

Minutes

State Advisory Council for the
Education of Children with Disabilities

The Arkansas Advisory Council for the Education of Children with Disabilities met in the Conference Room at the Victory Building, Suite 445, on Tuesday, January 15, 2019.

Council Members Present:

Cindy Ball
Maryanne Caldwell - for Alan McClain
Marcella Dalla Rosa
Dana Davis
Courtney Eubanks
Leslie Faulkner
Angeletta Giles
Bill Glover
Dewey Graves
Patricia James
Shelby Knight
Lacey Monroe
Candia Nicholas
Sherry Rogers
Bruce Smith
Deb Swink
Robyn Williams
Sonja Wright-McMurray – for Dr. Angela Kremers

Special Education Staff Present:

Jeff Adams
Jody Fields
Christina Foley
Tiah Frazier
Jared Hogue
Lisa Johnson
Dara Nix
Rhonda Saunders
Matt Sewell
Robin Stripling
Michelle Waldo

Guests Present: None

The meeting began at 9:15 a.m. with Ms. Deb Swink, Chairperson, calling the Council meeting to order. Ms. Swink welcomed the Advisory Council members; Arkansas Department of Education, Special Education Unit (ADE-SEU) staff; and guests to the meeting.

Approval of Meeting Minutes:

Motions were made and seconded to approve the minutes from the October 23, 2018, meeting and the minutes were approved by the council.

Presentation: Dr. Jody Fields, Special Education Data Manager, reviewed Arkansas' FFY 17 (2017-2018) Special Education Annual Performance Report (APR) submitted to the Office of Special Education Programs, U. S. Department of Education (OSEP).

Indicator 1: Graduation

Performance Indicator: Percent of youth with IEPs graduating from high school with a regular diploma within a four year period. If a student remains in school more than four years, that student is not counted as a graduate in the calculation. The target was 85.10%. The reported rate was 83.80% for 2016-2017. The target was not met.

Indicator 2: Dropout

Performance Indicator: Percent of youth with an IEP dropping out of high school. The target for 2016-2017 was 2.14% and the reported rate is 1.88%. The target was met.

Indicator 3: Assessment

Performance Indicator: Participation and performance of children with IEPs on statewide assessments.

Indicator 3B: Assessment Participation

Performance Indicator: Participation rates for children with IEPs on the statewide assessment. The state must meet the target of 95% for reading and math. The reported rate for reading was 98.76% and the reported rate for math was 98.83%. The target was met.

Indicator 3C: Assessment Proficiency

Performance Indicator: Proficiency rate for children with IEPs against grade level and alternate academic achievement standards. The Arkansas targets for Indicator 3C were based on analysis of trend data. The target for reading was 36.19%. The reported rate for reading was 11.15%. The target was 41.11% for math and the reported rate for math was 17.19%. The targets were not met.

Indicator 4: Discipline

Indicator 4A: Suspension/Expulsion

Performance Indicator: Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs compared to general education. This calculation is based on data from the 2016-2017 school year. The target is 30% and the actual rate is 19.64%; 11 districts out of 56 districts had a significant discrepancy. The target was met.

Indicator 4B: Suspension/Expulsion

Compliance Indicator: Percent of districts that have significant discrepancy by race or ethnicity in the rate of suspensions and expulsions.

The federal target is zero percent. The State identified eight districts as having a significant discrepancy. After a review of their policies, procedures, and practices via the self-assessment, the State determined one district with discrepancies resulting from inappropriate policies, procedures, and practices. The target was not met.

Indicator 5: Least Restrictive Environment (LRE)

Performance Indicator: Percent of children ages six through twenty-one removed from regular class, served in public/private separate school, residential facility, homebound, or hospital placement not including corrections or private schools:

- A. Inside the regular class 80% or more of the day,
- B. Inside the regular class less than 40% of the day, or
- C. In separate schools, residential facilities or homebound/hospital placements.

Based on the December 2017 child count, the target for children inside the regular class 80% of the day or more is 61.81% and the actual rate was 53.34%. The target was not met. The target for children inside the regular class less than 40% of the day was 12.16% and the actual rate was 13.15%. The target was not met. The target for children in separate schools, residential facilities or homebound/hospital placements is 2.43% and the actual rate was 2.14 %. The target was met.

Indicator 6: Preschool Least Restrictive Environment (LRE)

Performance Indicator: Percent of preschool children ages three through five with IEPs attending:

- A. Regular early childhood program, receiving the majority of special education and related services in the regular early childhood program,
- B. Separate special education class, separate school, or residential facility.

