.

13 DR. WRIGHT: Okay.

14 MR. JONES: And that would be the first
15 hearing. Then the first meeting is the next day.
16 So, it's a day of hearing and then a day of
17 meeting.

18 CHAIRMAN BRANSTAD: And then the second
19 day, we would be done at noon?

20 MR. JONES: That's right.

21 CHAIRMAN BRANSTAD: Second day of
22 meeting, the third day but the second day of
23 meeting.

24 MR. RIVAS: I had a question on the
25 dates for the task force meetings. Is there any
26 particular reason why they're going to be held in
27 the middle of the week?

1 MR. JONES: Yes. It was actually to
2 avoid imposition on, as much as possible, on the
3 weekends of the members. It also, as a practical
4 matter, went to media. We discussed the
5 possibility of doing a Sunday meeting and because
6 part of the purpose of the commission is to bring a
7 higher public awareness, or one of the intentions
8 is to bring a higher public awareness to issues
9 around special education, having events on weekends
10 ?

11 CHAIRMAN BRANSTAD: Reduces the media
12 coverage, is that?

13 MR. JONES: That's right.

14 MR. RIVAS: Well, I wasn't talking about
15 weekends in particular. I was talking more like on
16 a Monday or a Friday, where for flight times.

17 MR. JONES: Right.

18 MR. RIVAS: Because, you know, that's in
19 the middle of the week and you're talking three
20 days out of a work week schedule, with one day
21 before and one day after for some people.

22 MR. JONES: We actually went through and
23 this chart ? I wouldn't even dare to show you this
24 chart now compared to what we have. We actually
25 tried as effectively as we could to group
26 commission meetings, the location of particular
27 topical meetings closest to the people involved to

1 decrease the amount of time spent on travel.

2 As described here, there are nine total
3 meeting days that each person will participate in.

4 That includes two half days and the full days.
5 The most anyone, as we estimated based on our
6 knowledge, traveled, the most anyone would have to
7 additional commit is five additional travel days,
8 out of a total of all that you see here.

9 That would mean, for example, that Mr.
10 Flake and Mr. Hammerman can get up in the morning
11 and fly to Washington. But for example, Ms.
12 Butterfield can not return to Pittsburgh at night
13 from Washington because there are no flights that
14 allow her to get back.

15 We worked through a good deal of that
16 in an effort to reduce the total flight burden on
17 folks, and we in fact at the end of the day, I
18 won't say what, but we did switch two people
19 because it suddenly appeared that we were going to
20 be sending someone across country for most of their
21 meetings. But I will say that our chart, the
22 maximum was five days of travel on top of the nine
23 days of meetings, which struck us as a pretty
24 reasonable burden, given what it could be for the
25 number of meetings we're having.

26 CHAIRMAN BRANSTAD: Maybe what we ought
27 to do is kind of go about this systematically, and

1 look at first, are all the issues involved with
2 membership on the task forces, are you satisfied
3 with the membership on the task forces? Should we
4 have a motion then to approve the membership on the
5 task forces, with the changes that have already
6 been made?

7 DR. GRASMICK: So moved.

8 CHAIRMAN BRANSTAD: So moved, is there a
9 second?

10 MR. HUNTT: Second.

11 CHAIRMAN BRANSTAD: We have a motion.

12 MR. JONES: Ms. Grasmick moved.

13 CHAIRMAN BRANSTAD: Made the motion.
14 Mr. Huntt seconded the motion to approve the task
15 forces with the amendments that have already been
16 made from our previous discussion. Yes.

17 DR. JUSTESEN: Second, you said you
18 needed a second.

19 CHAIRMAN BRANSTAD: It's been seconded
20 by Mr. Huntt, so thank you. Is there a discussion
21 on that motion? All in favor.

22 DR. FLETCHER: Could you review the
23 changes please?

24 MR. JONES: Absolutely.

25 CHAIRMAN BRANSTAD: Yes.

26 MR. JONES: Ms. Grasmick would move from
27 accountability systems to assessment systems. Mr.

1 Berdine and Fleming would move to professional
2 development, and Ms. Wright would be added to
3 assessment systems.

4 MS. TAKEMOTO: Which committee did he
5 move from of the two committees?

6 MR. JONES: Mr. Fleming?

7 MS. TAKEMOTO: Yes.

8 MR. JONES: Mr. Fleming and Mr. Berdine
9 from assessment systems to professional
10 development, and we'll send you, everyone an
11 updated chart.

12 CHAIRMAN BRANSTAD: An update, we'll get
13 an updated chart. But I think before we vote on
14 it, you wanted to know exactly the changes. Any
15 other questions? Any other discussion on the
16 motion? All in favor of the motion, signify by
17 saying aye.

18 (Chorus of ayes.)

19 CHAIRMAN BRANSTAD: Opposed say no. The
20 ayes have it. The motion is approved. Next, let's
21 look at the meeting dates and the hearings. Does
22 somebody want to make a motion to approve the place
23 and times of the meetings and the hearings?

24 MS. ACOSTA: So moved.

25 CHAIRMAN BRANSTAD: We have a motion.

26 DR. COULTER: Second.

27 CHAIRMAN BRANSTAD: And a second.

1 MR. JONES: That was Ms. Acosta and Mr.
2 Coulter.

3 CHAIRMAN BRANSTAD: I can't see the name
4 tags and I haven't got your names memorized yet.
5 So is there any discussion on that motion? And
6 again, this is with the clarifications that have
7 been made in our previous discussion, so that
8 everybody understands the locations and the times
9 of the meetings and the hearings.

10 Any discussion on that? We're ready to
11 vote? All in favor of that motion, signify by
12 saying aye.

13 (Chorus of ayes.)

14 CHAIRMAN BRANSTAD: Those opposed,
15 signify by saying no. The ayes have it. The dates
16 for the meetings and the hearings and the locations
17 are approved. I believe that completes that area
18 of business.

19 MR. JONES: Well, this is going to be a
20 much shorter afternoon than you expected.

21 DR. HUNTT: Mr. Chairman.

22 CHAIRMAN BRANSTAD: Yes.

23 DR. HUNTT: I'd just say congratulations
24 to staff to boil down all of our schedules and all
25 of our interests into this. It's a good job.

26 CHAIRMAN BRANSTAD: It's not an easy
27 thing to do. That's a good point.

1 MR. JONES: Thank you, Mr. Huntt, very
2 much and my thanks to our staff who greatly helped
3 on this.

4 CHAIRMAN BRANSTAD: Mr. Bartlett.

5 MR. BARTLETT: Mr. Chairman, my thanks
6 also, and a second thing that I have an additional
7 request. I think it would be helpful for the
8 commission if the staff could provide us with kind
9 of a chart in which we list out the ? as I recall
10 it, there were nine charges from the President and
11 a number of charges from the Secretary and several
12 charges from the authorizing legislation, and sort
13 of chart those out and then show us where each one
14 of those charges, and there may be some other
15 requests from commission members of areas that we
16 want to study. We could chart those out and see
17 where those appear in each.

18 CHAIRMAN BRANSTAD: The six task forces.

19 MR. BARTLETT: Yes, so we have nine and
20 six divided by 15 and so forth.

21 CHAIRMAN BRANSTAD: Did everybody
22 understand that? I think that's a very good
23 request, and that will help the task forces as they
24 go about their business, giving a clarification.
25 Any other? Yes.

26 DR. SONTAG: Mr. Chairman, Secretary
27 Thompson asked me to offer Madison, Wisconsin as an

1 alternate site on March 13th, given the horrible
2 weather that usually exists in Iowa that time of
3 year.

4 CHAIRMAN BRANSTAD: Madison usually gets
5 it one day later, so. I don't consider that to be
6 a friendly amendment. Yes.

7 MS. TAKEMOTO: I have a question about
8 how the different committees are going to be
9 framing the questions to be discussed, the agenda
10 for the subcommittee meetings. Can you tell me
11 more about that?

12 MR. JONES: The concept was that the
13 rough description of what the groups, the task
14 forces would look into, would be based on their
15 title and the short additional information you see
16 on this meetings and hearing piece. Beyond the
17 scope of that, it would be to the task force itself
18 to define the topic, to look in the right
19 direction, to define the topic as they see the need
20 for the hearing to address it and the report as
21 they develop it to address it.

22 That information will be made available
23 to the rest of the commission, and the commission
24 can then, and task force can look as to whether
25 they want to expand what they're doing, if two task
26 forces are doing the same thing, or two task forces
27 are missing something that one of them should take.

1 But that was at least the concept.

2 MS. TAKEMOTO: I guess I'm just
3 wondering how are the committees supposed to agree
4 as to this ? they can't just show up and say "oh
5 gee, today we're going to discuss this." So how
6 are the committees going to be identifying those in
7 advance of the meetings?

8 MR. JONES: As an organizational matter,
9 and what we're covering now, we're going to contact
10 the six task force chairmen here over the coming
11 days and go through some of their preliminary
12 thoughts and then have a conference call within the
13 next week and a half, and in fact, on my list of
14 things to discuss at our staff meeting tomorrow, is
15 a list that we're going to set up those conference
16 calls so that very shortly, within the next week
17 and a half, we can have those discussions with the
18 task force members themselves.

19 I will tell you, based on doing these
20 meetings, juggling your schedules is a treat, but
21 we should be able to do that in relatively short
22 order, and that will allow us to get a handle on
23 that fairly quickly.

24 CHAIRMAN BRANSTAD: I think the way it's
25 envisioned is the task forces would eventually have
26 their hearings and make their recommendations, and
27 it would be like subcommittees coming back to the

1 full commission, and the full commission would have
2 the opportunity to discuss and debate and review
3 and change if necessary those recommendations.

4 MR. JONES: Go ahead, I'm sorry.

5 MS. TAKEMOTO: Just another question.
6 So then perhaps in the February meeting, there
7 would be some time for us to be meeting in our
8 subcommittees or doing something so that we can
9 also have a face-to-face in advance of the
10 committee meetings, where we're going to have to be
11 running over ? I mean over a one-day period, we're
12 going to have to figure out some preliminary
13 recommendations, listen and learn and figure out
14 preliminary recommendations?

15 CHAIRMAN BRANSTAD: The recommendations
16 don't come at the same day as the hearing.

17 MS. TAKEMOTO: Okay.

18 MR. JONES: Right. No that wouldn't be
19 the case. The purpose of the hearing would be for
20 you ?

21 CHAIRMAN BRANSTAD: To get the input.

22 MR. JONES: ? get the input.

23 CHAIRMAN BRANSTAD: Then the
24 recommendations would come later.

25 MR. JONES: That's right.

26 CHAIRMAN BRANSTAD: So the hearings are
27 truly hearings to get the input, and then it's

1 envisioned that the recommendations would be made
2 by the end of April?

3 MR. JONES: That would be the general
4 idea. The task forces themselves will have
5 positions that evolve by early, probably early in
6 April they agree on a starting text. You get to
7 the end of April, and task forces agree to that
8 text, and then you circulate those texts among
9 commissioners. Yes.

10 DR. GILL: So wouldn't the format of the
11 task force hearings be very similar to the format
12 of the first commission hearing in Houston?

13 MR. JONES: Yes, it would.

14 DR. GILL: So use the same format and
15 isolate some of the topics?

16 MR. JONES: Generally, two differences.

17 One is the first hearing, and we've been working
18 with the ex officios on this, is going to be an
19 over-arching hearing so it will be a lot more
20 general, addressing a lot of topics that are later
21 going to be addressed. But second, frankly the task
22 forces can look at different formats for holding
23 meetings. What I alluded to about different ways
24 of holding meetings, there are a variety and we'll
25 offer them to you.

26 It can be everything from sitting on a
27 dais and having the people in front of you, and you

1 ask them a few questions and then they go away, to
2 sitting at a round table like this and having a
3 facilitated discussion, to having them testify in a
4 position like this and then wait as more witnesses
5 come in and they participate in the Q & A as time
6 goes on. It will depend upon the topic at hand as
7 to which tool you as a task force want to use.

