

## 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 Wednesday, July 17, 2013.

#### **Council Members Present:**

Bobby Acklin  
Dana Davis  
Courtney Eubanks  
Jim Moreland  
Julie Mayberry  
Kimberly Parker  
Marylene Tate  
Barry Vuletich

#### **Special Education Staff Present:**

Martha Kay Asti  
Jennifer Brown  
Samantha Duclos  
Lisa Haley  
Danny Reed  
Courtney Salas-Ford  
Donald Watkins

#### **Guest(s) Present:**

Staci Croom-Raley

The meeting began at 9:08 A.M. with introductions and welcoming of the Advisory Council Members and Special Education Staff by Courtney Eubanks, filling in for Chairperson, Deb Swink. There was no quorum so no vote was taken to approve the minutes from April 11, 2013. One guest was present, Staci Croom-Raley, Attorney and Vice President of Workforce Development. Ms. Croom-Raley is a parent of a child with a disability and wanted to learn about special education in Arkansas. Ms. Eubanks asked that everyone to introduce themselves. Ms. Eubanks introduced Martha Kay Asti.

**Martha Kay Asti, Associate Director, Special Education Unit** – Mrs. Asti briefly spoke about some changes within the membership. Mr. Acklin is in a new position this year, having been named Superintendent at Dollarway. Ms. Eubanks explained that she had moved from Fountain Lake to Lakeside this year. Debra Culpepper, Co-Chair, resigned from the Advisory Council in May. Alicia Ramirez-Hartz had retired and moved to Texas. New individuals will be appointed to fill their positions on the Advisory Council.

Other personnel changes were also announced. Sherry Holliman, the Administrator for State Program Development is no longer with the ADE. She accepted a position with Wilbur D. Mills as a Behavior Support Specialist. Sandy Crawley, who was the Coordinator for State Personnel Development, accepted a position to work in the Tri-District area as a Behavior Support Specialist. Jana Villemez, the Parent Consultant for the CAYSI Project, is now at Arkansas Children's Hospital as a social worker for critically and severely injured and medically fragile students.

**Lisa Haley, Administrator for Monitoring and Program Effectiveness** – Forty four programs were monitored this year. Of those, seven school-age programs were out of compliance with requirements set forth in the regulations and corrective actions were necessary. When non-compliance is identified, the district knows about it and is required to take actions to correct the non-compliance. The ADE Special Education Supervisors provide assistance to districts to correct specific issues. The goal of the Special Education Unit is to assist local programs in

maintaining quality special education programs and most importantly, that students are receiving the services that enable them to make gains both functionally and academically. The monitoring procedures this year are a little different. They are new for the SEU and the districts. Adjustments are still being made as we move forward into next year. Districts that were monitored will be receiving a survey about their experience that will provide the SEU with feedback that will inform practices and procedures for monitoring.

Martha Kay added that at the end of last week Jennifer Brown and Lisa Haley went to AETN and recorded the Standards-Based IEP Workshop with an audience. It will be posted on Arkansas IDEAs as part of an on-going professional development that all teachers throughout the state will be able to access. It is also posted on the Common Core website as an institute.

**Courtney Salas-Ford, Administrator for Dispute Resolution** – Mrs. Salas-Ford reported that the SEU had six new hearing requests, four of which had been completed and on that will be held soon. There were eight new complaints, three of which were able to be resolved while the other five are going through the process and should be resolved shortly. To recap the 2012-13 school year total, there were thirty due process hearings requested, however only ten of those went to hearings that is a fairly good success rate. There were a total of 26 complaints filed for the 2012-13 school year, thirteen of which proceeded through the investigation process. The other thirteen were withdrawn because the parent and the district were able to resolve it on their own or with SEU assistance.

**Donald Watkins, Administrator for Grants & Data** – Mr. Watkins reported that his staff continues to provide technical assistance to districts and Education Service Cooperative personnel. Along with that, budget trainings were held that included one as a part of the Data Summit and three others at Monticello, Branch, and Hope. Plans are to have one more later this year.

