

**Fiscal Year 2006-07  
Annual Report**

*Missouri  
Special Education  
Advisory Panel*

Beverly Woodhurst  
Chair

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# Introduction

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This annual report of the Missouri Special Education Advisory Panel (SEAP) is respectfully submitted to the Commissioner of the Department of Elementary and Secondary Education (DESE) for the State of Missouri. The reporting period is June 1, 2006, through May 31, 2007. The annual report is a summary of panel activities and recommendations during the reporting period. The panel operates in a collaborative spirit with DESE's Division of Special Education in identifying and addressing areas of concern. The panel convenes on a regular basis to review issues relevant to special education in Missouri. Subcommittees meet throughout the year to examine specific targeted areas. The panel is composed of stakeholders, including parents of children with disabilities; individuals with disabilities; teachers; representatives of institutions of higher education; administrators of programs for children with disabilities; representatives of state agencies; representatives of private schools and public charter schools; a representative of a vocational, community, or business organization concerned with the provision of transition services; and, a representative from the state juvenile and adult corrections agencies.

## Advisory Panel Duties

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The advisory panel is authorized under the Individuals with Disabilities Education Act (IDEA). The role of the panel is advisory and not advocacy. The panel provides policy guidance on special education and related services and carries out those specific and general functions set forth in IDEA. The panel shall:

- Advise the Department of Elementary and Secondary Education of unmet needs within the state in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- Advise DESE in developing evaluations and reporting on data to the U. S. Department of Education under Section 618 of the Act;
- Advise DESE in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act;
- Advise DESE in developing and implementing policies relating to the coordination of services for children with disabilities;
- Advise DESE in review of complaints and due process hearings; and,
- Advise on programs for eligible students with disabilities in juvenile and adult corrections agencies.

# Missouri's Vision for Special Education Services

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We, the people of Missouri, believe that diversity enhances our culture; therefore, we commit our resources and efforts to accept, educate, and support all children and youth. All children and youth, being of diverse backgrounds and abilities, will have access to all learning activities with accommodations and supports to enable them to succeed. All children and youth are actively engaged in creating their own futures; are prepared for life as independent, informed, and empowered citizens; and; are embraced as vital, valued, and contributing members of their communities.

Therefore, we need inclusive communities and schools that:

- Recognize that all children and youth can learn;
- Commit to providing equitable opportunities for all children and youth;
- Build on the individual strengths and abilities of each child and youth;
- Collaborate for the benefit of all children and youth; and,
- Recognize and involve families as full partners.

The Special Education Advisory Panel is committed to this vision. We believe all children, including those in special education, are entitled to and deserving of fair and equitable treatment by the educational system. We believe all local school systems and all students should be held to the highest standards and that all students should receive an appropriate and quality education to prepare them for life beyond the school years.

The panel recognizes there have always been and will continue to be challenges in providing an appropriate education for each individual student. It is the firm belief and commitment of this panel that the needs of the individual student should be the prime concern of those involved in creating an individualized program. The panel feels a strong responsibility to represent the interests of all students in special education in achieving the best possible outcomes for them in the educational process. The best outcomes can be achieved when all stakeholders work together in a collaborative manner for the best interests of the individual student.

## Panel Activities

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The advisory panel engages in a number of activities to fulfill its role of advising the Division on special education issues. The following describes activities from 2006-07.

### 1. Missouri State Performance Plan (SPP)

The reauthorized Individuals with Disabilities Education Act (IDEA) of 2004 established a series of monitoring priority areas which states must address for students with disabilities. In turn, the Office of Special Education Programs (OSEP) subsequently established performance indicators for each of the priority areas.

One year from the date of the reauthorization of the IDEA 2004, all states were required to develop and submit to OSEP a State Performance Plan (SPP). The SPP was to indicate, for each of the priority performance indicators, the state’s “measurable and rigorous” targets for performance from 2006 through 2011. The plan also had to specify improvement activities which were reasonably calculated to ensure the state would reach the targets by 2011. Missouri submitted its SPP on December 1, 2005. In February 2007, Missouri submitted its first Annual Performance Report (APR) on progress made towards the targets and the activities completed during 2005-06. The panel has an active role in reviewing the SPP and APR and serves as the primary stakeholder group for the process. A revised SPP was also submitted at that time. The SPP and APR documents are located on the Division’s website at the following address: <http://www.dese.mo.gov/divspeced/SPPpage.html>.