8 DR. GILL: But in essence, it's targeted
9 hearings, is it not?

10 MR. JONES: That's correct. Yes, but
11 they are targeted around a topic.

12 DR. GILL: Exactly.

13 CHAIRMAN BRANSTAD: The first hearing at
14 Houston will be more open.

15 DR. GILL: Right.

16 CHAIRMAN BRANSTAD: Wide open.

17 DR. GILL: Theoretically any of the nine
18 topical areas, right? Theoretically in Houston,
19 you're getting any of the nine topical areas in the
20 task forces.

21 CHAIRMAN BRANSTAD: Right.

22 DR. GILL: Are focused on each of the
23 nine areas.

24 MR. JONES: And some of the areas have
25 crossover. Part of the problem is that if we had
26 nine hearings, that's just more time and one thing
27 we're short of is time.

1 DR. GILL: I understand. Thanks.

2 CHAIRMAN BRANSTAD: Other comments or
3 discussion?

4 DR. SONTAG: Governor?

5 CHAIRMAN BRANSTAD: Yes.

6 DR. SONTAG: A question on the Houston
7 meeting, not the hearing. Are we going to have a
8 chance today to comment on that agenda, to look at
9 it?

10 MR. JONES: Actually there isn't an
11 agenda developed, aside from a conversation that I
12 had, when I said ex officios, with Bob Pasternack,
13 with Reid, and with Beth Ann, about what would an
14 overview look like. It was actually that
15 conversation which led us to some of the work on
16 the task force structure. There isn't a meeting
17 plan at this point yet.

18 It would be circulated beforehand for
19 review, but as someone who has put together
20 hearings before, I can also tell you getting
21 witnesses to say "I will testify on topic X" is a
22 little more interactive process than you would want
23 to be looping back through an approval process
24 every time somebody says "I can't come this week"
25 and that sort of structure.

26 DR. SONTAG: I was talking more about
27 the content at the meeting itself, not the hearing.

1 MR. JONES: Right. Oh, the meeting
2 itself. No there isn't an agenda for the meeting
3 at this time.

4 CHAIRMAN BRANSTAD: Would you like to
5 discuss what should be on the agenda for the
6 meeting?

7 DR. SONTAG: I'd probably like to hear
8 the task force or the staff suggestions of what
9 they're thinking of at this point.

10 MR. JONES: The suggestion we had was
11 actually to structure it around the topics that had
12 been developed by the task forces and to get some,
13 what I would call, generalized input from the
14 commission as a whole on topics that they may not
15 be on the task force of.

16 So let's take finance. If we have some
17 discussions of finance during the first day of the
18 hearing, everyone's going to be thinking about that
19 over that day and the next day want to talk about
20 it a bit. But we only have six people or five
21 people on the finance task force. At that point,
22 we can have a set period of time where there can be
23 a generalized discussion of finance issues among
24 the whole of the commission.

25 CHAIRMAN BRANSTAD: Yes, Steve Bartlett.

26 MR. BARTLETT: Following on Mr. Sontag's
27 question about the first meeting. Staff may just

1 want to think about the title you've chosen. As a
2 recovering politician, as I said earlier, that may
3 build us into a trap. The topic is the
4 "Effectiveness of Special Education" and some will
5 come and say it's absolutely, totally effective.
6 Don't change anything, and others will come and say
7 it will change everything and neither is true.

8 So I think what you're looking for is a
9 balance of where we are and where we want to go, so
10 the effectiveness and challenges, some way to sort
11 of frame it in a way that we invite a candid
12 assessment on where we are and where we want to do.

13 MR. JONES: Well, being a good
14 Washingtonian, I'll pass the buck. Bob, would you
15 care to comment on what you thought as
16 effectiveness encompassing? Would that be fair?

17 DR. PASTERNAK: Well, I think Mr.
18 Bartlett makes a good point. I think what we want
19 to do is not -

20 CHAIRMAN BRANSTAD: Speak into the
21 microphone, please.

22 DR. PASTERNAK: Mr. Bartlett makes a
23 good point and I think that semantics is important
24 or are important, as I just screwed up my
25 semantics, or my grammar, syntax. So think that
26 I'm open to, you know, I'm hoping that one of the
27 things we can do as task forces evolve is have

1 reports from those task forces at our meetings, and
2 I think that's one set of issues.

3 But I think that the goal is to really
4 look at excellence in special education, and the
5 only way to get to excellence is to really kind of
6 look at baseline data and kind of see an
7 assessment, maybe it's rather than effectiveness is
8 this kind of current status or appraisal.

9 I think there can be some work done on
10 the semantics, but I think the intent was to have
11 empirical data as much as possible, brought to the
12 table and to the attention of the commissioners, in
13 terms of where are we at in a variety of different
14 topics.

15 Part of the reason that the decision
16 was made to go to Houston was, as I'm sure you're
17 familiar, the fine work that's been done in Texas
18 and things like the Texas Reading Initiative. And
19 as I was saying this morning, one of the things
20 that the Secretary is very concerned about, as well
21 as the President, is to make sure that we make a
22 link between what goes on in general education with
23 issues that the commission's going to be studying
24 and reviewing in assessing issues in special
25 education.

26 So I think that we can talk about maybe
27 the current status of special education for

1 students with disabilities, as opposed to
2 effectiveness. So I think the intent is to take a
3 look at how effective we're being with perhaps
4 without waving that red flag. I am here to serve
5 the commissioners and would rather play a
6 supporting role, rather than a lead role. So I
7 appreciate your comments, Mr. Bartlett, and am
8 willing to help in whatever way we can.

9 CHAIRMAN BRANSTAD: Well, I think that's
10 a great suggestion. You've got where we are and
11 where we want to go, and I think that puts it in
12 ordinary, understandable language for people and I
13 don't think it's charged in any way. It's neutral.

14 Does anybody have a problem with that. I think
15 that's a good suggestion in terms of the topic, so
16 to speak, and it's broad enough that I think it
17 covers the waterfront. Anybody have any
18 suggestions on how to improve that? Yes.

19 DR. CHAMBERS: I was just going to
20 suggest changing the word effectiveness to
21 excellence, after the name of the commission. Just
22 Excellence in Special Education, where we are and
23 where we want to go. Effectiveness is a little bit
24 loaded.

25 CHAIRMAN BRANSTAD: Right. Well, I
26 think if we say, Special Education, where we are
27 and where we want to go, and where we want to go is

1 excellence.

2 DR. CHAMBERS: I see what you're saying.

3 CHAIRMAN BRANSTAD: Steve, unless you
4 want to work excellence into that.

5 MR. BARTLETT: I mean, excellence was
6 our charge in our title.

7 CHAIRMAN BRANSTAD: That's exactly
8 right.

9 MR. BARTLETT: So that may also be
10 charged.

11 CHAIRMAN BRANSTAD: Where we are and how
12 do we achieve excellence.

13 MR. BARTLETT: I like the idea of
14 Excellence in Special Education, where we are and
15 where we want to go.

16 CHAIRMAN BRANSTAD: Okay, Excellence in
17 Special Education, where we are and where we want
18 to go. Is that language okay with you all? I'm
19 trying to learn how to talk down there in Houston.

20 DR. PASTERNAK: Where we are and how do
21 we get there.

22 CHAIRMAN BRANSTAD: Okay, where we are
23 and how do we get there. Excellence in Special
24 Education, where we are and how do we get there.

25 DR. PASTERNAK: Someone suggested we're
26 lost but we're making great time. Maybe not.

27 CHAIRMAN BRANSTAD: Well, I hope that's

1 not talking about where this commission is right
2 now, because we are ahead of schedule.

3 MR. BARTLETT: Leaving latitude for the
4 staff and the chairman to word smith that after you
5 see it after the 24-hour rule of looking at it
6 after 24 hours from now.

7 CHAIRMAN BRANSTAD: I think we've got
8 some good other suggestions. In terms of also the
9 hearing themes or any of those things that you
10 think could be maybe better categorized? Yes.

11 DR. GRASMICK: I'm just interested in
12 knowing how you're going to engage the public in
13 this hearing process in these various locations.
14 What sort of process will be used?

15 MR. JONES: As it was conceptualized,
16 the task forces would look at the topic they're at
17 and look where they're going, and as a practical
18 matter, we would try and draw witnesses from the
19 area where we are. As you know as someone who has
20 held public events, getting people to come to your
21 event is inversely proportionate to the distance
22 from their event, and the greater the distance the
23 less likelihood they're coming.

24 And so, my expectation is it would be
25 much like that, and in fact the budget I will
26 present works from that presumption as well.

27 DR. GRASMICK: Thank you.

1 CHAIRMAN BRANSTAD: So you envision that
2 we would invite certain experts that we would want
3 to testify and then citizens that wanted to testify
4 would also be given the opportunity?

5 MR. JONES: Well, as a practical matter,
6 that's up to the task force itself. But that would
7 probably not be the case. And the reason for that
8 is, again, given the time constraints involved.
9 When OSERs, Office of Special Education Programs
10 held public hearings on IDEA, well the only one I
11 attended was here in Washington, and I think I saw
12 the number 100 and something being handed out to
13 speakers, and speakers filled all of the time
14 available from people who happened to come.

15 That's wonderful if your goal is to
16 solicit public input generally, but to get it
17 around a particular topic and advance your
18 knowledge on the topic, as staff of this
19 commission, I would recommend that approach.

20 CHAIRMAN BRANSTAD: Yes, Ms. Takemoto.

21 MS. TAKEMOTO: As I said before, I learn
22 a lot from students with disabilities, adults with
23 disabilities, parents and teachers and other
24 experts, and I notice that there are a number of
25 folks who are here that won't be going to most of
26 the hearings because of the transportation.

27 Yet some of the folks in here have

1 spent their lives in individual areas of expertise
2 that could provide data. They've collected
3 information. I think part of it, we as a
4 commission have excellent experiences and
5 perspectives. What I would like to see us do
6 though is to make recommendations that are going to
7 work, and that are implementable.

8 So I'm wondering what would be the
9 interplay between folks, not only here but around
10 the country, who consider themselves an expert in
11 say assessment and over-representation to get us
12 information, not necessarily as part of a hearing,
13 but just to get us information to consider?

14 CHAIRMAN BRANSTAD: Well, I think your
15 point is a good one. I served in the legislature,
16 and I know what public hearings can be like if you
17 just have one speaker after another that gets up
18 and says the same thing over and over again. We
19 want to avoid that repetition but make sure that
20 individuals that have expertise or personal
21 knowledge to share with us have that opportunity,
22 and that they're not prevented from getting that
23 input. So I think that's really the balance that
24 we got to try to reach here.

25 And I don't know, I at least we ought
26 to try to make sure we have a process that's not
27 too closed in terms of the people that are invited

1 to make presentations, that in fact, people feel
2 that they're being prevented from having input.
3 So, is that your concern?

4 MS. TAKEMOTO: Especially for
5 universities or interest groups or whatever that
6 have data. We're supposed to be basing ? we want
7 special education to be based on data, not just the
8 individual experiences of the folks who are
9 implementing that. And so, I just want to make
10 sure that we have the data, not just the stories,
11 but the data upon which to ?

12 CHAIRMAN BRANSTAD: And the data can be
13 supplied in advance too, not necessarily just at a
14 public hearing. But, I mean, I think we're already
15 getting a lot of data and I think there's a lot
16 more that we will receive. I think the real
17 question is, how do we structure this in a way
18 that's open and gets the input and yet is
19 structured enough that it doesn't put us in a
20 situation where we are having repetitious
21 presentations that waste our time.

22 MS. TAKEMOTO: And that this is not
23 going to be our life's work.

24 CHAIRMAN BRANSTAD: That's right because
25 we only have a limited amount of time and a limited
26 amount of resources. Yes.

27 DR. HUNTT: Well, I think maybe one of

1 the ways we can do that is to post it early on, as
2 to who the speakers will be. And then if someone
3 is from that group, they can then present the
4 information to whoever the spokesperson would be.

