

Minutes

State Advisory Council for the Education of Children 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, October 22, 2015.

Council Members Present:

Sarah Allen
Dana Davis
Denise Jones Ennett
Julie Mayberry
Candia Nicholas
Sherry Rogers
Deborah Swink
Lisa Kelley Designee for
Alan McClain, Commissioner,
AR Rehabilitation Services

Special Education Staff Present:

Carrie Anderson
Linda Barnes
Becky Cezar
Jody Fields
Jennifer Gonzales
Christina Foley
Lisa Haley
Beverly Leonard
Rhonda Saunders

Guest Present: John Copenhaver, Director Technical Assistance for Excellence in Special Education (TAESE).

The meeting began at 9:10 a.m. with Ms. Deborah Swink, Chairperson, calling the Council meeting to order with the welcoming and introductions of the Advisory Council members, Arkansas Department of Education, Special Education Unit (ADE-SEU) staff, and the guest of the meeting. Ms. Swink asked the Council to review the minutes from the July 23, 2015 meeting. There was not a quorum; therefore the minutes were not approved.

Lisa Haley, Arkansas Department of Education, Special Education Associate Director introduced John Copenhaver – Director for Technical Assistance for Excellence in Special Education (TAESE) and principal investigator for the Mountain Plains Regional Resource Center (MPRRC). TAESE is part of the Utah State University’s Center for Persons with Disabilities.

Presentation:

Mr. Copenhaver provided an overview of the council in the context of special education history/laws. Mr. Copenhaver explained that the purpose of the meeting was to provide a general orientation for Special Education Advisory Council members regarding the Council’s purpose, membership, functions, by-laws, and meeting procedures.

The membership of the Council begins with the ADE Commissioner appointing individuals. The majority of the members of the Council (at least 50%) must be individuals with disabilities and parents of children with disabilities. The Advisory Council serves as advisory to the State Office of Education, Special Education Unit, and /or directly to the Commissioner of Education.

The Council's role in the development of the State Systemic Improvement Plan (SSIP) was discussed along with the Annual Performance Report (APR) data which can be used to determine Council priorities. Mr. Copenhaver explained that the State Performance Plan (SPP) serves as the state's IEP.

The role of the State Special Education Director in relation to the Advisory Council generally includes the following:

- Provides relevant and current information to Council members
- Serves as a nonvoting member
- Assists with agenda development
- Reports on topical issues
- Provides a "State-of-State" report
- Reports on APR levels of determination
- Supports the Council to carryout their functions
- Provides feedback regarding Council advice and suggestions

Advisory Council functions should be above and beyond the IDEA:

1. Advise the SEA of unmet needs within the State in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
3. Advise the State in developing evaluations and reporting on data to the Secretary of Education under Section 618 of the Act.
4. Advise the State in developing corrective action plans to address findings identified in the federal monitoring reports under Part B of the Act.
5. Advise the State in developing and implementing policies relating to the coordination of service for children with disabilities.
6. The SEA, after deleting personally identifiable information must provide the Advisory Council with the Due Process Hearings findings and decisions and make those findings and decisions available to the public.
7. Waiver of nonsupplant requirement - the State must consult with Advisory Council regarding provisions of FAPE.

Mr. Copenhaver reviewed Advisory Council By-Laws and explained that they set the ground rules for the day-to-day operation of the Council. Council decisions should move toward consensus, finding an acceptable proposal that all members can support. Further, the Council should set annual priorities and accept input from ADE/SEU or Council Members.

Mr. Copenhaver concluded with a discussion around establishing council priorities, reporting annually on council activities, and the council's role regarding OSEP activities.

Ms. Haley updated the council on the Office of Special Education Programs (OSEP) fiscal monitoring letter received on September 7, 2015. The ADE was cited for noncompliance on its system of IDEA fiscal monitoring. The ADE-SEU has developed a fiscal procedures guide for LEAs, which includes the revised system for IDEA Fiscal monitoring based on LEA risk. These new procedures will be submitted to OSEP for review and approval.

Ms. Haley updated the council on revisions to Special Education licensure including an endorsement for special resource and a Master of Arts in Teaching (MAT) for special education.

Section Reports: No reports presented.

Future agenda items: None

Ms. Swink stated that the next meeting will be January 21, 2016 at 9:00 a.m. The minutes from the July 23 meeting will be approved at the January meeting along with the October meeting minutes.

A motion was made by Dana Davis and seconded by Sarah Allen to adjourn the meeting at 2:36 p.m.