

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, October 18, 2012.

Council Members Present:

Sarah Allen
Christine Archer
Kim Coles
Courtney Eubanks
Bill Glover
Valerie Harvel
Julie Mayberry
Jim Moreland
Kimberly Parker
Alisia Ramirez-Hartz
Deborah Swink
Barry Vuletich

Guests Present:

Debbie Fleming
Phylistia Stanley
Paula Smith
Annette Barnes-Lewis

Special Education Staff Present:

Ella Albert	Sherry Holliman
Martha K. Asti	Howie Knoff
Jennifer Brown	Danny Reed
Jodi Fields	Courtney Salas-Ford
Jennifer Gonzales	Donald Watkins
Brittney Green	Brenda Watson
Lisa Haley	

The meeting was called to order by Deb Swink at 9:09 a.m. with introductions of the Advisory Council and members of the Special Education staff. A motion to approve the minutes from meetings held January 19, 2012, April 19, 2012 and July 19, 2012 was initiated. Christine Archer requested an amendment to the minutes from the Advisory Council meeting on July 19, 2012. She proposed that Ms. Kimberly Parker's concern on the use of seclusion and constraint in schools be added in the minutes. The motion carried and the minutes were revised to reflect the change.

Area reports were given by representatives from each section of the Special Education Unit.

Lisa Haley, Program Administrator of Monitoring and Program Effectiveness, reported that on-site monitoring will be delayed until after November 1, 2012. Prior to that time, the supervisors will be reviewing procedures and revising protocols for conducting the monitoring. The review has been initiated and includes discussion of the following:

Program Approval Process

- Accreditation process
- AR Flexibility
- Current system of monitoring
- Online Data Collection System and Data Dictionary
- General Program Checklist
- Onsite Teacher Observation and Teacher Interview Procedures and Topics
- Verification Procedures

Ms. Haley stated that the monitoring delay is partially related to OSEP's move toward Results Driven Accountability (RDA) and the approval of the Arkansas ESEA Flexibility. Long and short term goals have been developed as a result of the review process.

Courtney Salas-Ford, Program Administrator for Dispute Resolution, presented a report from the Dispute and Resolution section that addressed the status of hearings and complaints that had been filed since the last meeting. Mrs. Salas-Ford summarized the allegations and outcomes from the complaints and due process hearings. She noted that at the present time there were seven hearings in process and six new complaints filed. The most common issue noted was the failure to implement the IEP.

Deb Swink, Advisory Council Chairperson, presented information on Medicaid in the Schools (MITS) for the First Quarter for direct and indirect services. She explained school reimbursements from Medicaid for schools for the 2011-2012 school year for health/medical related services. Members were reminded that additional information regarding MITS was available on their website. Specific reference was available there on each school district and the amount of Medicaid reimbursement received per service.

Donald Watkins, Program Administrator for Grants and Data Management, presented information from the Grants and Data Management section of SEU. He reported on the parallel between finance and monitoring and how the discussions between the Finance section and

Monitoring section may support the monitoring of finances in school districts. Mr. Watkins gave highlights from two finance and budget training sessions that had been conducted for special education supervisors and mentioned how important it is that data managers and monitors work together. He announced that ADE-Special Education Unit staff members will present a webinar outlining the Catastrophic Funding process to outline changes. Title VI-B reimbursements for expenditures were also discussed.

Jody Fields, Special Education Data Manager, announced that E-School training will be provided by APSCN field representatives in preparation for the implementation of E-School in school districts for the upcoming school year. There are 45 school districts and charter schools in the new APSCN system this year and 150 scheduled for implementation next year. Trainings were done in August for school age, early childhood programs, DDS Centers, and state agencies outlining what is reported in Cycles 2-7. A Data Driven Decision Training was done for school age programs targeting drop-out prevention.

Sherry Holliman, Program Administrator for State Program Development, reported there are 9 teachers participating in the vision program. In the area of speech-language pathologist, there are 10 new applicants. Currently there are 41 teachers participating in the SPDG reimbursement program to provide financial support for teachers to obtain special education licensure. The SPDG grant also provides stipends for paraprofessionals interested in a career in education and the program has 5 participants.