5 For instance, I would make the
6 recommendation to have, since he's not here I will
7 make the recommendation to have Lex Frieden speak
8 from Houston. Lex is the Presidentially nominated
9 person for the chair of the National Council on
10 Disability. I think Lex would represent a lot of
11 folks who would want to be there to talk at this
12 meeting. So if he's posted early on, then everyone
13 can get to Lex and say "I want you to provide this
14 material."

15 CHAIRMAN BRANSTAD: So the people that
16 are associated with that organization or concerned
17 about that area know their viewpoint will be
18 represented by him and they should get their input
19 to him in advance.

20 MR. HUNTT: Rather than coming.

21 CHAIRMAN BRANSTAD: Rather than having
22 15 people coming with different anecdotal stories
23 about the same thing.

24 MR. HUNTT: Yes, sir.

25 CHAIRMAN BRANSTAD: Okay. Yes, Bryan.

26 DR. HASSEL: Have the eight public
27 hearings that you held in the fall then summarized

1 or tallied or distilled in a way that we could read
2 or get information, since you've done a lot of
3 public outreach and had a lot of opportunity for
4 general members of the public to say things?

5 DR. PASTERNAK: Mr. Chairman, if I may,
6 thanks that's a great question. We are in the
7 process of synthesizing the data, not only from the
8 thousands of people that provided oral testimony
9 but hundreds who provided written testimony, and
10 very shortly we will have a summary. There are
11 some people who have been asking me to present sort
12 of a summary of those data and I'm working on that
13 and then will be happy to get it to the
14 commissioners as well.

15 I would also, Mr. Chairman, offer a
16 suggestion that perhaps there could be a short
17 amount of time allocated at every one of the events
18 that the commission will have for public comment,
19 so that people who are interested, who may not have
20 an opportunity to follow Doug's excellent idea
21 could just kind of come and share some of their
22 wisdom with us.

23 And also because of the website,
24 because of the publicity of the address, there are
25 other strategies and methods where people can get
26 information to the commissioners or to the
27 commission without having to actually come and be a

1 part. Because of the reauthorization process, we
2 also have notice going out in the Federal Register
3 that we're asking for additional comment from folks
4 around the country.

5 So I think there are lots of different
6 opportunities provided to the stakeholders from
7 throughout the country to give us input. But I
8 think that what we want to do is clearly make sure
9 that the public is involved and the public is aware
10 of the activities of the commission, because the
11 people here are very interested in achieving
12 excellence. I think that's why they're here today.
13 Their interest is obvious.

14 DR. WRIGHT: Mr. Chairman.

15 CHAIRMAN BRANSTAD: Yes, Dr. Wright.

16 DR. WRIGHT: I have something about the
17 agenda again. I thought Attorney Jones had said
18 there wouldn't be an agenda, but there will be,
19 won't there? I'm talking about the agenda for each
20 hearing, because wouldn't the agenda be something
21 like this, the Chairman saying welcome?

22 CHAIRMAN BRANSTAD: That's right. We
23 don't have a prepared agenda yet for the next one
24 in Houston.

25 DR. WRIGHT: But you will? He said
26 something about we would not have an agenda, but
27 you would have something, you know.

1 CHAIRMAN BRANSTAD: We'll have an agenda
2 at that time. It's just not prepared as of today.

3 DR. WRIGHT: Well, we know, yes. But I
4 thought you meant there would not be one.

5 MR. JONES: No, and I think you may be
6 thinking of the Governor's comment, when he said
7 that this commission doesn't have a preset agenda.

8 CHAIRMAN BRANSTAD: Preconceived.

9 MR. JONES: Preconceived agenda.

10 DR. WRIGHT: Okay.

11 MR. BARTLETT: Governor.

12 CHAIRMAN BRANSTAD: Yes, Mr. Bartlett.

13 MR. BARTLETT: One last suggestion. I
14 think the benefit of the doubt to whether someone
15 or some group of someone is being heard or not, the
16 benefit of the doubt should go to the person or the
17 group that wants to be heard.

18 So my suggestion was, if anyone
19 contacts a task force chairman or a member or the
20 staff and says "we don't think we're being heard"
21 then the staff should set out to try to be sure
22 that that viewpoint or that group or that person or
23 group of persons are heard, and that's the
24 failsafe. Then if we just let it be known that
25 we're going to hear the breadth, the diversity of
26 viewpoints, then work that out.

27 CHAIRMAN BRANSTAD: And even if at each

1 meeting we set aside a limited number of time and
2 maybe even limit the time to just the presentations
3 to one or two minutes or something like that, we
4 could in each agenda work in an opportunity where
5 there was that chance if somebody wasn't an expert
6 but did have strong feelings and wanted to make a
7 presentation. I guess I feel if it's structured in
8 such a way and limited in time, at least they would
9 have that input and maybe that could be worked into
10 the agenda. But it would be a limited period of
11 the time that would be set aside for that.

12 Because I don't want anybody going away
13 feeling like they were shut out or not given the
14 opportunity for input. I think the importance of
15 this Presidential Commission on Excellence in
16 Special Ed is, in fact, that it is an open process,
17 and one that gives all points of view an
18 opportunity to be heard.

19 DR. BERDINE: Governor, in addition to
20 limiting the time for speaking, oral testimony, I
21 think that we ought to establish print limits. We
22 don't want to have groups coming in with four-inch
23 binders. First of all, it would save them the cost
24 of that production and it would save us the
25 possibility of having to read through all of that.

26 I think we've received, one Todd you sent out a
27 thing from the CCD group.

1 MR. JONES: CCD.

2 DR. BERDINE: CCD. That was a very good
3 example, I think, in terms of it's very succinct on
4 more than an executive summary, but it was bright
5 bulleted points right down to what their positions
6 are. I think we should establish that kind of
7 standard. Otherwise, we or the task force chairs,
8 are going to have to do an awful lot of synthesis.

9 CHAIRMAN BRANSTAD: Do you have a
10 suggestion on that, what that standard should be?
11 Or, should that be left up to the staff?

12 DR. BERDINE: Two to five pages,
13 something in there I think would be plenty. We
14 could ask for more detail if warranted, but I think
15 that if you go much over five pages, you're asking
16 an awful lot, particularly when you consider the
17 numbers of presentations that will made both orally
18 and in print or a combination thereof.

19 MR. JONES: Is that something about
20 which there's consensus. Because that's also
21 something we can integrate into the hearing
22 testimony requirements as we put them out. People
23 simply limit their testimony in that manner.

24 CHAIRMAN BRANSTAD: Should that be kind
25 of an encouragement or a hard and fast rule? Do
26 you think that maybe do that as an encouragement?
27 If somebody's presentation is six pages, I don't

1 know that that's ? yes. But what you're trying to
2 do is keep it limited. So the suggestion is two to
3 five pages.

4 DR. BERDINE: Right, and that also
5 forces the presenters or the organizations or the
6 groups to give some thought to their testimony and
7 provide it in a very thoughtful, succinct way, yes.

8 CHAIRMAN BRANSTAD: Is there any more
9 comment on that? From a consensus perspective,
10 does that make sense to the members of the
11 commission? Yes, Mr. Horn.

12 DR. HORN: I'd just be a little
13 concerned about that because I agree with your
14 earlier comment that this commission ought to be
15 very much data driven. And as a social scientist,
16 I don't like to generally simply be presented with
17 conclusions of studies, but be able to examine the
18 methodology of the studies as well, so that I can
19 make a reasoned judgment as to whether the
20 conclusions that are drawn by the investigators
21 are, in fact, warranted from the methodology and
22 the results that they actually obtained.

23 Consequently, I'd be a little bit
24 concerned that if there was a page limit on written
25 material that was submitted, we may not be getting
26 that kind of information, and instead be driven by
27 conclusions, which may or may not be warranted

1 based upon a reasoned examination of the
2 methodology and actual results that study might
3 have obtained.

4 Having just done this with TANF
5 reauthorization, Secretary Thompson and I went on a
6 nine-city listening tour for input from those who
7 have had experience with Welfare to Work over the
8 last five years. There is a delicate balancing act
9 between insuring that you have an efficient
10 process, yet at the same time insuring that people
11 have an adequate opportunity for public comment.

12 My guess is that most people don't,
13 will not submit six, three-ring binders full of
14 material, knowing that they do have to be somewhat
15 efficient even in written material. But I'd be a
16 little ? I think we could encourage brief written
17 statements, but I think there certainly may be
18 exceptions that would be warranted..

19 CHAIRMAN BRANSTAD: Is that acceptable?

20 DR. BERDINE: This would be put down
21 really as an expression of encouragement in terms
22 of what we would like to see, but not as a hard and
23 fast rule.

24 CHAIRMAN BRANSTAD: Any other
25 suggestions or comments as to how this should be
26 structured? This is an opportunity for us to try
27 to structure this in a way we think can be the most

1 helpful and effective. So if there's other ideas
2 that you'd like to bring up at this time. Yes, Dr.
3 Sontag.

4 DR. SONTAG: As I understand it, the
5 annual report to Congress is due out sometime in
6 the next month or two by OSERS. Is there any
7 chance that it would be available for review and
8 discussion at the Houston meeting? If not the full
9 report, the data tables?

10 DR. PASTERNAK: Mr. Chairman, I think
11 that we'll be happy to try to bring to the
12 commission reports that are available, and I think
13 that Ed's talking about the 23rd Report to
14 Congress, which we're in the process of preparing.

15 So if, in fact, it's not ready at that time, at
16 least we will bring or try to get to people before
17 the meeting, excerpts that might be helpful.

18 CHAIRMAN BRANSTAD: Any other comments
19 or suggestions? If no, we will ?

20 DR. CHAMBERS: Just one other.

21 CHAIRMAN BRANSTAD: Yes.

22 DR. CHAMBERS: One other suggestion. To
23 the extent that we can be provided these materials
24 electronically, as opposed to hard copy. I mean
25 it's nice to get hard copy, but also the electronic
26 allows you to search through documents much more
27 effectively. I know the annual reports are

1 commonly put out there, but you know, for example
2 even getting this document electronically would be
3 very nice.

4 MR. JONES: If you would like that, we
5 can actually have that out this week.

6 DR. CHAMBERS: That would be great.

7 CHAIRMAN BRANSTAD: Okay. We're running
8 ahead of schedule. We'll just move things up about
9 a half hour and take our ? actually, we're almost
10 an hour ahead.

11 MR. JONES: Are you going to complain
12 about that Mr. Chairman?

13 CHAIRMAN BRANSTAD: No, I'm not going to
14 complain about that unless anybody else is going
15 to. Why don't we go ahead with the budget
16 presentation then. I'll recognize Todd to give us
17 the proposed budget.

18 DR. PASTERNAK: Mr. Chairman, I don't
19 know if it's possible today, but it seems like
20 there was consensus that we would want to have
21 public comment at subsequent meetings of the
22 commission. Even though the agenda's been approved,
23 since we do have so many people here today who are
24 vitally interested in the issues of achieving
25 excellence in special ed, I wonder if since people
26 planned on being here the entire day anyway,
27 whether we might invite members of the public who

1 are here to take advantage of the opportunity and
2 kind of speak with us if, in fact, time permits.

3 CHAIRMAN BRANSTAD: I think that's an
4 excellent suggestion. How do the other members of
5 the commission feel? I think because we're going
6 to have an hour or better of time available, and
7 maybe should we do that after the break?

8 MR. JONES: Actually, what might help ?

9 CHAIRMAN BRANSTAD: People might not
10 have come prepared, but if ?

11 DR. PASTERNAK: How many people are
12 prepared?

13 CHAIRMAN BRANSTAD: Well, judging from
14 when we went around the table, I suspect the folks
15 over here are probably ready to say something as
16 well. So, I think it would be good. I think our
17 discussions with the commission in getting a little
18 background there and knowing some of the
19 background. So we can try and structure that since
20 we've got the time. I think it could be well
21 worthwhile. Does anybody object to that?

22 DR. BERDINE: I don't have any
23 objection. I think it's a very good idea, but in
24 thinking of Sergio's earlier presentation, would we
25 be criticized for not having made advance notice
26 that it would be a public opportunity?