- Increasing student performance is the objective of the SPP. Student performance is everyone’s job. It is important to ensure students with disabilities have access to the general education curriculum and environment so they may acquire the skills they need to transition successfully to post-secondary education or employment.
- Each year, the state is required to report to OSEP its progress toward meeting the targets on the SPP. The state is also required to report publicly the performance of every district in the state on each of the indicators.
- Monitoring of districts in the fourth cycle of MSIP (2006-2007 through 2010-2011) will be focused on district’s performance on the indicators, rather than on procedural compliance.

|    | <b>SPP Indicator</b>  | <b>Data Source</b> | <b>2005-06 State Performance</b> | <b>2005-06 Target</b>  | <b>2010-11 Target</b>  |
|----|---|--------------------|----------------------------------|------------------------|------------------------|
| 1  | Graduation rate for students with disabilities  | DESE Core Data     | 70.3%                            | 73.0%                  | 78.5%                  |
| 2  | Dropout rate for students with disabilities   | DESE Core Data     | 5.6%                             | 4.7%                   | 3.8%                   |
| 3a | Percent of districts meeting AYP  | DESE Assessment    | 32.2%                            | 30.0%                  | 37.0%                  |
| 3b | Participation rate for children with IEPs on statewide assessments  | DESE Assessment    | 99.3%                            | 95.0%                  | 95.0%                  |
| 3c | Proficiency rate for children with IEPs on statewide assessments  | DESE Assessment    | CA 15.9%<br>Math 18.7%           | CA 34.7%<br>Math 26.6% | CA 75.5%<br>Math 72.5% |
| 4a | Percent of districts identified as having significant discrepancies in suspension/expulsion rates                   | DESE Core Data     | 0.57%                            | 1.7%                   | 0.5%                   |
| 4b | Percent of districts identified as having significant discrepancies in suspension/expulsion rates by race/ethnicity | DESE Core Data     | 0.0%                             | N/A                    | 0.4%                   |
| 5a | Percent of children with IEPs removed from regular class < 21% of the day   | DESE Core Data     | 57.4%                            | 59.0%                  | 64.0%                  |
| 5b | Percent of children with IEPs removed from regular class > 60% of the day   | DESE Core Data     | 11.2%                            | 11.0%                  | 10.5%                  |
| 5c | Percent of children with IEPs served in segregated settings   | DESE Core Data     | 3.70%                            | 3.50%                  | 3.20%                  |
| 6  | Percent of children ages 3-5 with IEPs in settings with typically developing peers                                  | DESE Core Data     | 45.4%                            | 43.0%                  | 50.0%                  |

