

Minutes

State Advisory Council For the Education of Individuals with Disabilities

The Arkansas Advisory Council for the Education of Individuals with Disabilities met in the Conference Room at the Victory Building, Suite 445, on Thursday, April 11, 2013.

Council Members Present:

Bobby Acklin
Christine Archer
Kathleen Atkins
Kim Coles
Dana Davis
Courtney Eubanks
Bill Glover
Valarie Harvel
Jim Moreland
Julie Mayberry
Kimberly Parker
Deborah Swink
Marsha Tolson
Barry Vuletich

Special Education Staff Present:

Martha Kay Asti
Linda Barnes
Jennifer Brown
Samantha Duclos
Jody Fields
Brittney Green
Yvonne Green
Lisa Haley
Sherry Holliman
Alia Moore
Danny Reed
Courtney Salas-Ford
Donald Watkins

Guest(s) Present:

None

The meeting began at 9:07 A.M. with introductions and welcoming of the Advisory Council Members and Special Education Staff by Chairperson Deb Swink. A motion to approve the minutes from the previous forum was initiated. Kathleen Atkins made a motion to approve the minutes from January 17, 2013. Courtney Eubanks seconded the motion. Motion carried.

Martha Kay Asti, Associate Director, Special Education Unit - reported that we have a new advisory council member, Randy Laverty. He is the new commissioner for Arkansas Rehabilitation Services. He was unable to attend but sent his representative, Jim Moreland. We are glad to have him on our advisory council. Martha Kay also formerly welcomed special education newly hired personnel since the last meeting: Samantha Duclos (also known as Sam), Martha Kay's assistant, Alia Moore, administrative assistant for finance, Linda Barnes, receptionist, Yvonne Green, Supervisor for Monitoring and Program Effectiveness.

Deb Swink asked for approval from the council to move section reports to the afternoon and to begin with the topical reports. No objections were made so Deb introduced Martha Kay Asti.

Martha Kay Asti requested that all members complete a member information form in order to obtain current contact information.

Mrs. Asti spoke briefly about Part B of the state application explaining that we are required to submit an application to OSEP each year for funding. Assurances are provided that correlate specifically with the State's rules and regulations. Some requirements with Medicaid are being changed. Those changes will take effect in July. A legal notice was posted in the newspaper to

inform the public that the application is available for their review. Copies will also be available in the SEU and on the special education website at <http://arksped.k12.ar.us/default.html>.

Mrs. Asti talked about sequestration and how it is going to affect different government agencies. Special Education would be reduced a little over 5%, which amounted to about a 5.5 million dollar cut of our federal funding. OSEP advised the State to make adjustments in terms of budgeting for next year. Grant funds will be sent in July and in October. She explained that OSEP provides the amount of funds that are required to go directly to districts, the amount allowed for administration, and the amount that is available for set-aside in several areas. She stated that the priority is students so preliminary budget cuts would be made in the areas that least effect students. This would include reviewing out-of-state travel and what is being spent for offices. Three satellite offices in which area service grant personnel are housed would be relocated to one central location in downtown Little Rock. A behavior support specialist will be placed in every educational service cooperative (ESC) which would increase the personnel in that area from 8 to 16. The 8 vision consultants and 5 transition consultants will also be housed in the ESC with their service area, cutting down on travel costs within the state.

Courtney Salas-Ford, Program Administrator for Dispute Resolution – reported that in February an amendment to the federal regulations under IDEA, became effective on March 18th. Districts have until July 1st to be in compliance. The new amendment requires that districts get Medicaid consent from parents one time. Consent must be obtained prior to billing Medicaid and must provide the parent with notice regarding what their consent constitutes, and that it will not cost them anything nor negatively affect their benefits or rights. The notice has to include a statement that the parent has the right to withdrawal the consent at any time and that the withdrawal or refusal of consent does not relieve the district of their responsibility to provide that service. She added that once the parent gives initial consent, it is good for the duration of their career within that district. The only time a new consent would be mandated would be if the student changed districts. She stated that the SEU would be amending our consent forms to make sure they align with these requirements. OSEP will provide a model notice to States for districts to use to inform the parents of their consent. This amendment only applies to public insurance and benefits, and does not affect private insurance.