27 CHAIRMAN BRANSTAD: Well, I think there

1 was public notice given of this meeting.

2 MR. JONES: Let me make a call over to
3 the General Counsel's Office to make sure that that
4 would be within our right.

5 CHAIRMAN BRANSTAD: Okay.

6 DR. BERDINE: I would just hate to get
7 off, at our first meeting, off on a very bad first
8 step.

9 CHAIRMAN BRANSTAD: We'll check that
10 out.

11 MR. JONES: Yes.

12 CHAIRMAN BRANSTAD: Yes.

13 DR. BUTTERFIELD: We were just talking
14 and, if that turns out to be something that isn't
15 permissible, I mean I think that would be the first
16 choice. But if that doesn't turn out to be
17 permissible, perhaps we could have some time to
18 talk with the individual task force members about
19 maybe setting some agendas or formatting how we
20 would like to work as a task force, just prior to
21 having the discussions with you, Todd, by way of
22 telephone.

23 MR. JONES: In fact, Mr. Bartlett had
24 asked me exactly that, if he group could meet. My
25 only caution would be everyone's on two of these
26 and if all of them met, everyone's going to be
27 missing exactly one meeting at the same time.

1 MR. BARTLETT: We could have each group
2 meet at the break and then at the end of the day
3 also. We could have 15-minute meetings. If we
4 have the time, I think it would be well worthwhile.

5 CHAIRMAN BRANSTAD: To have an initial
6 meeting with each task force. Why don't we go
7 ahead and deal with this budget. Once we've got
8 that done, then we have the time for dealing with
9 both this and hopefully then, we'll have an answer
10 back with regard to giving the members of the
11 public, the interest groups that have an interest
12 in this making a presentation, being given that
13 opportunity.

14 MR. JONES: In fact, Troy, could I have
15 you call David Berthune. Thank you. That's our
16 lawyer who handles such matters over at the
17 department, and so we'll find out possibly sooner
18 rather than later whether that's the answer to
19 that.

20 By show of hands, if the commission did
21 go down that path, how many people would be
22 interested in talking, and then that can be divided
23 into the total time available to determine how long
24 everyone gets to talk? Could folks raise their
25 hand and I'll stand up and count you?

26 CHAIRMAN BRANSTAD: Are there still
27 folks downstairs too? They may want to.

1 MR. JONES: There may be folks
2 downstairs as well. Okay, we'll check with the
3 lawyers, and Linda's going to go downstairs. For
4 those of you who are downstairs, am I on camera?
5 For those folks downstairs, we're going to have
6 somebody come down and see about folks down there
7 commenting. But we'll let you know after we get
8 back with the lawyers.

9 The next piece of paper you have is the
10 proposed budget. Believe it or not, this is a more
11 detailed budget than previous commissions. I asked
12 for previous commission's budgets. They were
13 upwards of four and five lines. So, this is not a
14 hyper technical process when you're running a
15 commission apparently. So I did this for purposes
16 of, frankly, my own management as well as our work
17 and, in fact, these have sub-budgets for how I came
18 about the calculations.

19 But really the budget is fairly
20 straightforward, and as you can see, it's heavily
21 weighted toward a couple of pieces. One is travel
22 and there is a small portion of that that was set
23 aside for bringing witnesses to hearings. And so,
24 if your task force is really interested in saying
25 this person is the definitive speaker on this topic
26 and we need to bring them to the commission
27 hearing, there is some money for that, but it was

1 not a substantially large amount of money.

2 We have communications, which also goes
3 to the development of the report itself. We have
4 graphic design costs and printing, which are not
5 surprisingly high as well. And then, of course,
6 when you are having ten meetings or nine meetings
7 out on the road, you have advance and meeting
8 planning costs. Those are also a substantial cost
9 associated cost here.

10 Transcription services, we are going to
11 transcribe every commission hearing and meeting,
12 and we're going to make those transcripts available
13 online for those that have the patience to read
14 them.

15 We're also going to have issues of
16 security and badges. As a practical matter, that's
17 what you have to do when you're running public
18 government events.

19 I believe I've hit just about
20 everything here except for very small items, room
21 rentals, office supplies. Any of you who would
22 like to come by and visit our offices, we are at 80
23 F Street, which for those of you familiar with the
24 Washington area is just down from the Dubliner and
25 the Irish Times. We are in the American Federation
26 of Government Employees Building on the fourth
27 floor, and you're certainly welcome.

1 CHAIRMAN BRANSTAD: In the Irish
2 section?

3 MR. JONES: Yes. Other than that,
4 that's essentially the scope of the budget and it
5 all comes down to the bottom line of, we have
6 \$400,000. That was the amount we were given and no
7 matter what we look at spending more or less on, it
8 all has to sum up at the bottom of this page to
9 400. And so long as Microsoft Excel is still
10 working, my assumption is that those numbers do add
11 up to \$400,000.

12 CHAIRMAN BRANSTAD: Comments or
13 questions on the proposed budget?

14 MR. BARTLETT: Where's the telephone?

15 MR. JONES: Actually a number of the
16 infrastructure costs, as well as our staff costs
17 are being covered by the department. So,
18 telephone, building maintenance, rental, the bill
19 we had to pay for to set up our walls and so on,
20 the furniture, that's all covered by the
21 department.

22 DR. WRIGHT: Mr. Chairman.

23 CHAIRMAN BRANSTAD: Yes, Dr. Wright.

24 DR. WRIGHT: Do we need a motion to
25 adopt this budget or we do it by consensus or what?

26 CHAIRMAN BRANSTAD: No, I think we
27 should have a motion to adopt this.

1 DR. WRIGHT: I'll give you that motion.

2 CHAIRMAN BRANSTAD: Okay, Dr. Wright
3 moves that we accept the budget. Do we have a
4 second?

5 MR. JONES: Ms. Butterfield.

6 CHAIRMAN BRANSTAD: By Ms. Butterfield.
7 Is there a discussion on the budget, on the
8 proposed budget? All in favor, signify by saying
9 aye.

10 (Chorus of ayes.)

11 CHAIRMAN BRANSTAD: Opposed? It is
12 approved unanimously. And in my dealings in
13 government, that's about the quickest I've ever
14 seen a budget approved. Thank you very much. Yes,
15 Ms. Takemoto.

16 MS. TAKEMOTO: I was reminded, and I
17 should know better than this. I made a comment
18 about how the commission really does need to be
19 data driven, and I sometimes forget that my son is
20 on the other side of a one percent standard
21 deviation ? I mean one percentile, which means that
22 a lot of kids with disabilities, or at least by
23 definition a very small proportion of kids don't
24 fit into that data driven model. They're
25 different.

26 I was reminded by a parent that, while
27 we do need to be data driven, we also need to spend

1 a little bit of time at least listening to just
2 good old moms and dads and grandparents and people
3 with disabilities, both struggling in school, and
4 who've gotten to the other side and understand what
5 it took them to get to that other side to success.

6 So, as we're looking at hard data and
7 everything, if we could reserve a little time for a
8 family member and people with disabilities who just
9 want to remind us that we're about individual
10 students, that would be wonderful for me.

11 CHAIRMAN BRANSTAD: I think your point
12 is well taken, and Mr. Pasternack made that comment
13 earlier as well, that we should make sure that
14 there's an opportunity at each meeting for input
15 from the public.

16 And I think we can find that balance,
17 and I think that's really our challenge is to try
18 to find that balance at each of our meetings so
19 that we're utilizing our time most effectively, but
20 also we're giving people the opportunity to have
21 that input and be able to share their experiences
22 and their knowledge with us. Yes.

23 MS. ACOSTA: And I'd just like to add
24 that that will make whatever is the result of this
25 commission a much more valuable piece for this
26 nation, because it's a marriage of the practical
27 and the scientific, hopefully, coming together in a

1 very real package.

2 As educators and as parents, or as
3 special ed either providers or receivers, we are
4 really looking for what does make us excellent, not
5 just a theory but what can we take to the
6 schoolhouse on Monday and what can we take home to
7 our children on Monday.

8 CHAIRMAN BRANSTAD: Anything else that
9 you all want to bring up at this time? We can take
10 the break early and we're waiting to hear back from
11 the lawyers, I guess, with regard to having public
12 input at this meeting. And then also, we're
13 looking at putting together an opportunity for the
14 subcommittees, for the task forces to get together
15 after the break. Why don't we do that right now,
16 at least decide on what task forces are ? do you
17 want to have one?

18 MR. JONES: I might actually suggest
19 breaking it down just one at a time meeting, and
20 we'll have two meet here initially and then the
21 other four, either two and two or two and four
22 meeting this afternoon. In fact, would you like to
23 start with yours.

24 MR. BARTLETT: If you want,
25 accountability systems will meet right over here
26 for about five or ten minutes.

27 MR. JONES: Okay, then we'll pull

1 together the other folks.

2 CHAIRMAN BRANSTAD: Accountability
3 systems is going to meet in this corner.

4 MR. BARTLETT: As soon as we're done,
5 then you can go on to the next one.

6 CHAIRMAN BRANSTAD: We'll break, and
7 then ? how long do you want to take the break for?

8

9 DR. CHAMBERS: Well, you need 30 minutes
10 if you're giving five minutes for each
11 subcommittee.

12 MR. JONES: Well, I'm saying we would do
13 some now. I was suggesting some now and do some
14 later.

15 CHAIRMAN BRANSTAD: Do you want to set
16 another one. How long is yours going to meet?

17 MR. BARTLETT: No more than ten minutes
18 I would guess.

19 CHAIRMAN BRANSTAD: Do you have another
20 task force that wants to meet after that, then?

21 MR. JONES: Does somebody want to throw
22 up a hand who's a task force?

23 DR. GRASMICK: I'll do one.

24 DR. CHAMBERS: Finance can meet.

25 CHAIRMAN BRANSTAD: Okay, so we'll have
26 finance meet second then. So yours will meet for
27 ten minutes, then yours will meet. We'll take a

1 break for about 20 minutes. These two task forces
2 will have the opportunity to meet during this break
3 and then we'll come back and hear the ? if we get
4 the approval, then we'll go ahead and give
5 opportunity for public input at that time. Okay,
6 with that, we're recessed for 20 minutes.

7 (Whereupon, the above-entitled matter
8 went off the record.)

9 CHAIRMAN BRANSTAD: I understand that
10 they checked with the legal counsel and we're going
11 to be able to accept public input. We're going to
12 provide equal time. I think we had 12 people
13 indicate they wanted to make a presentation. We'll
14 limit it to three minutes a piece. When we
15 reconvene in about five minutes, we'll begin that
16 process.

17 (Whereupon, the above-entitled matter
18 went off the record.)

19 CHAIRMAN BRANSTAD: Okay, may we have
20 your attention again. We're going to reconvene.
21 Earlier when we asked for interest in making a
22 presentation, we had 12 people that indicated an
23 interest to sort of give that input and also to
24 give the task forces an opportunity to get
25 together. We're going to try to limit it to three
26 minutes a piece.

27 Also there's a reception this evening.

1 Some questions have come up about invitations or
2 opportunity to go to that reception, and I want to
3 recognize Cherie Takemoto, whose organization is
4 sponsoring the reception, to respond to that.

5 MS. TAKEMOTO: We've been asked to co-
6 host a reception that will be held at the Anderson
7 House. It's 2118 Massachusetts Avenue, N.W. I
8 hear it's one block off of Dupont Circle, following
9 this meeting from 6:30 to 8:00, that all the
10 commissioners are invited to. We also have the
11 opportunity to invite 100 parents to come, so
12 you'll be hearing from parents and some students
13 from disabilities tonight, as well as I wanted to
14 extend an invitation to anybody in the room who's
15 interested in attending. You're welcome to come.

16 CHAIRMAN BRANSTAD: Okay.

17 MS. ACOSTA: What was that address?

18 MS. TAKEMOTO: It's 2118 Massachusetts
19 Avenue, N.W.

20 CHAIRMAN BRANSTAD: It's my
21 understanding the members of the commission are
22 going to be given an opportunity to ride a bus to
23 the event.