|    | <b>SPP Indicator</b>  | <b>Data Source</b>                                      | <b>2005-06 State Performance</b> | <b>2005-06 Target</b> | <b>2010-11 Target</b> |
|----|---|---|----------------------------------|-----------------------|-----------------------|
| 7  | Percent of preschool children with IEPs who demonstrate improved <ul style="list-style-type: none"> <li>a. positive social-emotional skills</li> <li>b. acquisition and use of knowledge and skills</li> <li>c. use of appropriate behaviors to meet needs</li> </ul> | New collection  | NA                               | TBD                   | TBD                   |
| 8  | Percent of parents who report school facilitated parent involvement as a means of improving services and results for children with disabilities   | MSIP Parent Survey                                      | 76.5%                            | N/A                   | 85.0%                 |
| 9  | Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification  | DESE Core Data  | 1.15%                            | 0.0%                  | 0.0%                  |
| 10 | Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification  | DESE Core Data  | 1.15%                            | 0.0%                  | 0.0%                  |
| 11 | Percent of children with parental consent to evaluate who were evaluated and eligibility determined within 60 days  | New collection via MSIP cycle                           | 94.7%                            | 100%                  | 100%                  |
| 12 | Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.   | Collected via MSIP cycle                                | 95.4%                            | 100%                  | 100%                  |
| 13 | Percent of youth age 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals  | New collection via MSIP cycle                           | 44.8%                            | 100%                  | 100%                  |
| 14 | Percent of youth who had IEPs, are not longer in secondary school, and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school   | DESE Core Data and new collection for dropout follow-up | NA                               | TBD                   | TBD                   |
| 15 | Percent of findings of noncompliance corrected within 12 months   | Compliance  | 32.3%                            | 100%                  | 100%                  |
| 16 | Percent of complaints resolved within 60 day or extended timelines.   | Child complaint/ due process database                   | 100%                             | 100%                  | 100%                  |
| 17 | Percent of due process hearings fully adjudicated within 45 day or appropriately extended timelines.  | Child complaint/ due process database                   | 100%                             | 100%                  | 100%                  |
| 18 | Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements  | Child complaint/ due process database                   | 46.9%                            | N/A                   | 54.0%                 |
| 19 | Percent of mediations that result in a mediation agreement  | Child complaint/ due process database                   | 66.7%                            | 62.0%                 | 64.5%                 |
| 20 | Percent of state reported data that are timely and accurate   | Federal reports   | 93.0%                            | 100.0%                | 100.0%                |

NA designates 2005-06 data or targets that were not available or required in the SPP. TBD designates targets are to be determined in a future SPP revision.

## 2. Formal Recommendations to DESE

Formal Recommendation #13 (Process for Notifying the Panel of Pending Legislation, Feb. 2006) - Discussion occurred among members of the advisory committee who had varied opinions on whether we received information on pending legislation in a timely fashion. In addition, the committee wanted to review and make recommendations on pending legislation. DESE agreed there are sometimes timing issues but the entire public has sixty days to comment on state regulations. However, there is no requirement for the panel to comment on state legislation.

Formal Recommendation #9 (Guidelines/Parameters for a Child Complaint Review, June 2004) - There is currently a database in place to track the survey information. The division is receiving very few child compliant surveys returned and DESE staff have been discussing options for getting more surveys returned. DESE asked the panel what they would like to have done. Panel indicated it appears the survey process does not inhibit anyone from replying and if people choose not to respond, DESE has done the best it can to gather the information. DESE will continue to send the surveys for one more year and bring the results to the panel periodically.

Formal Recommendation #12 (Lowest Level Resolution, February 2006) - The Rules and Regulations subcommittee is reviewing the final state regulations and public comment.

## 3. Participation in OSEP Conference

There was an OSEP conference in August 2006 attended by panel member Joan Zavitsky and DESE representatives. The conference focused on the National Instructional Materials Accessibility Standards, highly qualified teachers, response to intervention and early intervening services, discipline, and the role of the state advisory panel.

## 4. Amendments to the Bylaws

### Article II

**Section I – (6)** advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.

### Article V

**Section I** – The panel shall hold at least four (4) scheduled meetings each calendar year, or shall meet as often as necessary to conduct its business.

**Section VII** – By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA. This report must be made available to the public in a manner consistent with other public reporting requirements of Part B of the Act.

**Section VIII** – Official minutes must be kept on all panel meetings and must be made available to the public on request.

**Section IX** – All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.

**Section X** – Interpreters and other necessary services must be provided at panel meetings for panel members or participants.

**Section XI** – The advisory panel shall serve without compensation but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.