Courtney Salas-Ford – reported on the use of restraint and seclusion in the use of school districts. Arkansas currently does not have any state legislation or regulations governing restraint or seclusion. There is no federal regulation or citation; it is left to the states. Some states are starting to pass legislation governing restraint and seclusion in school districts. At this time Arkansas is not aware of any that prohibit it, but they definitely put a significant amount of conditions and different requirements on it. A committee of 12 members and each member represents a specific constituent group, is currently conducting research and discussing a guidance document that could be of benefit to the districts. The guidance document addresses when restraint should and should not be used, what districts should be doing in terms of notifying parties, what kind of records should be kept and the kind of data collection for the State.

Lisa Haley, Program Administrator of Monitoring and Program Effectiveness – briefly spoke about the SLD Task Force, which was assembled to provide guidance for districts regarding allowable methods for determining a student's eligibility under SLD. Arkansas has three allowable methods: the discrepancy model, response to intervention (RTI), and research based methodology. Most of our districts use a blended model of discrepancy and RTI. Districts were asking for more guidance on what they should be doing to determine a student eligible

under RTI and research based methodology. The SEU initiated a task force with representatives from all areas of the state. The task force is meeting to discuss each of the three allowable methods and provide guidance to districts when determining eligibility for SLD. The document will assist districts in their understanding and application of the methods. It is anticipated that the guidance document will be ready sometime before Christmas next year.

Jennifer Brown, Program Administrator for Curriculum and Assessment – reported on our Standards-based IEP project. The official deadline for the implementation of SB-IEPs was April 1st. All IEPs written on and after this date must be standards-based and written using the Common Core State Standards for ELA and math. In January there were four webinars that covered how to complete the new pages on the IEP. A video recording of the standards-based training will be done in July at AETN so that all districts, LEAs and teachers and staff will have access to the resource at any time. The recording will be an Arkansas IDEAS professional development course, and as an Institute on the Common Core Arkansas website for district use.

Ms. Brown also spoke on the National Center and State Collaborative (NCSC), a project led by five centers and 28 states charged with building an alternate assessment based on alternate achievement standards for students with the most significant cognitive disabilities. NCSC will also develop curriculum, instruction, and professional development support for teachers of students with significant cognitive disabilities. To find more information about NCSC, she suggested members visit the NCSC website at www.ncscpartners.org.

For Partnership for Assessment of Readiness for College and Careers (PARCC), Ms. Brown reported that draft accommodations policies for reading access, calculator, and writing access have all been through public comment. The full draft of the PARCC Accommodations Manual will be published for public review in April or May 2013. The Governing Board will vote on the final version in June 2013. As a governing state with PARCC, Arkansas has participants in the review and comment on the final full draft of this document. The PARCC Assessment Administration Capacity Planning Tool has been released to assist districts with planning and budgeting for the computer-based assessments that will be administered beginning the 2014-2015 school year. ADE held a statewide webinar April 3rd to provide guidance to district leadership about how to best utilize this tool.

Lisa Haley – reported on the Monitoring summary as of April 5th explaining that the SEU has finished stage 1 of the review and made revisions to the monitoring system. So far this year, 39 school-age programs (ages 5-21) and four early childhood programs (ages 3-5) have been monitored for compliance with state and federal regulations governing programs for students with disabilities. Based on the information collected and analyzed during the official monitoring of these agencies, it was determined that three school-age programs were out of compliance with requirements set forth in the regulations and corrective actions were necessary.

Courtney Salas-Ford – reported that we have had five new hearings since January, but only had three new complaints. An effort is being made to communicate with districts and parents and encourage them to communicate with each other to resolve their issues. Numbers for mediation have gone up significantly which has contributed a lot in the decrease of complaints. Last month, a new pilot project for facilitated IEP meetings was initiated and eight districts across the state were chosen to participate. As part of the project, those districts can choose one of the mediators that have been cross-trained as facilitators to come to an IEP meeting as an independent third party between the parent and the district, to try to help resolve any issues before it gets to the level of a complaint or mediation. If successful, it will be offered to all school districts.

Donald Watkins, Program Administrator for Grants and Data Management – reported that grants and data staff continues to provide technical assistance to District and Education Service Cooperative (ESC) personnel. All budget applications for 2012-13 have been received from school districts. Less than 10% of the budgets/annual financial reports (AFR) have been submitted by districts without requiring the district to provide additional information for their budgets to be approved. All Preschool budgets have been approved.