24 MR. JONES: Yes, we have a bus that will
25 be outside. Troy, what time is the bus coming?

26 DR. JUSTESON: 6:00.

27 MR. JONES: Six o'clock out in front of

1 the hotel.

2 DR. CHAMBERS: Is this kind of like a
3 field trip then?

4 MR. JONES: It's a field trip.

5 MS. TAKEMOTO: Oh, that's good.

6 MR. JONES: I can't guarantee that the
7 bus is yellow.

8 CHAIRMAN BRANSTAD: It's a beautiful day
9 to go on a field trip here in the nation's capitol.
10 So we hope you all.

11 DR. CHAMBERS: I'm looking forward to
12 it, I'll guarantee you.

13 CHAIRMAN BRANSTAD: And we invite those
14 that had concerns about this to join us as well.
15 And Terry, thank you very much.

16 MS. TAKEMOTO: I borrowed this from
17 Donna Fluke who worked for the Department of
18 Education. Donna, can you stand up? She has the
19 information for members of the public who need to
20 know where it is. Thanks, Donna. Sorry for
21 embarrassing you.

22 CHAIRMAN BRANSTAD: So, if you have any
23 questions on directions how to get there, contact
24 Donna. I just recently returned from taking my
25 wife and children to Europe over the holidays and
26 we had an interesting experience.

27 Of course, not speaking the language

1 and trying to navigate around Europe without a
2 state trooper or someone like that to guide you
3 around as I've been used to, and we got lost, and
4 my oldest son came up with a great idea. He
5 stopped a cab and he got a cab to the hotel we were
6 trying to find and then we just followed in the
7 van. That was not a bad idea. A 26-year-old kid,
8 so.

9 I guess at this point, we would open
10 it. I don't have a list of the people that
11 volunteered to make presentations. Todd, we're
12 going to limit it to three minutes a piece is that
13 right?

14 MR. JONES: That's right, and I don't
15 want to appear to be harsh, but I will stand after
16 two minutes and 45 seconds and then I won't use
17 physical force. But I will greatly encourage
18 people to stop at three minutes, in part because if
19 we don't, if we don't offer everyone exactly the
20 same amount of time to speak, then we can not allow
21 anyone to speak.

22 CHAIRMAN BRANSTAD: Right. But if we
23 offer people three minutes and somebody uses two
24 minutes and somebody else uses their full three
25 minutes, that's okay.

26 MR. JONES: That's quite all right.

27 CHAIRMAN BRANSTAD: Okay, I just wanted

1 to check that out.

2 DR. WRIGHT: Mr. Chairman, I yield my
3 time. Is that what they holler?

4 CHAIRMAN BRANSTAD: Well, my feeling is,
5 you know, we have some basic guidelines here and
6 we'll try to do it.

7 DR. WRIGHT: I'm teasing. But Mr.
8 Chairman, I yield a minute to her and I yield a
9 minute to him.

10 CHAIRMAN BRANSTAD: I know. This is not
11 the House of Representatives. But we'll try to do
12 it in a fair and democratic way. So who would like
13 to be first? Please come up and identify yourself.

14 MR. MARCHAND: Thank you. Welcome all.
15 My name is Paul Marchand. Excuse me for my voice.
16 I'm fighting a cold. The reason most of those
17 people sent me here first is twofold, one I have to
18 leave for a conference call in a minute, but
19 second, I'm the sole surviving member of the
20 Consortium for Citizens with Disabilities who was
21 here in 1974 an `75, who helped craft Public Law
22 94-142.

23 We come here today to watch you work
24 and wish you well, and also to work with you and
25 share our expertise. We thank Todd very much for
26 having sent to you our principles that are hot off
27 the press that took months of work by over 50

1 national organizations that care a lot about
2 special education.

3 We represent national organizations of
4 parents groups, of advocacy groups, of service
5 providers, of professionals in the field of special
6 education and others. And, collectively we will be
7 working very hard with this Congress, with this
8 administration, and with you to see to it that no
9 child is left behind.

10 Please pay attention to these
11 principles. We hope you read them. We hope that
12 you will come armed at each of your task force
13 meeting, at each of your full meetings having these
14 in the back of your minds as you move ahead,
15 because we are challenged to do the same thing as
16 we do our work.

17 We are going to plan after hearing your
18 plans today, to be at every single one of your task
19 force meetings, at every single one of your full
20 committee meetings, and again we offer or myriad
21 expertise. We look forward to it. We know you
22 have a tremendous challenge. We know you do not
23 have enough time to do your work, but we do know
24 that you need to move with some haste, because
25 depending on the Congress' schedule, even this
26 summer may be a bit late. We'll see.

27 Nonetheless, again we greet you. We

1 wish you well, and we hope to work with you now
2 until you're done. Thank you.

3 CHAIRMAN BRANSTAD: Thank you very much
4 Paul, representing the Consortium for Citizens with
5 Disabilities. Thank you for your presentation. In
6 each case, I would like to ask people to, and that
7 was Paul Marchand from the Consortium for Citizens
8 with Disabilities. And, we would like each of the
9 presenters to do as Paul did, identify themselves,
10 also identify your organization when you come up to
11 present.

12 MR. MARCHAND: I get paid by the ARC of
13 the United States.

14 CHAIRMAN BRANSTAD: Okay. Come on,
15 you're next.

16 MS. WEST: I'm Jane West, and I'm also
17 with the Consortium for Citizens with Disabilities.
18 I'm a consultant here in Washington and I work for
19 a number of different organizations that are
20 vitally interested in the education of students
21 with disabilities and technology and other areas
22 that promote the independence and participation of
23 people with disabilities.

24 I co-chair the Consortium of Citizens
25 with Disabilities with Paul and Katie and Wesley
26 who you will probably hear from shortly, and as
27 Paul noted, our consortium is made up of over 100

1 national organizations. Our task force in
2 education has about 50, and we want to underscore
3 his comment about the principles and hope that you
4 will take a look at those. We will be
5 disseminating them on the Hill and in Congress and
6 very broadly and urging people to use those
7 principles.

8 Just kind of a note. We collectively
9 have spent 25 years, and many of us have dedicated
10 our careers to working here in Washington, and
11 Steve Bartlett knows we bothered him when he was on
12 the Hill and others, and if special ed comes up,
13 we're there. One of the things that I urge you to
14 keep in your consciousness as you move forward
15 looking at this area is the uniqueness of the civil
16 right integration with education.

17 IDEA is a really unusual bill in that
18 way, and that it is both a civil rights law and an
19 education law, and it causes for some really
20 interesting things to happen.

21 The other thing I wanted to mention is
22 that I'm also on the board of an organization
23 called the Committee for Education Funding. That's
24 another coalition here in Washington made up of
25 over 100 national organizations that are concerned
26 about funding issues related to education.

27 Many of you belong to organizations

1 that belong to that organization. There are
2 superintendents on that organization. There are
3 principals on that organization, administrators,
4 special ed, general ed. That's another resource to
5 you in town, and the area of concern there really
6 is funding. I know that many of your mandates are
7 related to funding.

8 I'd like to really thank you for
9 opening up this process, particularly you Governor
10 Branstad. As you know, it's vitally important for
11 us to be able to communicate with you, and we're
12 delighted to hear that your task force meetings are
13 going to be open to the public, as well as your
14 general meetings and we really appreciate the
15 opportunity to make contributions to your work, and
16 look forward to being a resource to you in any way
17 that we can. Thank you.

18 CHAIRMAN BRANSTAD: Okay. Jane West,
19 thank you. Come forward.

20 MS. GOODMAN: I never dreamed I'd get
21 the opportunity to talk here today, so I was a
22 little disjointed even though I've been very
23 anxious to come up here and get a chance to address
24 all of you.

25 My name is Susan Goodman. I am
26 Government Relations Director of National Down
27 Syndrome Congress. The National Down Syndrome

1 Congress is a grassroots organization with
2 affiliated parent groups throughout the country,
3 and most likely there is at least one in your state
4 and probably several more. I also work with the
5 members of the National Down Syndrome Society, with
6 Stephanie Lee who is here today, who is also a
7 government relations representative there.

8 I just have three things I want to say.

9 First of all, this is my bugaboo. Nobody ever
10 listens to me, but I might as well tell it to you.

11 Special education is not a place. Special
12 education is services. We said earlier, the
13 comment was made that IDEA is not special
14 education. I really hope you will remember
15 throughout these deliberations that special
16 education is a group of services that students
17 should not be receiving, should not be a place to
18 which they go.

19 I forgot to tell you about myself. I
20 have been just about everything as the gray hair
21 underneath here would show. I'm a parent of an
22 adult son with severe disability who is a full-time
23 government employee who actually works hard. He is
24 employed due to the excellent special education
25 services he received throughout his life, the last
26 of which were delivered in the state of Maryland.

27 I also have run a school, as well as

1 been a nagging parent who nagged the people who ran
2 schools, and I've worked for government and non-
3 government agencies. I'm a lawyer who has also
4 represented parents of kids with disabilities to
5 get appropriate services. There are just a few
6 things taken from the CCD principles that I would
7 like to emphasize here today, and that is the civil
8 rights of children and families must be maintained.

9 We've heard a lot of discussion about
10 diminishing rights because there were too many
11 levels of due process, or lawyers were too
12 involved, or lawyers were making too much money.
13 Let me state here and now that most lawyers who
14 represent families are not getting rich doing that.

15 Most lawyers representing families are making an
16 average of about \$28,000 a year. So in spite of
17 the law firms that we all know about who have been
18 able to take advantage of the law, that does not
19 happen in most cases.

20 The other principle I'd like to talk
21 about is cessation of services should be
22 prohibited. We aren't going to help anyone in our
23 population by throwing kids out on the streets and
24 letting them do the things they were doing in
25 school out on the streets. Cessation of services
26 should be off the table.

27 And three, we all agree that paperwork

1 in bureaucracy should be decreased, accountability
2 should be increased though for teachers as well as
3 students, and I know that's the goal of this
4 commission, and I thank you very much for your
5 opportunity to speak here today.

6 CHAIRMAN BRANSTAD: Thank you, Susan.
7 Thank you very much.

8 MS. JACKSON: Can you guys see me over
9 the top?

10 PARTICIPANTS: Yes.

11 MS. JACKSON: I'm Leslie Jackson. I'm
12 with the American Occupational Therapy Association.
13 I'm the third prong of the education task force
14 for CCD. I'd like to also extend my appreciation
15 for the opportunity to speak to you today, even
16 though I didn't have prepared comments. We can
17 always do this off the top of our heads.

18 But I want to speak to you about just
19 an observation, and that is the lack of
20 representation for related services on this
21 commission. As you know, the law talks about
22 special education and related services, and I just
23 feel a strong need to ask you to remember that, in
24 addition to the work of the teacher, there's also
25 the support staff that's available to the teachers.

26

27 Related services are very often an

1 afterthought. They're often provided because the
2 team feels they have no other choice, and I'd like
3 to see consideration given to the fact that related
4 services actually are valuable. They're important
5 to the work of the teachers, of the administrators,
6 of the other staff, and they're also important to
7 the success of children. Many kids can not do well
8 in school without related services. Obviously, I'm
9 going to toot OT's horn. But I just would like to
10 put that out there before you.

11 The other thing I'd also like to
12 comment on, that someone said earlier in terms of
13 data driving the process. AOTA would strongly
14 support that, but we also know that there is a lack
15 of data in many areas, and one of those areas is on
16 related services. So as you are looking at the
17 charges that are before you and you're looking for
18 the data, know that many strong scientific studies,
19 investigations have not been conducted on related
20 services.

21 And so, I don't want recommendations
22 made on the lack of data, the absence of data.
23 Finance, this is going to come up a lot because
24 when you're billing third-party payors, they're
25 going to be billing Medicaid for OT services and
26 some of the other therapeutic services.

27 But there's not good data out there, so

1 we really need to think about, in addition to the
2 areas where there is data, what areas do not have
3 data and how can we go about and get that data.
4 AOTA would be very happy to work with the
5 commission on going about doing that. Thank you
6 again for this opportunity. We look forward to
7 working with you all.