Currently in the paraprofessional registry, the numbers who have completed the modules are: Foundations 26, Behavior 28, Special Health Care Needs 24, Low Incidence 4, Cultural/ELL 6, Early Childhood 5, and Secondary 4. The Special Health Care Needs module will be reviewed and revisions made as necessary. There were 7 additional facilitator trainings held between the months of September and October. A total of 22 school districts sent teachers to professional development trainings.

The CASYSI grant has 144 students with dual sensory impairments listed in the Deafblind registry. Trainings are being conducted with Easter Seals focusing on instructional strategies and writing goals and objectives for low incidence students. The family consultant provided a SPARKLE Boot Camp program on August 18th with 4 parents in attendance. CAYSI sponsored a parent to attend the National Family Association of Deaf-Blind Symposium in August.

The Co-Teaching project has 25 school districts participating in the Co-Teaching model.

Jennifer Brown, Program Administrator for Curriculum and Assessment, announced that Webinars will be conducted on November 1st and November 6th, to provide information about the process for requesting Catastrophic funding.

During the 2011-2012 school year, about 538 students were eligible for Catastrophic funding. Martha Kay Asti reported that the numbers have remained quite steady within the last three years. Studies of other states have been done in an effort to improve our system. Deb Swink reported on requirements to qualify a student for funding and the criteria used to determine if the student is a “high cost” student. She described the work that is required of school districts and their personnel for a student to be considered for the funding. Services and personnel necessary for the students must be included in the IEP. Questions were asked on what services qualify a student for funding. Jennifer Brown responded that each student is considered individually and determination is made on a case by case basis. Funds for students that qualify go directly to the school district. Mrs. Brown reported that funding for residential students is provided through a separate appropriation. A council member asked if there is a rubric that shows categories that qualify for funding. Mrs. Brown noted that the rubric is typically a rating system. She explained that the rubric will be discussed as part of the training webinar. Mrs. Brown provided additional information on the distribution of funds. She also provided information on Arkansas’ participation in assessment projects related to the Common Core State Standards.

Howie Knoff, State Personnel Development Grant Services, reported that grants have been very helpful to assist and support teachers and school districts. The ESEA application includes the SPDG and identifies it as being a model and facilitator for school districts that are at the target level. The math intervention website is now live and link is available from the AR Student Success website. This was a collaborative effort with Deb Coffman, Lisa Haley and Jennifer Gonzales for the last two years. The website consists of tutorials, webinars, and other resources to help school districts with this intervention project. There are updates and upgrades to help modify this program to match with Common Core that will be enhanced within another year. Professional development is provided to school districts in multi-year type initiatives to build teaching skills and to insure proper implementation. Also, there are nine national webinars that are located on the SPDG website to help with training as well. The webinars are free services that can be utilized by anyone; however, registration to the site is required.

Debbie Fleming recently joined SPDG from the South Central Co-op where she worked as the Literacy Specialist. Her extensive knowledge base in that area will benefit districts and provide support to accomplish the goals set forth in the grant.

Paula Smith, State School Nurse Consultant with the Department of Health and Department of Education, reported that in her position she serves to bridge resources available to schools for promoting good health in students, as well as, providing guidance to schools and their

nursing personnel. She is housed with Coordinated School Health, which is part of the Learning Services Section of the Department of Education and falls under the supervision of Dr. Laura Bednar. In her role, she provides support to schools relative to their school wellness committees and school improvement plans. She explained that most nurses are also school health coordinators who are responsible for creating and maintaining a healthy environment in the school, including taking care of faculty and staff. Funding is available for a staffing ration of 1 nurse to 750 students. Mrs. Smith commented that there are many things nurses must do to care for students in the schools and the ration as it is now may not be low enough. She added that in most cases, school districts have at least one nurse, and there are some that have a nurse in every school. Guidelines for the provision of services and required screenings are set by the Board of Education. Mrs. Smith responded to questions from Council members regarding current funding for nurses and availability of data on nursing services provided in each district.