The State did not meet the target of 34.93% for regular early childhood program with an actual rate of 28.17%. The State did meet the target of 28.61% for the percent of students receiving services in a separate school or residential facility with an actual rate of 27.27%.

Indicator 7: Preschool Outcomes

Performance Indicator: Percent of preschool children aged three through five with improved:

- A. Positive social-emotional skills (including social relationships),
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy), and
- C. Use of appropriate behaviors to meet their needs.

Each outcome has two targets measuring the increased rate of growth when entering the program and then functioning within age expectations, when the child exits the program.

- A. Positive social-emotional skills
Entry: Target 91.08% - Actual rate 84.39%
Exit: Target 68.24% - Actual rate 57.89%
- B. Knowledge and skills
Entry: Target 91.90% - Actual rate 85.98%
Exit: Target 59.64% - Actual rate 45.68%
- C. Appropriate behaviors
Entry: Target 91.65% - Actual rate 86.59%
Exit: Target 76.93% - Actual rate 64.97%

The State did not meet the targets in these three categories.

Indicator 8: Parent Involvement

Performance Indicator: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. These are based upon parent surveys which the district has given to the parents, with a response rate of 34.86%. The State did not meet the target of 93.86% for parents of preschool students; the actual rate was 92.26%. The State did not meet the target of 95.49% for parents of school age students; the actual rate was 93.18%.

Indicator 9: Disproportionate Representation

Compliance Indicator: Percent of districts with disproportionality due to inappropriate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

No districts were identified as having disproportionate representation that was a result of inappropriate identification.

Indicator 10: Disproportionate Representation in Specific Disability Categories

Compliance Indicator: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. No districts were determined to have disproportionality in racial and ethnic groups in specific disability categories that was a result of inappropriate identification.

Indicator 11: Child Find - Evaluation Timelines

Compliance Indicator: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. The target percentage for 2017-2018 was 100%. The State rate was 99.54%. The target was not met.

Indicator 12: Early Childhood Transition

Compliance Indicator: Percent of children referred by Part C prior to age three, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. As a compliance indicator, the target is 100%. The actual rate was 100%. The target was met.

Indicator 13: Secondary Transition

Compliance Indicator: Percent of youth aged sixteen and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs. This is a compliance indicator, so the target is 100%. The State rate was 97.44%. The target was not met.

Indicator 14: Post-School Outcomes

Performance Indicator: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school,
- B. Enrolled in higher education or competitively employed within one year of leaving high school,
- C. Enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of leaving high school.

A. Percent of youth who had IEPs, are no longer in secondary school, and enrolled in postsecondary school within one year of leaving high school. The target for students enrolled in higher education within one year 15.31% and the actual rate was 8.27%. The target was not met.

B. Percent of youth who had IEPs, are no longer in secondary school, and who have been enrolled in higher education or competitively employed within one year of leaving high school. The target for students enrolled in higher education or competitively employed within one year was 51.00% and the actual rate was 48.68%. The target was not met.

C. Enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of leaving high school. The target for students enrolled in higher education, or in some other postsecondary education or training program, or competitively employed or in some other employment was 62.48% and the actual rate was 52.07%. The target was not met.

Indicator 15: Resolution Sessions

Performance Indicator: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. The target for resolution sessions that were resolved through resolution sessions was 64.80% and the actual rate 55.56%. The target was not met.

Indicator 16: Mediation

Performance Indicator: Percent of mediations that resulted in mediation agreements. The target of 81.44% was met with an actual rate of 93.55%. The target was met.

Indicator 17: State Systemic Improvement Plan – State Identified Measurable Result (SIMR): Dr. Jeff Adams and Dr. Jody Fields

Dr. Adams presented a brief review of the two broad strategies for the Arkansas State Systemic Improvement Plan (SSIP). Strategy one of the SSIP focuses on creating a system of support that is aligned with other Arkansas Department of Education Units and is differentiated based on LEA's needs as evidenced by data. Dr. Adams discussed ongoing cross-unit efforts to leverage agency resources to support schools identified for Additional Targeted Support (ATS) due to chronic underperformance for the subpopulation of students with disabilities. Purposeful alignment activities have occurred through monthly ADE Strategic Performance Management

(SPM) meetings, ADE Division of Learning Services meetings, and with eleven grant groups comprising the Arkansas Collaborative Consultants (ACC).