8 CHAIRMAN BRANSTAD: Leslie, thank you
9 for your presentation.

10 MS. NEAS: Good afternoon, everyone.

11 I'm

12 Katie Rae Neas. I'm with Easter Seals, and I'm the
13 fourth of the CCD Education Task force chairs, and
14 the last. So I wanted to again thank you for the
15 opportunity to speak to you today. I'm going to
16 talk just very briefly about early childhood. IDEA
17 has two early childhood programs, one that's
18 dedicated to infants and toddlers with disabilities
19 in their families, and the other that's dedicated
20 to pre-schoolers.

21 All the issues in your task forces
22 apply to little kids and it will be one of the
23 things that Congress will be looking at this year.

24 So I would ask you in your consideration that you
25 remember that these issues, especially finance and
26 professional development, systems administration,
27 really are a major concern for families with young

1 children before they reach school.

2 One of our primary concerns is, are we
3 finding kids, are we identifying the right kids
4 soon enough? So when Secretary Paige said we want
5 to find the right kids at the right time, that set
6 off bells and whistles for me, that if they're
7 under the age of five, it's essential that we find
8 them and that they get the services they need when
9 they need them. It will cost less. They will need
10 less special education. Their parents will be
11 better equipped to be effective partners when they
12 come to the school system.

13 And so, we just ask you to be mindful
14 of the full gambit of the programs that you're
15 looking at. So, thank you again today and we
16 really appreciate the opportunity to be here.

17 CHAIRMAN BRANSTAD: Very good, Katie,
18 and people are being really succinct, so go ahead.

19 MS. MALONEY: Good afternoon. My name
20 is Justine Maloney and I am not a co-chair of the
21 education task force. However, I am a worker bee.

22 I've worked with them for years, and we are really
23 the epitome of a good coalition that works together
24 to come up with something that reflects the whole
25 constituency that we serve.

26 My particular constituency is children
27 and adults with learning disabilities. We are a

1 consumer organization, all volunteer, and I have to
2 say ? I hate to be negative, because this is a
3 marvelous opportunity, but we are sort of
4 disappointed that there aren't more parents of kids
5 with disabilities on this commission.

6 And so, we hope that when you go down
7 and have your hearings, you make a special effort
8 to reach out to parent organization so that you can
9 get a sense of what they feel is important in the
10 reauthorization of IDEA. And the one big issue
11 that LDA is concerned about, and it probably would
12 come under accountability, is how many kids with
13 disabilities are graduating from high school? How
14 many are dropping out? How many are moving on to
15 high quality jobs, to post secondary education?

16 And we hope when you look at
17 accountability, you look at what can be done in the
18 transition issue to make sure that these good
19 things happen, and of course, we'll be giving our
20 comments. Thank you very much.

21 CHAIRMAN BRANSTAD: Thank you, Justine.

22 MS. MANDLAWITZ: Oh, dear this is one of
23 these podiums you can't see over. I'm Myrna
24 Mandlawitz and I'm a consultant here in Washington.

25 I represent the School Social Work Association of
26 American and the American Counseling Association.

27 My groups are also members of the

1 Consortium for Citizens with Disabilities, but I'd
2 like to take a moment to tell you about another
3 coalition that's a good resource for you here in
4 Washington. It's called the National Alliance of
5 Pupil Services Organizations or NAPS0. There are a
6 few people around this table who belong to
7 organizations that are members of that coalition as
8 well.

9 We represent related services
10 personnel, known as pupil services personnel also,
11 school social workers, school counselors, school
12 psychologists, OTs, PTs, speech language
13 pathologists, and creative arts therapists. These
14 professionals are really critical in helping
15 students address barriers to learning, and they
16 often act as mentors and advocates for students.

17 These professionals also provide a very
18 important link between the school, the community,
19 and families, and they help insure that there's a
20 safe, secure learning environment for students.

21 A number of our members are deeply
22 involved with addressing students' behavioral and
23 mental health needs, which I think are going to be
24 critical in your discussions. We hope that the
25 commission will consider the important role of
26 related services personnel in all the task force
27 areas that you address, and that you include

1 representatives of related services when you decide
2 about on your witness lists for your individual
3 task force. We really look forward to working with
4 you, and thanks for this opportunity.

5 CHAIRMAN BRANSTAD: Thank you very much,
6 Myrna.

7 MS. MUCHENO: Hi, I'm Kim Mucheno, and I
8 represent the Association of University Centers on
9 Disabilities, formerly the American Association of
10 University Affiliated Programs. AUCD is a network
11 of 61 centers of excellence in developmental
12 disabilities, education, research and services, and
13 they are located in major universities throughout
14 the United States.

15 These programs are dedicated to
16 supporting people with developmental disabilities
17 through inner-disciplinary pre-service preparation
18 and continuing education, provision of community
19 services, research and information dissemination.

20 AUCD is also a member of CCD, the Consortium for
21 Citizens with Disabilities, and we participated in
22 developing the principles put forth by CCD and have
23 also developed our own principles.

24 AUCD just wants to make sure, or we
25 hope that the commission will ? make sure you look
26 at the data that is being developed by all the good
27 research that the UCDS are doing, and make sure

1 that the changes that are made are changes that
2 really need to be made to the statute or are they
3 changes that need to be in the area of
4 implementation.

5 We also do service, early intervention
6 services, and we really think it's important, just
7 as Easter Seals pointed out, Katie pointed out,
8 that more money needs to be put into early
9 intervention services, so that kids are getting the
10 early intervention services they need, so that they
11 are ready to learn. And, we hope that you use the
12 university centers as resources as you work on the
13 reauthorization. Thank you for this opportunity.

14 CHAIRMAN BRANSTAD: Thank you.

15 MS. GARNER: I just want to take a
16 minute here and thank all of you for having this
17 meeting today, putting this commission together.
18 My name is Connie Garner, and I am Senator
19 Kennedy's Director of Disability Policy. I also do
20 his mental health work. And, as you know, the
21 Senator has worked very closely with the Bush
22 Administration in a bipartisan way to help get ESEA
23 passed a couple weeks ago.

24 We have every intention of trying to
25 work again in a very bipartisan, bicameral with the
26 inclusion of the administration. I think Bob
27 Pasternack, we've had enough meetings to know we

1 can all work together to really strengthen this
2 law, so that the outcomes for children with
3 disabilities really make a difference to those
4 children and to their families. I think that's
5 what we're interested in working toward.

6 From a committee point of view, all of
7 our committee members in the Senate, both the
8 Republicans and the Democrats have committed to
9 work together to try to get a good piece of
10 legislation out as soon as we can, given that we
11 need to look at the issues in the correct way but
12 not to delay this longer than it needs to be
13 delayed.

14 So, thank you for having us, and we
15 hope that we'll all be able to work together well.

16 I think we will. From a personal point of view
17 though, let me just kind of put a face on this for
18 a minute. My background is, I'm actually a
19 pediatric and neonatal nurse practitioner by trade.

20 My doctorate is in health and education both.

21 My husband's a pediatrician. We have
22 seven children. One is in third grade and the
23 oldest one is 26 years old. Two of them are
24 teachers and we do have a 14-year-old in that mix,
25 who does have a disability.

26 So, I was saying to someone earlier,
27 our dinner table is its own hearing, I will tell

1 you. I can put an issue out there and the guys
2 that are teachers don't have any agreement with
3 what I say about their sister's needs, and
4 everybody else brings the sibling perspective. And
5 then the third grader has a lot to say about
6 reading. So, we really do have an inherent hearing
7 in our family.

8 But one of the things that I would
9 just, as a nurse, not as Senator Kennedy's person,
10 not in a partisan way at all, but as a neonatal
11 nurse practitioner, and I do still practice at
12 Georgetown, I would tell you that whatever we can
13 do to work together to make this system right for
14 families that have children with special needs, it
15 is so important.

16 It's a very different law than ESEA to
17 reauthorize, and I can tell you for every Friday
18 night that I go into that labor and delivery area,
19 and for every night that the Gerber doesn't turn
20 out to be a Gerber baby, and many more children
21 need the doors of those neonatal intensive care
22 units, we need to care. It's not just about, in my
23 instance, keeping everyone alive and using the best
24 technology that we can, but it's also about having
25 some quality of life for those children and some
26 rights over time.

27 I think the person who had spoken

1 earlier, Jane, and talked about the very careful
2 balance that needs to be between the civil right
3 underpinning of this law, which will never go away,
4 because it's a Fourteenth Amendment civil rights
5 underpinning. Balancing that with a good
6 educational program is the challenge that's really
7 set forth to all of us, and particularly you all
8 today.

9 So we look forward to working together
10 with you, and I want to see a great bill that we
11 can go back to every family in the nursery and say
12 "you know what, your kids are going to be the very
13 best they can be and this country's made it that
14 way." So hopefully we can all work together to do
15 that. Thank you.

16 CHAIRMAN BRANSTAD: Connie, thank you
17 very much.

18 MR. YUDEN: Hi, I just want to say a few
19 quick words. My name is Michael Yuden. I'm with
20 Senator Jim Jeffords. I know Senator Jeffords
21 would like to extend his appreciation to all of you
22 for your commitment and dedication to children with
23 disabilities.

24 Twenty-six years ago, as a freshman
25 member of Congress, Senator Jeffords had the
26 opportunity and the privilege to work on the
27 original version of the IDEA law. Since then, he

1 has been a committed advocate and dedicated his
2 career to make sure that children with disabilities
3 get the educational services that they need, and
4 that the Constitution requires.

5 As we move forward, I know one of
6 Senator Jeffords major concerns and problems with
7 IDEA is the government's failure to adequately fund
8 IDEA. Twenty-six years ago, they made a commitment
9 to do so and while recent years have seen increases
10 in dollars toward special ed, the costs associated
11 with special ed has skyrocketed recently, economic
12 downturn, the state education budgets are being
13 slashed. We need this funding more than ever.

14 I just want to echo a little bit as
15 well the importance of early education,
16 intervention, prevention, you know. As we move
17 forward, we really need to focus on our youngest
18 kids, our neediest kids. Thank you. I think this
19 is a great opportunity for all of us to work
20 together. I know Senator Jeffords looks forward to
21 working with you as well. Thanks,

22 CHAIRMAN BRANSTAD: Michael, thank you.

23 MS. RALABATE: Thank you. I'm probably
24 the shortest person who is going to be getting up
25 here, so hopefully you can see me. My name is
26 Patty Ralabate. Three weeks ago, I was a speech
27 pathologist in Connecticut. Today, I have assumed

1 a new position with the National Education
2 Association as its professional associate
3 responsible for special needs. I had no intention
4 of speaking with you today, especially being brand
5 new with the NEA.

6 But I did want to take the opportunity
7 to offer some help to you from the NEA. You may
8 not be aware of the fact that NEA has some
9 particular expertise available for you, in areas
10 such as assessment and reading, teacher preparation
11 and certainly personnel issues, and we'd like to
12 offer that to you as you do your work. We're
13 intensely interested in what you're going to do and
14 we want to work with you cooperatively.

15 NEA represents all educational
16 employees. We have related service personnel as
17 members, special educators, special ed directors,
18 administrators, principals, higher education
19 people. We have custodians, bus drivers, and
20 paraeducators, all as our members. And in
21 particular, we have a very vital voice that I think
22 needs to be heard here, and that's the voice of the
23 general education teacher. So we offer that to
24 you.

25 We offer to you our expertise, and our
26 opinions and we hope that you'll take the
27 opportunity to hear them and to use them. Thank you

1 for your work and thank you for the opportunity to
2 talk with you today.

3 CHAIRMAN BRANSTAD: Patty, thank you.

4 MS. REDER: Oh, it's two microphones.
5 Hi, I'm Nancy Reder and I'm here representing the
6 National Association of State Directors of Special
7 Education, and I want to thank you for this
8 opportunity to say just a few words.