## **5. Synopsis of Panel Meeting Activities for FY 2007**

For more detailed information on the meeting minutes, go to the following link:

<http://dese.mo.gov/divspeced/Administration/AdvisoryPanel/AdvisoryPanelMinutes.html>

### **© Panel Meeting – August 3, 2006**

Commissioner King visited the panel. He thanked the panel for the work they are doing and indicated, since the panel is advisory, DESE occasionally does not take the Panel's advice but he is very interested in what people have to say. The Commissioner discussed the following items with the panel:

- Studying the on-going efforts recommended by the Governor's Review Committee. They are trying to determine the best way possible to provide services to Missouri children, specifically looking at Missouri School for the Deaf, Missouri School for the Blind, and State Schools for Severely Handicapped.
- The U. S. Department of Education will soon be releasing the new regulations. The main issue is the amount of paperwork that is required for teachers and how much they believe it takes away time from teaching kids.
- The 4<sup>th</sup> cycle MSIP reviews will focus on areas of greatest need for student performance. Staff from the Division of Special Education have been working with the MSIP staff trying to determine where items can be merged together. Only a limited number of schools will receive a full scale review. Many schools will receive a waiver. Some districts may receive a waiver from MSIP but still be required to have a focused monitoring review from the Division of Special Education.
- No Child Left Behind (NCLB) has brought about a totally different way to look at school performance.
- Standards for highly qualified teachers are mandated under NCLB. DESE developed the High Objective Uniform State Standard of Evaluation (HOUSSE) rule to help Missouri meet the federal law.
- The Commissioner indicated that DESE is trying to develop more venues to provide services through the public schools including the new virtual school.
- Panel decided to name the custodian of records to be the secretary for the advisory committee. When DESE receives a records request, it will be sent to the panel's custodian of records for response (response required within three days).
- Panel adopted the notices of open meeting for both panel and subcommittees.

### **DESE Update**

- IEP Section of State Plan and Standards and Indicators Manual.

- MSIP Advanced Questionnaire Parent Response Information – Five years of information was emailed to panel members prior to the meeting. The data is disaggregated by all parents and by parents of a student with a disability. The public comment subcommittee was going to review this information to determine if this was of any assistance in their charge and determine if they would they really need to proceed with the public forums.
- Virtual Schools was legislated during last session and required DESE to create a virtual school (K-12). DESE is gathering information from other states that have virtual schools. Students do not have to be enrolled in a public school to enroll in the virtual school but must apply to take courses. There are no funds available for the virtual school but funds will be appropriated next spring to start on July 1, 2007.
- Severe Disabilities Study has been in the process the last couple years of studying students served at MSD, MSB, and SSSH. Studies have already been done on students who are blind/visually impaired and who are deaf/hard of hearing. The most recent study is for students with severe disabilities.

© **Panel Meeting – October 13, 2006**

**DESE Update**

- RFP (Request for Proposal) for Virtual Schools – DESE is preparing RFP for vendors to provide virtual school programs. The first year enrollment is open to only 500 (full time equivalent) students. The virtual school must represent the entire state so not all students who enroll will be accepted. The virtual school also cannot discriminate based on disability (must provide accessible materials to those students enrolled). The virtual school will be made available to students enrolled in public schools as well as home-schooled and private/parochial students. The curricula must be aligned with the public schools.
- Update on Final Regulations and IDEA Roll-out Plans - DESE indicated the final regulations went into effect and DESE is now responsible for implementing the new regulations. A SELS message will be sent reminding districts of this.
- DESE has already made a lot of changes to the state regulations and state statute. Information regarding IDEA 2004 is posted on the Division's website at: <http://dese.mo.gov/divspeced/IDEA2004.html>. DESE is planning to do regional trainings (four or five) on compliance (IDEA 2004 new provisions and all other compliance items) in the next two to three months. Revisions are currently being made to the state regulations (changes that need to be made which were not made previously) with the hope of having it ready for public comment by January 15. DESE will encourage everyone providing services and those who need to understand the requirements to be present at the training.
- MSIP fourth cycle - There are changes with the fourth cycle MSIP monitoring for the current school year in accordance with the U. S. Department of Education. There is an emphasis on focused monitoring (spotlighting student performance). The compliance monitoring requirements are still there but the monitoring will be designed around OSEP's performance standards. Districts will still be required to do a self-assessment.
- NIMAS (National Instructional Materials Accessibility Standard)/NIMAC (National Instructional Materials Access Center) – DESE indicated that each state has to adopt