Jody Fields, Special Education Data Manager – reported on the child count for 2012-13 and 2011-12 school years. In early childhood our count went down but in school age our count went up and this is the first time this has happened in about four years.

Reports Submitted for February 1st:

- State Performance Plan
- Annual Performance Report
- Child Count by Age and Disability
- Child County by Environment and Disability

Migration to new student management system is continuing. All LEAs will be in the new system for the 2014-15 school year.

Registration for the Special Education Data Summit was released and is available on the Special Education website under Data & Research. The Summit will be held June 17-18, 2013 at the Embassy Suites.

Dr. Fields also reported that IDEA Data & Research continues to work with Arkansas Transition Services to implement two technical assistance grants awarded to the ADE-SEU. One is for dropout prevention and the other is for the post school outcomes which focused on Indicators 1, 2, 13, and 14 of the Annual Performance Report.

Sherry Holliman, Program Administrator for State Program Development - There are 25 Educational Interpreters listed in the 2012-13 school year. 50 (1st – 3rd) Special Education teachers have attended SPDG professional development in the areas of literacy, positive behavior and differentiated instruction. On the CAYSI Project, 142 students listed on the DeafBlind Registry for 2012 and twenty of those students were referred and found eligible in 2012.

The top four concerns from the Family Needs Assessment are:

- Understanding the special services their child needs;
- Working with the school;
- Finding better ways to communicate with their child; and
- Using assistive technology

Ms. Holliman also reported that the Arkansas Co-Teaching Project continues to provide professional development support to 26 schools across the state, including three ADE designated Priority Schools and four designated Focus Schools. Multiple webinars and network meetings were provided on co-teaching. The Arkansas Department of Education was recently cited in the book, “Leading the Co-Teaching Dance: Leadership Strategies to Enhance Team Outcomes,” as mentors for co-teaching leadership. The book was published by the Council for Exceptional Children (CEC), the premier professional organization for special education.

Howie Knoff, State Personnel Development Grant Services – SPDG staff are in the process of writing the Annual Report that is due May 1st. Staff continues to do a lot of onsite consultation to districts, especially since the SPDG School Improvement process is written into the states ESEA Flexibility. Professional development services are provided to districts and their staff in the areas of leadership, literacy, math, etc. to address the needs of students with disabilities. SPDG continues to collaborate with the ADE on the Literacy Project. This work consists of reviewing the literacy standards within common core; how do we teach those in our classrooms, and determining interventions in the different areas to assist students who are struggling learners that have disability concerns. There is a literacy and intervention matrix on the SPDG website that is a resource to teachers. Math interventions went live on the website about six months ago and have been really popular. For more information on the grant and grant related services/activities, members were given two websites: www.arstudentsuccess.org and www.mathinterventions.org. Dr. Knoff emphasized that sometimes students do not respond because teachers don't have good classroom management and this appears to be a need in our state. In addition to the consultations completed by SPDG staff, about 125 trainings were conducted. Deb Swink made a positive comment on work from SPDG and how helpful it was to districts and school personnel.

Deb Swink, Chairperson – provided the report from Medicaid in the Schools (MITS) on updates on Medicaid for Third Quarter for direct and indirect services. Other information shared included that Medicaid is waiting on final changes to parental consent forms, and would be watching to see how the Medicaid private option will affect school districts (these changes may reduce Medicaid reimbursement). She added that Coordinated School Health is reviewing grants to determine those districts that will receive funding for health centers.

Martha Kay Asti opened up the floor for council members to ask any questions or bring up any topics for the council to discuss in the future.

Julie Mayberry talked about being concerned about special education kids getting the same opportunities as other students in things like P.E. Jennifer Brown said she would check on it.

Marsha Tolson asked if we have gotten anything out to the LEAs regarding the new change in FERPA. Courtney is drafting something to be sent out soon.

Deb Swink asked if there are any topical speaker suggestions for our next meeting.

Barry Vuletich mentioned getting an update from Youth Services, if possible.

Deb Swink announced that our original next meeting date was scheduled for Thursday, July 25th but there are numerous conflicting meetings. She told members that she and Martha Kay would look at the calendar and schedule the next meeting for some time in July. Information will be sent to Council members as the date can be confirmed.

There were no additional questions or comments.

Christine Archer gave the motion to adjourn. Barry Vuletich seconded the motion. The meeting adjourned at 1:00 P.M.