Finance staff has worked with other special education sections to revise the Special Education Area Service Grants by providing a behavior support specialist at each Education Service Cooperative (ESC). Grants for ESVI Consultants and Transition Consultants have been revised so most consultants are housed at ESCs in the region where they provide services.

Catastrophic funding was finalized in June as \$11,000,000 provided for 599 students at 135 districts. LEA Special Education Supervisor finding of \$1,874,937 was distributed to 246 districts that have supervisors that qualify for funding. Additional state preschool funds of \$1,320,232.69 for 2012-13 were sent to 33 school districts and ESCs operating preschool programs. The fourth quarter residential reimbursement payment was made in June. The fourth quarter reimbursement rate was increased from \$60 per day to \$85.23 (an increase of \$25.23) per day for fourth quarter days only. The rate will go back to \$60 per day for 2013-14. Payments continue to be distributed for Title VI-B, Special Education Preschool, ARMAC, Medicaid match payments, Area Service Grants, and state appropriated programs. Funding was impacted by sequestration by about six million dollars. The bulk of that was in school age funding by 5.30% but preschool was also impacted by 4.64%.

**Jennifer Brown, Administrator for Curriculum and Assessment** – The ADE has published a “Frequently Asked Questions” document about the next generation science standards and possible implementation in Arkansas. A presentation on Universal Design for Learning (UDL) in the classroom was given at the annual Hot Springs Technology Institute Conference in Hot Springs. It was training on tools that most educators and students have built into their current

technology (i.e. laptop, PC, iPhone). The SEU is looking at doing an expanded training on UDL with our special education supervisors later this fall. The Arkansas Community of Practice has reviewed a total of five professional development modules for NCSC, and will have a face-to-face training on the Curriculum and Instruction Schema on August 1, 2013. PARCC had a Governing Board meeting in June and they voted on two key issues. The first issue was the approval of performance level descriptors for English, literacy and mathematics. They also voted on and approved the first edition of the PARCC accommodations manual and it will be published on July 25, 2013. PARCC also announced their plans for field-testing. Arkansas should be involved in field-testing in both PARCC and NCSC. School districts should know by August whether any of their campuses would be involved in field-testing for this coming spring.

**Martha Kay Asti, Associate Director, Special Education Unit** – For Personnel Development we currently have ten teachers receiving reimbursement for coursework that will lead them to certification in teaching students with visual impairments. This year two teachers completed all their coursework. Hearing is another area that is considered a critical shortage field. There are ten teachers participating and receiving reimbursement for coursework in teaching students with hearing impairments. There are seven teachers taking advantage of Speech Language reimbursement program and two have completed their coursework. Through funding offered as part of SPDG teacher recruitment and retention, the SEU offers tuition reimbursement to teachers that are on ALPs and currently working in public schools. Five teachers completed their coursework and are eligible to apply for special education licensure. A total of twelve teachers are participating in this program and actively taking coursework required for special education licensure. There will be twenty new participants selected to participate for 2013-2014 school year. This year the SPDG grant offered ten \$2,000 stipends for paraprofessionals who are interested in enrolling in courses leading to certification as a teacher. Most LEA Supervisors are trained to facilitate paraprofessional module trainings and are to make sure they have the general foundations, behavior and special health care needs modules.

CAYSI (Arkansas Deafblind Project) is a five year grant and that will be completed September 30, 2013. Staff is working to write a new grant proposal that must be submitted by August 15, 2013. SEU staff is in the process of gathering information and looking at what is needed within the State, and how this can be combined to meet the priority requirements that are listed on the RFP for the Deafblind Project. CAYSI provides technical assistance to assist students with dual sensory impairments, their families and teachers. During this spring, eight students received individualized consultations, parent group meetings were held in Osceola and Little Rock and a SPARKLE training was provided on one Saturday in Little Rock for parents. CAYSI and Easter Seals Outreach are collaborating to plan and present workshops to teachers and service providers of children with significant disabilities on best practices for instruction.