Regarding strategy two of the SSIP, Dr. Jody Fields presented a brief review of data for State Identified Measurable Result (SIMR). This performance indicator addresses the percentage of students with disabilities (SWD) in grades 3-5, from a cohort of targeted schools, whose value-added score (VAS) in reading is moderate or high for the same subject and grade level in the state. The target for the SIMR was 61.30% and the actual rate was 50.63%. The target was not met.

Description of Measure: Percent of SWD in grades 3- 5, from the targeted schools, whose VAS in reading is moderate or high for the same subject and grade level in the state.

Presentation: Mr. Matt Sewell, Arkansas Department of Education, Special Education Associate Director presented the Proposed Bylaw Changes that were suggested by John Copenhaver at our last meeting on October 23, 2018. Review and prepare to vote on proposed Bylaw Changes at the April 16th meeting.

- Article II, Section 2. General Duties
 - Add the following duties:
 - The SEA, after deleting personally identifiable information, must provide the Advisory Council with the due process hearing (DPH) findings and decisions. Make those findings and decisions available to the public. (300.513(d) and 300.514(c)
 - Waiver of non-supplant requirement. The State must consult with the Advisory Council regarding the provisions of a Free Appropriate Public Education (FAPE). (300.164(c)(4)
- Article II, Section 3. Annual Report
 - Add the following due date:
 - September 1
- Article IV, Section 7. Public Comment
 - Add new section as follows:
 - Public Comments – Ground Rules

The following are guidelines for public input:

- A. Thirty minutes will be allocated on the agenda for public input at each meeting
- B. Additional time may be added at the discretion of the Chair
- C. Public comment may be oral, in person, or in written form to be read by the Chair
- D. Public comment is limited to no more than three minutes per person
- E. A sign-in sheet will be available at the registration table. Those wishing to speak will be asked to sign in. The Chair will call on individuals based on the order participants have signed in
- F. Persons submitting comment by writing will be signed in by the Chair
- G. Each speaker will clearly state his or her full name and county of residence
- H. All public comments should be factual and should not include personally identifiable information of students or personnel in order to maintain confidentiality. Speakers

should avoid using names of students or staff and maintain confidentiality and privacy standards

I. All public comments will be taken under advisement by the Panel but will not elicit a written or spoken response. The names of persons providing public comment and a brief summary of topics or input will be documented as part of the meeting's record

- Article V - Officers
 - Rearrange the order in which the positions are listed, as follows:
 - Chairperson, Vice Chairperson, and Secretary

Agenda Amendment:

Motion was made by Ms. Deb Swink to amend the agenda by adding “Review Proposed Budget” line item, and it was approved by the council.

Agenda item Amendment: Proposed Annual Budget Review (Lisa Tyler)

Presentation: Lisa Tyler, Director of Student Support Services for the ADE, gave an overview of Arkansas’ Part B Interactive Spreadsheet FFY 18. Every January our annual application for the next year is discussed. The annual application pertains to the money the state received from the federal government for the education of students with disabilities. The proposed budget was discussed and Council Members provided input.

Presentation: Lisa Tyler

Ms. Tyler gave an overview of the Catastrophic Occurrence Fund Proposed Rule Changes. Changes to the Catastrophic funding formula are being considered to promote the equitable distribution of resources for students with the most unduly expensive and extraordinary costs associated with the special education services they need, regardless of the school they attend. The proposed rule change will be posted for public review for 30 days beginning January 18, 2019, pending State Board Approval, and ending March 20, 2019.

Section Reports:

Section Reports are available to view on the Special Education website.

Future Agenda Item Suggestions:

- Dewey Graves- Roy Johnson/motivational speaker & author of “Put Some Gratitude in Your Attitude!”
- Maryanne Caldwell- Opportunities for Work Based Learning (OWL) program video (10 minutes)
- Sherry Rogers- Review Family Involvement Survey
- Sonja Wright-McMurray- Share Perkins Transition Plan
- Courtney Eubanks- CHI St. Vincent Project SEARCH video (5 minutes)

Next Steps and Final Remarks:

The next Council meeting is scheduled for April 16, 2019, at 10:00 a.m. The April meeting agenda will include a presentation on Opportunities for Work Based Learning (OWL) program and video, the Review of the Family Involvement Survey, and a presentation on the Share Perkins Transition Plan. The meeting was adjourned at 2:20 p.m.