- the NIMAS standards and then the state and each LEA must indicate if they will coordinate with the NIMAC. NIMAC is a clearinghouse-type center that receives the file sets and then gets the materials out so they can be produced.
- DESE has created a state-level advisory committee including members from various stakeholder groups with an interest in materials for visually impaired children. DESE would like to have a plan in place by December 3. The intent is to provide accessible materials to students who are visually impaired in a timely manner. Students with a print disability would need a physician's statement to be eligible for these materials. DESE is looking at having two authorized users (the entities that deal directly with NIMAC): Assistive Technology Center and Missouri School for the Blind (MSB). MSB would do large print and Braille while the Assistive Technology Center would do the audio. A district needing these materials would need to contact one of those groups. MSB also has access to the APH registry. Districts can opt in or out of coordinating with NIMAC. If they opt out, they must assure that they will provide accessible materials to students in a timely manner.
  - Data Reporting Changes – DESE indicated OSEP is requiring DESE to make some changes in the data collection requirements for Early Childhood Special Education (ECSE) students. Beginning December 1, 2006 (reporting for age 3 to pre-kindergarten age 5), districts will report what the total education environment is for each child and include the district's services provided based on the IEP and the child's time for the rest of the day. For example, the IEP team determines a child needs three hours of special education services daily in a special education class; the rest of the day, the child is in a daycare (parents' decision). The IEP team will need to identify this and have some sort of system for recording and reporting to DESE. A guidance sheet has been developed to assist districts in determine what the education environment is for each child. This is a big change but does not replace placement. The IEP team still must determine the child's placement.
  - Speech/Language Data - DESE is changing the data reporting for speech/language students. Beginning December 1, 2006, if a student's primary disability is speech, they will be reported under the speech category or, if the primary disability is language, they will be reported under language.

DESE is currently working with the Board of Healing Arts. They have concerns with the Division's speech implementer model. If the Board of Healing Arts invokes their authority in precluding us from using our speech implementation model, the state will have a significant shortage of providers for sound system articulation disorders. The Board of Healing Arts sent a letter to Commissioner King asking for the Department's authority for the speech implementer model. DESE sent a letter back indicating there was legal authority for the model. DESE staff worked with the Missouri Speech and Hearing Association (MSHA) in developing the model but apparently a concern has been raised with the Board of Healing Arts.

- Public Reporting – DESE is required to report publicly on the performance of all state performance indicators at the state and district level. DESE developed a model report and it has been provided to each district for them to review for accuracy and suggest changes. District information has been provided to districts in the past but has not

- been reported publicly on the web until now. DESE hopes to have the final format ready for the district reports so they can be posted on the web around the middle of November. This will be done on an annual basis.
- Part B Funds – DESE indicated a SELS message was sent to districts indicating their Part B entitlement applications were ready for their review and submission. The email also indicated the Part B entitlement allocations for FY 07 would be less for most districts. There were several factors attributed to the reduction:
    - DESE's FY 07 grant award was less than the FY 06 grant award.
    - During the past few years, DESE increased the district grant allocation above the basic grant amount using uncommitted federal funds.
    - Some of those funds are now committed or will be used for targeted projects like support of the thirty professional positions at the Regional Professional Development Centers (RPDCs) which support school districts' special education activities.
    - Private/Parochial children are now counted in the district where the private school is located instead of child's domicile district which might have an impact in some districts.
    - Decreases in the district's total population and/or free and reduced lunch counts will affect the district's total allocation.
  - Procedural Safeguards –The new Procedural Safeguards have been posted on DESE's website. Districts will be asked to disseminate them to all parents of children with IEPs. From that point on, districts will provide the Procedural Safeguards in accordance with regulations.
  - Overview of the New Member Orientation – Those that attended the new member orientation felt it was very beneficial. It included information on the difference between when to advocate and when to advise. Also talked about the use of SEAP alumni – possibly using an alumni SEAP member as a surrogate for a member not able to attend, the person would have to be in the same capacity but would not have the ability to vote.