Co-Teaching continues to be requested by many schools. Co-Teaching professional development support was provided to 25 schools. Of those 25 schools, 22 completed the activities for professional development. Of the 22 schools, five were Focus schools and three were classified as Priority schools. Information was disseminated to all schools interested in participation in the next cohort through commissioners memos and the SEU distribution list. As many schools that want to participate are welcome to participate in this yearlong professional development that involves on-site training, large group training, building leadership teams, as well as on-site coaching for schools that are participating in the co-teach model. Rose Merry Kirkpatrick has been the individual in charge of the initiative. She has been nationally recognized through different literature reviews, books, and the local and national Council for Exceptional Children. The project has been designated as a Mentor for Co-Teaching Leadership

and the Arkansas Department of Education cited for its contribution to the co-teaching professional development in the book, *Leading the Co-Teaching Dance: Leadership Strategies to Enhance Team Outcomes*, by Dr. Wendy Murawski and Dr. Lisa Dieker. The book was selected as the annual bonus publication provided free to CEC's Premier members.

**Jennifer Gonzales, Positive Behavioral Support Coordinator, SPDG** – Mrs. Gonzales provided the SPDG report telling the Council that at the last OSEP conference in the fall, SPDG was chosen to present some of the content and tools that were developed in our state in the area of behavior. SPDG continues to get referrals from the districts in the area of RTI, many of those with schools that are designated as Focus or Priority schools. In the area of literacy, SPDG staff and the Professional Development Unit are developing the Literacy Intervention Matrix. It will roll out to select individuals in the fall for their feedback before it is rolled out statewide, hopefully be in the spring. Then the next piece to that project will be Literacy Intervention Lessons, not only for students with disabilities but also for struggling students. It will be an online web-based tool that will be free to all Arkansas educators and housed on the SPDG website. In the area of math, the Math Intervention Matrix has been completed and is available on the website. The Math Matrix is a tool that teachers can use to assess small groups of students and determine what interventions those students may need. In the area of behavior, SPDG staff continues to partner with other agencies to offer support to districts. SPDG has partnered with PTI and recently presented with them at the Data Summit on what SPDG and PTI is doing to provide advocacy for parents. The partnership is trying to build capacity of parents within the state so that they can be advocates for other parents. SPDG also partners with ARMEA, an organization that promotes school based mental health. Multiple trainings have been conducted with ARMEA, with the most recent one in June. SPDG is also creating a video that has captured best practice on implementing a positive behavior support system across the state. Recently SPDG lost one of its specialists due to retirement. Rosie Burks had been in education 40 years. SPDG will be looking to replace her with someone that has a special education background.

**Martha Kay Asti, Associate Director, Special Education** –Jeanie Donaldson was unable to be at the meeting. Martha Kay briefly went over the report for Medicaid. Medicaid is waiting on final changes to the parental consent form. School districts will be required to complete an on-line application and pay a fee to acquire/renew their Medicaid provider number every 5 years. Information will be provided as to the specifics on how the process will work for schools and what can be done to help schools with an easy transition.

**Martha Kay Asti, Associate Director, Special Education** – Dr. Jody Fields was unable to attend the meeting but did submit her report. Martha Kay briefly went over the report IDEA Data and Research. Dr. Fields and her staff have submitted the revised State Performance Plan and the revised Annual Performance Report since the last advisory meeting. Dr. Fields report indicated that they are continuing the migration to a new student management system. All LEAs will be in the new system for 2014-15 school year. There were over 250 participants at the Special Education Data Summit that was held June 17-18, 2013 at the Embassy Suites in Little Rock.