9 We do work very closely with CCD. We
10 also work very closely with a number of education
11 groups through an informal coalition, called the
12 Elementary-Secondary Coalition and we expect to be
13 working closely with both of those groups through
14 the reauthorization process.

15 NASDSE's already taken full advantage
16 of this commission by having several of you come
17 and speak at our annual meeting this past November,
18 and likewise, I would have liked to encourage you
19 to take advantage of our members.

20 I would say probably that every single
21 one of our state directors of special education has
22 worked their way up through the education system,
23 as a teacher, as a special educator, and probably
24 was a local administrator before they got to the
25 state level. If you don't know your state director
26 of special education, I would urge you to make a
27 call upon them.

1 I'll make available to Todd contact
2 information for each of our state directors so that
3 you'll have that, and they would certainly welcome
4 sitting down and talking to you, as people who are
5 in charge of implementing the Federal law at the
6 state level.

7 I just wanted to say two other
8 comments; one, I really appreciated the comments of
9 Secretary Paige this morning, talking about
10 accountability, and Bob Pasternack echoed those
11 comments. Accountability is one of the key issues
12 of our members. We are strong supporters of that.

13 We feel that no child should be left behind. We
14 were saying it even before the President said it,
15 that children in special education programs need to
16 be included in accountability systems, and we're
17 glad that the ESEA bill that passed also
18 acknowledged that as well.

19 NASDSE has prepared a legislative
20 agenda, and if you haven't already received a copy
21 of that, you will ? good. Then I would urge you to
22 look at that. We're in the process of sort of
23 flushing that out even further, and we'll be
24 sharing those comments with you.

25 Finally, I just want to mention that
26 NASDSE has one of four partnerships. We're one of
27 four partnerships funded by OSER. Ours is the

1 policy maker partnership, and we've been working
2 very closely with policymakers, the governors, the
3 state legislators, people involved in higher
4 education, to look at systemic change for special
5 education.

6 We've been working with each one of
7 those organizations, helping to move special
8 education issues to the forefront of those
9 organizations, and we made just a tremendous
10 partnership with a number of groups. We'd like to
11 share the fruits of those efforts with you as well.

12 So, thank you very much and we look forward to
13 working with you.

14 CHAIRMAN BRANSTAD: Thank you, Nancy.

15 MS. RUPPMANN: My name is Jamie
16 Ruppmann, and I'm currently the Director of
17 Governmental Relations for TASH. Our organization
18 is an advocacy organization that bridges a
19 membership that includes university and college
20 professors and researchers, self advocates,
21 families, and practitioners. So we see ourselves
22 as very unique and very much a bridge organization.

23 But the most important thing that you
24 need to know, that I want to tell you about, is
25 that both of my sons were diagnosed very early in
26 their lives as having disabilities, prior to the
27 passage of 94-142. So I'm a very old mom, probably

1 even older than Justine. We were going to let her
2 go last, because she was the oldest, or first.

3 My sons are now 30 and 36 years old,
4 and we as a family came a very, very long way. But
5 I can tell you beyond a shadow of a doubt, and it
6 is as true now because I've spent the last seven
7 years in the field working with families and
8 teachers and helping them to solve problems and
9 work together and bring a partnership to bear of
10 their planning for individual children and
11 families. I can tell you that it is as true today
12 as it was back when 94-142 was passed, that this
13 law changes the lives of children and families.

14 To say that we, as a family, were
15 unprepared for the diagnosis of our two children is
16 an understatement beyond belief, but nothing but
17 good has come for us over the years as a society,
18 and as a community of schools and educators and
19 people who care about children, nothing but good
20 has come from the idea that families and children
21 should be part of community and should be part of
22 their school communities and have a right to do so.

23 The second thing I would like to say is
24 that I was so encouraged to hear the Governor talk
25 about excellence in achievement. I do believe that
26 it has been missing, and someone out there has said
27 that they don't think that the current lobbyists on

1 disability issues, and the current families are
2 very good out-of-the-box thinkers.

3 Well, I'm here to tell you that most of
4 us have had to do an awful lot of out-of-the-box
5 thinking for an awful long time, and I think that
6 you will find that if you reach out to self-
7 advocates, we do have a generation of students you
8 know who have been through the school system. My
9 son who is 30 is part of that first generation.

10 So I would very much encourage you not
11 to tack them onto the end for a minute, but to
12 really reach out to your communities before you get
13 there and find out if your self-advocates and some
14 of your families who have expertise can become part
15 of your panels, and flesh out and put a face on
16 that data that Wade and I are so anxious for you to
17 review. Thank you so much for the opportunity to
18 be here today, and God bless you all. You're going
19 to have a very busy spring.

20 CHAIRMAN BRANSTAD: Thank you, Jamie.

21 MS. ZIEGLER: Good afternoon. It's a
22 pleasure to be here and I appreciate the
23 opportunity, Governor, for the flexibility in
24 allowing the audience to participate in this
25 discussion. It's very important for us to be here
26 and to hear your point of view, and congratulations
27 to each one of you for your appointment. You

1 certainly have a challenge to face in front of you
2 and we wish you well from the Council for
3 Exceptional Children.

4 My name is Deb Ziegler, and I'm the
5 Assistant Executive Director for public policy for
6 the Council for Exceptional Children. We're the
7 largest professional organization, dedicated to the
8 outcomes of achievement for all children, birth
9 through 21.

10 We are an umbrella organization. As I
11 look around the room, many of you are members of
12 CEC. We represent those individuals who work on
13 behalf of children with disabilities and with gifts
14 and talents. And those professionals that we
15 represent, include higher ed individuals,
16 practitioners, teachers, related service personnel,
17 parents. When you start the list, you always leave
18 out someone, policymakers.

19 And so our charge is a very difficult
20 charge when it comes to public policy, and with an
21 umbrella organization, it's often difficult for us
22 to come up with very specific recommendations, when
23 we represent such a large group of individuals who
24 have very diverse ideas about how IDEA should be
25 implemented and reauthorized.

26 We started the process very early at
27 CEC. We've been meeting since our annual meeting

1 in Kansas City. We have provided a number of
2 opportunities for our members to provide input. As
3 you all know, 1997 was not that long ago, when IDEA
4 was just reauthorized. It seems that's just a
5 short time ago. We're ready for the new
6 reauthorization.

7 However, CEC's recommendation is a
8 cautious approach. Certainly we recognize that
9 there are some issues that, in fact, may need to be
10 reformed. But we need to be convinced that those
11 reform efforts will actually result in good
12 outcomes for children and their families.

13 We encourage this commission to take a
14 very strong look at the law and its implementation,
15 and determine the level of government or the level
16 of intervention necessary, in order to insure that
17 implementation is moving forward in a positive
18 direction.

19 Many of the changes may not be
20 statutory, and many of our members have indicated
21 to us, issues that we feel are those issues that
22 may be best addressed through state and local
23 policy, through training and technical assistance.

24 We have a very well-developed Part D system that
25 supports the Part B and Part C system within IDEA,
26 which includes training, technical assistance,
27 research, personnel, et cetera, and we urge you to

1 take a look at all parts of the law, and look at
2 the issues and carefully examine the issues that
3 relate to the implementation.

4 CEC has put together a paper on the
5 implementation and reauthorization of IDEA. We've
6 identified five issues. I would like to take the
7 liberty of, if I have permission, to circulate the
8 paper?

9 MR. JONES: Actually, we will circulate
10 that for you.

11 MS. ZIEGLER: Yes, and I have copies.
12 We always come prepared, as Leslie indicated. I
13 do. We never miss a moment and would be anxious
14 for your input and it's up on our web as well. So,
15 I'll give these to you, Todd. Thank you very much.
16 Good luck in your work, and we look forward to
17 working with you, and acting as a resource if you
18 need any information from our association.

19 DR. WRIGHT: And your website is
20 excellently done.

21 MS. ZIEGLER: Thank you, Katie.

22 MS. WALSH: Thank you. Good afternoon.

23 I'm very happy to be here. My name is Sharon
24 Walsh, and I'm here representing two groups that
25 focus on early childhood issues, and I'm here to
26 offer our assistance, as you proceed with your very
27 significant task, that I know ? I'm very encouraged

1 after sitting here today and listening. I'm very
2 optimistic and, as Patty said, we're intensely
3 interested in the deliberations that you are about
4 to undertake.

5 The two organizations I represent are
6 the Division for Early Childhood of CEC, the
7 Council for Exceptional Children, and the other one
8 is a recently formed organization called the Infant
9 and Toddler Coordinators Association. And we
10 represent the state agencies that administer the
11 Part C birth-to-three program.

12 So between those two organizations, I
13 believe we're in a good position, and we're
14 offering our assistance today in any way that we
15 can be of help in programs particularly related to
16 the birth-to-three Part C section of IDEA, the
17 preschool program under Part B of the law, and as
18 Deb said, the very important Part D initiatives,
19 the national activities under IDEA.

20 And as you proceed, I know many folks
21 around the table, you've already mentioned that,
22 will agree with us, one of the keys to successful
23 and effective and excellence in special education
24 will be the cornerstone of early intervention.

25 So if we strive toward better early
26 intervention and then the early availability of
27 quality services that are evidence-based, and

1 quality providers available to provide those
2 services to children and families, I think we can
3 truly achieve excellence in special ed.

4 So again, you have a large task ahead
5 of you, and if there's anything the two
6 organizations I represent can do to assist you,
7 we'd be happy to do so and we will most definitely
8 be providing written recommendations to you. Thank
9 you.

10 CHAIRMAN BRANSTAD: Thank you, Sharon.

11 MS. RAIMANDO: Good afternoon. Thank
12 you for the opportunity to be here today. Thank
13 you, Governor, members of the commission. My name
14 is Barbara Raimando and I'm with two organizations,
15 the American Society for Deaf Children, which is a
16 parent organization, and the Conference of
17 Educational Administrators of Schools and Programs
18 for the deaf, which is an organization of
19 superintendents of public and private schools for
20 the deaf around the country.

21 I'm also the mother of two children who
22 are deaf. They're seven years old and twelve years
23 old. They attend the Maryland School for the Deaf
24 in Frederick, which is about 50 miles northwest of
25 here. They're day students, so they come home
26 every day. I hope I have all my complicated
27 childcare arrangements worked out today. My

1 daughter was identified when she was a year old, so
2 I guess I've been really preparing to talk to
3 people about this for the past eleven years.

4 About 90 percent of children who are
5 deaf are born to hearing parents, most of whom know
6 nothing about hearing loss and have never met a
7 deaf or hard of hearing person in their whole
8 lives. And so, they really need a lot of
9 information and support, particularly early on.

10 As some of my colleagues have
11 mentioned, the early intervention systems, and
12 they're absolutely critical for children who are
13 deaf or hard of hearing, perhaps now more than
14 ever, because about 45 states have newborn hearing
15 screening programs. Many of them are really in a
16 state of movement from theory to reality and
17 they're really working to link with their Part C
18 programs.

19 They're also finding out that their
20 Part C programs are not always adequate to the
21 task, so I would ask that you keep that in mind as
22 you go through your deliberations on this topic.

23 The other point that I wanted to make
24 is that IDEA really needs to do a little bit better
25 job of addressing the language and communication
26 needs of deaf and hard of hearing children. As you
27 can imagine, those needs are the most important

1 ones affected by hearing loss, and my
2 organizations, and several others that we work in,
3 have put together a document that has some ideas on
4 ways that IDEA can change to better meet the needs
5 of these children.

6 We promote a language ? a communication
7 driven program that's formerly articulated in the
8 law, and that would include communication
9 assessment, communication development, and
10 communication access. That's really a piece that
11 sometimes is really misunderstood or missing from a
12 lot of programs.

13 Hearing loss is considered a low
14 incidence disability, so sometimes we get lost in
15 the shuffle, as well as I think some of the blind
16 groups. So I hope that you'll keep us in mind as
17 you discuss, over the next coming months, and think
18 about your report. I did bring copies of this
19 document for all of you, and I'd be happy to serve
20 as a resource as you move on over the next few
21 months. Thank you.