Phylistia Stanley, ESEA Flexibility, On June 29, 2012, the Arkansas Department of Education received a simpler accountability and reporting system to address student performance and growth while maintaining the focus on all students. Ms. Stanley explained that flexibility was an important step for the State and would assist the Department of Education in providing assistance to schools in order to meet the needs of all the students and would focus on improving educational outcomes for all students. The goals identified in the plan are attainable, but would require effort at all levels. The plan is based on an improvement, or growth model, to ensure students will be provided a rigorous curriculum that is necessary for development of college and career readiness coursework for positive post-secondary opportunities. Arkansas will examine all students, as well as, the Target and Achievement Gap Group (TAGG). TAGG consists of children who are economically disadvantaged, ELL students, and students with disabilities. The goal is for 95% of all students to be tested for proficiency in math and literacy. Students with significant cognitive impairments would continue to be assessed with alternate portfolios. The U.S. Department of Education allows 1% of the alternative portfolios to be counted as proficient. The ADE has offered professional development in all areas of the state to inform parents, communities, districts, and school personnel about ESEA Flexibility. The plan is available on the ADE website, along with other documents, to assist individuals in understanding the changes being made as a result of receiving the flexibility.

Martha Kay Asti, OSEP/Results Driven Accountability- Information was provided about the changes OSEP is considering as they review their monitoring procedures for all states that receive Federal grant funds. The SEU is currently following their lead and is looking to make similar changes in the way it monitors school districts. The Annual Performance Report (APR) will reflect some of those changes. Mrs. Asti explained that the SEU is looking at compliance

and anticipates changing to a system that reflects the way OSEP looks at the states. From information received from OSEP, their intent is to focus, on results or outcomes, for students with disabilities, while maintaining those compliance requirements identified by the IDEA statute. During the last ten years, OSEP has noted that states are doing a good job complying with those requirements and the emphasis should be placed on increasing positive results. For that reason, OSEP has initiated Results Driven Accountability. They will continue to look at states for requirements that are part of general supervision, fiscal responsibility and dispute resolution. States will continue to provide data through their APR that will influence determinations, but results will play a larger part in decisions.

Courtney Salas-Ford, Administrator for Dispute Resolution, stated that Arkansas currently does not have laws or rules and regulations on restraint, nor are there any federal laws. Without laws there cannot be any enforcement so the Department of Education cannot enforce the use of restraint. The State does have rules on seclusion in Section 20 of our State Special Education rules and regulations. Mrs. Salas-Ford reported that this issue has received much attention throughout the United States, as well as, within our state. Dr. Kimbrell, Commissioner of the Department of Education, requested that the SEU research the issue of restraint and review how it has been addressed in other states. She indicated that she has been looking at this issue through Federal laws that have been proposed and have not been passed. Currently, there are two Federal bills that have been proposed in the House and the Senate. House Resolution 1381 and Senate Bill 2020 are known as the "Keeping Students Safe Act". There is no indication that these bills will pass at this time. In keeping with the trend of other states and Federal government, the SEU will be forming a committee to discuss these issues. The committee will be comprised of members from the ADE, parents, and other representatives from within the state. The U.S. Department of Education has published a guidance document that is called the "Restraint and seclusion Resource Document". In this, they reaffirmed their position that restraint and seclusion should not be used except when necessary to prevent the child or others from eminent danger from serious physical harm. The document discusses different types of restraint, when to use restraint, alternatives to restraint, and providing proper training on the use of restraint. Documentation is also an issue to be considered when using restraint.

Deb Swink, Chairperson, stated that members are encouraged to suggest topics pertaining to special education and students with disabilities that may be included in the quarterly meeting. She noted that in order to have appropriate people who could provide information, suggestions should be sent to her prior to the meeting and development of the agenda. Mrs. Swink announced that the next meeting will be dedicated to the APR and will be presented by Dr. Jody Fields. The date the next Advisory Council meeting will be January 17, 2013.

Mrs. Swink asked for a motion to adjourn and the meeting was concluded.