**Martha Kay Asti, Associate Director, Special Education** – Mrs. Asti spoke about the letter we received in July from OSEP regarding our determination. Arkansas is in the category of “meets requirements.”. OSEP used a matrix to look at how well we performed for each indicator. Looking at the matrix, our compliance score was 22 out of 22. Our percent of correction of findings for non-compliance was 100%. To be in the category “meets requirements” you have to

have a matrix score of 90% or better. OSEP is redesigning its accountability system to more directly support States in improving results for infants, toddlers, children and youth with disabilities, and their families.

**Martha Kay Asti, Associate Director, Special Education** – Mrs. Asti spoke about the new form “Notice of Conference”. This is a simplified notice of conference form. There is really just five things that are required on the form: notification of the meeting to the parent; the purpose of the meeting, time and location; those individuals who would be in attendance; and also, explaining that they may bring other people with them to the meeting.

**Lisa Haley, Administrator for Monitoring and Program Effectiveness** – Mrs. Haley addressed the other new form “Prior Written Notice”. It’s a new form and will be called “Prior Written Notice of Action” because basically it’s telling the parent this is what we are going to do. It describes either the action proposed or refused. She provided an example, “we are proposing to evaluate your student for special education services”. Or maybe a parent is asking for something that the district doesn’t feel is appropriate to provide, so they would receive the notice of refusal. This is really to give the parent time before a proposed action is implemented so they can think about it and exercise their rights under due process if they choose to do so. It does not mean the district cannot go ahead and implement the action after a reasonable amount of time of 7 days. It’s really to ensure that the student is receiving FAPE and that the parent is aware of those actions. Anytime you propose to initiate or change the identification, evaluation, placement or the provision of FAPE, they need to get the parent the notice of the action.

**Courtney Salas-Ford, Administrator for Dispute Resolution** – Mrs. Salas-Ford explained the new Medicaid consent requirement. The federal regulations for IDEA previously required districts to obtain consent from parents prior to billing Medicaid for services pursuant to the student’s IEP. So if they were providing occupational therapy and speech and the child was Medicaid eligible, the districts would have to obtain consent from the parent each time they wanted to bill Medicaid for the services. In reviewing their requirements, the federal government decided to change that requirement so that now school districts only have to obtain that consent one time and that consent will be good as long as that student is in that district. If the student changes districts, the new district will have to obtain consent and it will be good as long as the student is in that district. However, they added an additional requirement that prior to getting the consent from the parent, the districts have to give the parent notice to inform them of why the district is billing Medicaid, what their rights are, and what their options are as the parent. There will be a public hearing on August 12<sup>th</sup> at 1:30 P.M. These new rules will become effective around November 1<sup>st</sup> if there are no changes that need to be made.

Another amendment came in January and it is called the uninterrupted scholars act. This was an amendment to FERPA, the family educational rights and privacy act that prohibits the disclosure of student information without having parental consent unless there is a specific exception in FERPA. They have now added a new exception for agency caseworkers or other representatives of a state or local child welfare agency or tribal organization who is legally responsible for the child’s care and protection. In Arkansas, this will directly affect DCFS caseworkers, DHS, Division of children and family services and family service workers, caseworkers and investigators.

Ms. Eubanks asked if there were any topic suggestions for future meetings.

Kimberly Parker said ALEs.

Jennifer Brown said she clarified with Julie Mayberry that she would like to know if Physical Education teachers get any training/professional development on how to include students with disabilities.

Barry Vuletich said Department of Corrections and DYS – would like to hear about either program.

Kimberly Parker said she would love to hear how the state monitors the Day Treatment Programs and how involved in the Department of Education with that program and how it serves kids with disabilities.

Ms. Parker also wants to know about how the behavioral roll-out is going and if we will still have CIRCUIT and wants to know do all the BSSs have all the same job descriptions or is it just by each co-op.

There were no additional questions or comments.

Barry Vuletich gave the motion to adjourn. Bobby Acklin seconded the motion. The meeting adjourned at 12:38 P.M.