22 CHAIRMAN BRANSTAD: Thank you, Barbara.
23 Are there any other presenters? Yes, come on up.
24 Come forward. Everybody has done really well.
25 I'm really pleased the way it's moved along. Go
26 ahead.

27 MS. VANKEUREN: Good afternoon. I'm

1 Linda Vankeuren and I'm with the Council for
2 Exceptional Children. Like many of you here, I
3 used to be a special education teacher, and like
4 many of you here, I have not been in the classroom
5 for a while. This is a personal request.

6 I would like each of you to take a vow
7 that before your work is done ? I'm very nervous if
8 you can't tell by the way my voice is trembling ?
9 that you go into at least five schools and talk to
10 the special education teachers, find out about the
11 conditions that they are working in that prevent
12 them from providing a quality education to their
13 kids, find out what they're doing, what they hope
14 to achieve and what their goals are.

15 Our teachers are very dedicated, but
16 they are working in very challenging conditions
17 right now, and I think it's imperative that you go
18 into the schools, talk to them, their general
19 education colleagues, and find out what's going on.

20 Thank you.

21 CHAIRMAN BRANSTAD: Any other
22 presenters? I want to thank Paul, Jane, Susan,
23 Leslie, Katie, Justine, Myra, Kim, Connie, Michael,
24 Patty, Nancy, Jamie, Deb, Sharon, Barbara and Linda
25 for each making a presentation. And we had 17
26 people and I think they presented some very good
27 information in a very short period of time. I

1 compliment all of you for doing that.

2 (Applause.)

3 CHAIRMAN BRANSTAD: I think one of the
4 things that I found is there is a real passion and
5 a real concern and there's people with a wealth of
6 experience and knowledge that want to share it with
7 us. I think the idea of visiting with parents in
8 your own communities and visiting the schools and
9 especially the special ed teachers and also the
10 general ed teachers that are involved in working
11 with kids.

12 And also dealing with the other issues
13 we talked about, the deaf and hearing loss and
14 others, those are all good suggestions and ideas,
15 and I think having this input really early at this
16 beginning stage will be really helpful to us.

17 So I thank all of you for coming, for
18 participating in this. I hope we can continue to
19 structure this in such a way that people get that
20 input, and yet that we can move along. We know we
21 have a limited time frame, but I just want to say
22 thank you and I appreciate, you know, with short
23 notice you all came up and stepped up to the plate
24 and did a really good job. I'm sorry we couldn't
25 give you better conditions, but hopefully as we
26 move forward, we'll try to do that. I think we're
27 going to have another task force that's going to ?

1 MR. JONES: After a brief discussion, as
2 a practical matter, the only task force that really
3 should talk today, as opposed to waiting for a
4 conference call over the next week, is the
5 professional development group that will be meeting
6 in Denver. And so, if that group could get
7 together.

8 CHAIRMAN BRANSTAD: All right, is there
9 any other business that we need to discuss? Any
10 other members of the commission have anything they
11 want to bring up? Yes, Mr. Fletcher.

12 DR. FLETCHER: I would like to meet
13 briefly with the assessment committee, if I could.

14 CHAIRMAN BRANSTAD: Okay.

15 DR. FLETCHER: I have a couple of
16 questions I need to ask.

17 MR. JONES: Would that be possible if we
18 do it after the professional development?

19 CHAIRMAN BRANSTAD: We'll do the
20 professional development first and then the
21 assessment group, ask them to wait about ten
22 minutes and meet after that. And then, for those
23 of us who will be going on the bus, the members of
24 the commission that are here, it's 6:00 in the
25 lobby.

26 MR. JONES: Yes.

27 CHAIRMAN BRANSTAD: We meet, we convene

1 at 6:00 in the lobby. Is there anything else?
2 Otherwise, we're going to have some time for you.
3 Yes, Nancy.

4 DR. GRASMICK: I just want to be sure
5 that for our research group, there will be an
6 opportunity to arrange that conference call because
7 we haven't met today.

8 MR. JONES: Right. We're going to, as
9 quickly as we can in fact, starting tomorrow we're
10 going to be e-mailing everyone to see what their
11 schedules are for the next week and a half so we
12 can arrange that conference call quickly. Part of
13 the difficulty is if we stack them up the way the
14 last ones went, they tend to take more than 10
15 minutes. It will be 5:30, you're hanging out here
16 too long, and you all do have the good fortune of
17 having about two and a half months, as opposed to
18 the five weeks.

19 DR. GRASMICK: Thank you.

20 CHAIRMAN BRANSTAD: Okay, yes. Mr.
21 Sontag.

22 DR. SONTAG: Mr. Chairman, I just want
23 to thank you for opening up the meeting today to
24 some of the major stakeholders. I think it's going
25 to help the work of this commission down the road.

26 CHAIRMAN BRANSTAD: Well, thank you.
27 And I want to thank the stakeholders for your

1 patience and for your understanding and for being
2 here, and for making adjustments on short notice.
3 I think, you know, we all share a common commitment
4 and interest in doing what we can to assess where
5 we are, the progress that's been made, try to build
6 on that to make it an even brighter and better
7 future, and to achieve the President's goal of
8 leaving no child behind and really achieving
9 excellence in special education.

10 We know that's a huge task and we know
11 we're only, you know, bit players in this whole
12 thing, but hopefully we can make a difference, and
13 I appreciate very much the sharing of the members
14 of the commission this morning, and the
15 stakeholders' presentations and their sharing of
16 their information and their commitment this
17 afternoon. Together, we'll go forward.

18 I've got a thick skin. I've been in
19 public life a long time and if you have criticisms
20 or suggestions or ways that we can improve this
21 process, I'm a believer in openness, and yet I also
22 recognize the responsibility that we have and the
23 limits we have in terms of our time.

24 So we're going to try to balance that
25 in a way that's fair and treats everybody in an
26 equitable way. So thank you for that. Yes.

27 DR. CHAMBERS: Just in light of the

1 comments that were made by Linda, and I'm sorry I
2 forgot your last name already, but from CEC, I
3 really thought the idea of visiting some schools.

4 CHAIRMAN BRANSTAD: Absolutely.

5 DR. CHAMBERS: Obviously we can do that
6 in our own communities easily enough, but for me,
7 that's one state, one location. I guess I would
8 just like to at least put out there, is there any
9 way that we can think about the logistics of having
10 the commission be able to visit some schools in
11 different parts of the country that we're going to
12 be in.

13 CHAIRMAN BRANSTAD: We have some cost
14 constraints on that, although maybe in conjunction
15 with our hearings or something, something like that
16 could be considered. I have already met with the
17 Iowa State Education Association, some of the
18 special ed teachers in my own state, and while I
19 was Governor, I visited probably an average of 20
20 or 30 schools a year.

21 I think it's really important to get to
22 the schools, because then you get a chance to see
23 the situation that the students and the teachers
24 are dealing with. Also what's the right term?

25 MS. JACKSON: Related services workers.

26 CHAIRMAN BRANSTAD: The other related
27 services workers, thank you very much. I

1 appreciate you helping me complete that sentence.
2 The related services, I think we do need to know,
3 and hear from and see what they're dealing with.

4 So I think that's a good idea. We all,
5 at least on our own, and I think we ought to look
6 if there might be some school visits could be
7 worked in an economical way with our meetings or
8 hearings. But I think on our own, we can also
9 visit schools and meet with parents in our
10 communities as part of our effort to learn as much
11 as we can so we can do the best job possible in
12 making our recommendations. Yes.

13 MS. ACOSTA: Governor, I would just like
14 to reiterate the invitation as well, as a school
15 principal, and I have my state superintendent here
16 with me. I'm sure she would agree with me that we
17 would open and you're welcome to come to any of our
18 Maryland schools. You can come to my school
19 anytime.

20 One of the former attorneys for the
21 Department of Educations, ethics lawyer, is now a
22 teacher in my school. So I owe her and I just
23 wanted to again thank the public for their input.
24 It's very enriching for me and very supportive that
25 we have such support in this work of the
26 commission.

27 And finally, President Bush told me

1 once in a brief conversation I had with him that he
2 considers letting a child in our country go
3 unattended to be the underbelly of bigotry, and
4 every time someone got up there and spoke, that
5 kept going through me, and certainly that's a
6 charge that we, as Americans, need not ever have on
7 our shoulders. So I thank you so very much. That
8 was wonderful and very refreshing.

9 CHAIRMAN BRANSTAD: Thank you Adela.
10 Beth Ann.

11 DR. BUTTERFIELD: Paula.

12 CHAIRMAN BRANSTAD: I'm sorry, Paula.
13 I'm sorry. I'm one name tag off.

14 DR. BUTTERFIELD: It's okay. It's a
15 learning disability.

16 CHAIRMAN BRANSTAD: You'll find I make
17 plenty of mistakes, so go ahead Paula.

18 DR. BUTTERFIELD: I was thinking as a
19 school person myself, it might be interesting for
20 instance, I could see where in professional
21 development that perhaps when we're in Denver, we
22 hold our hearing in a school. You know, I know
23 that there are schools that would have that
24 capability. Some wouldn't.

25 But I do have a number of colleagues I
26 know in the Denver area in the schools, that
27 perhaps I could contact and ask if we could hold a

1 hearing there. And then that way, we could
2 actually have a kid or two to be there to keep us
3 focused on what we're there for.

4 CHAIRMAN BRANSTAD: I think that's a
5 great idea.

6 MR. JONES: As far as the choice of
7 whether to go forward with that, that's really up
8 to the task forces who choose how they want to
9 structure their time. The only constraints are
10 time and money.

11 CHAIRMAN BRANSTAD: I guess my feeling
12 is, I want to give you, within the constraints
13 we've got in terms of time and money, as much
14 flexibility as possible. So the task force chairs
15 I think are in a position to have that flexibility,
16 and as chair of the commission, I'll try to do what
17 I can to provide that openness and flexibility as
18 well, so people in fact get the opportunity to have
19 the input. Other comments or? Yes, Nancy.

20 DR. GRASMICK: I just think we would be
21 remiss, I know earlier we said something about the
22 staff, but I just want to particularly thank Todd
23 Jones. I think he's been incredible and his
24 customer service skills are wonderful.

25 MR. JONES: Thank you.

26 (Applause.)

27 CHAIRMAN BRANSTAD: I think that's a

1 very good point. Not only Todd, but the rest of
2 the staff as well. They all have, you know, and
3 we're going to need them to be there at the
4 meetings and the hearings to make sure that the
5 information gets taken down and that we stay on
6 task to do what we need to do. So I want to also
7 reiterate what Nancy said and express our
8 appreciation.

9 MR. JONES: I would feel ashamed if I
10 were to take a compliment like that without
11 thanking the staff who work much harder and much
12 better than I do at the work that they do.

13 CHAIRMAN BRANSTAD: Yes, Mr. Huntt.

14 DR. HUNTT: Mr. Chairman, I'd also ? I
15 think we'd also be remiss not to express our
16 appreciation for you being willing to take the
17 chair. It's been a very professionally run meeting
18 and you bring a great deal of credibility to it and
19 I appreciate it.

20 CHAIRMAN BRANSTAD: Well, when the
21 President of the United States gives you an
22 assignment like this, it's a honor and I consider
23 it an honor and a privilege to be able to associate
24 with all of you, everyone, not only the members of
25 the commission, but all the stakeholders and the
26 parents and the people that have been here and that
27 we've had a chance to hear from today.

1 So, I think this is a good start. I
2 know we've got a lot of work to do, and I guess I
3 challenge all of you to do your very best, and
4 hopefully together, we'll have an impact and we'll
5 make a difference in achieving what the President
6 has given us the charge to do.

7 So with that, we're going to give you a
8 little time off, and we do have the reception.
9 Cherie Takemoto, thank you and your organization
10 and the others that are sponsoring that. We look
11 forward to seeing you tonight. And those of you
12 that are riding the bus, 6:00 down in the lobby.
13 With that, we're adjourned.

14 (Whereupon, the above-entitled matter
15 was concluded at 4:22 p.m.)

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