## © Panel Meeting - December 8, 2006

**Comments from the Public** – Vicki Davidson with the Division of Mental Retardation and Developmental Disabilities (MRDD), Department of Mental Health, indicated that MRDD is mandated by federal law to work toward systems changes. A priority of MRDD is including kids in typical class settings. Vicki indicated she co-chairs the Missouri Youth Leadership Forum for transition students. She is attending the panel meeting to keep up on what is current in education so everyone can work together.

### **DESE Update**

- Proposed State Regulations – DESE reviewed the draft changes to the State Plan for Part B with the panel. DESE's intent is to follow federal regulations as close as possible but there is some wording included because of state statute or due to specific feedback from the field. Some changes were to correct terminology used in the State Plan while others reflect changes in the federal regulations. Panel members made suggestions on several items in the State Plan including: the definition of private

- school and home school students; the definition of elementary, middle, and secondary school as it relates to certification; parent consent (referenced in Section II – should it include the word “written”); what category does CAPD fall under; why does reading fluency skills not fall under a basic reading skill (referenced in Section III); what provisions are there for collecting RtI data for home-schooled and private school students; could the references to nondisabled students instead read as “children in general education”; and, concerns about removing the steps for retraining or hiring personnel (referenced in Section VI).
- SPP/APR - Panel members indicated concern with setting the goals in the SPP based on the AYP. The feeling was that as the goals continue to increase, more districts will be unable to meet AYP. It was suggested this be put on the next agenda for further discussion.
  - Assistant Commissioner Vacancy - The Division of Special Education is currently advertising for the Assistant Commissioner position.
  - Dispute Resolution and Monitoring Data –DESE reviewed and discussed two handouts with panel members.
  - Due Process Disclosure – The due process disclosure was reviewed and discussed.
  - OSEP Determinations – DESE indicated the U. S. Department of Education is required by IDEA to make determinations about each state based on the state’s APR and SPP. There are four levels of determination: meets requirements, needs assistance, needs intervention, and needs substantial intervention. States are also required to make these same determinations for school districts. DESE has to begin doing this by the spring of 2007. Missouri has not received its determination yet.
  - Update on Incentive Grants – DESE has identified 96 districts through a formula which looked at elementary achievement. A formula granting funds to each of those districts was established based on the district’s enrollment. The districts offered grants have been contacted via letter and will be given the opportunity to attend training on what the grant is about and on the improvement plan process. The RPDC directors were sent letters indicating which districts received grants in their regions. RPDCs will also be given a block type grant and asked to identify districts in their regions they feel need assistance. Those funds will then be provided to those districts through some type of application process.
  - High School Assessment Committee – The Commissioner directed staff of the Division of School Improvement to convene an internal group, Special Education Division has representation on committee, to discuss options for high school assessments and make recommendations to take to the State Board. They are looking at end of course assessments, college entrance assessments (i.e., ACT), MAP (as is or a revision to), or some combination of the above.

#### © Panel Meeting - February 2, 2007

**High School Assessment** – Walt Brown, Coordinator of Curriculum and Assessment, indicated DESE has been reviewing the possibility of replacing the high school MAP tests. One suggestion had been to use the ACT but after a study was done to determine how the ACT would align with the MAP, it was determined that since it did not align completely, it may not be a good option. Another suggestion was the use of end of

course testing in selected courses. This option is still being discussed but appears to be a definite possibility. If used, the test would be a multiple choice type of test so it could be quickly scored and returned to the school district so it could be used as part of the grade for that course. All of the accommodations that exist on the MAP test would exist on the end of the course exam. Panel members raised several questions about how this might affect special education students. One concern was for special education students who do not take the courses that have the end of course exam. How would those students be assessed? Walt indicated he would pass along the panel's concerns during future discussions of the end of course exams. See the following link for a DESE press release related to this topic: <http://dese.mo.gov/news/2007/eoctests.htm>.

**Discussion on the Continuation of Public Comment Committee** – After some discussion, it was decided the public comment subcommittee would pilot an “unmet needs” question to be posted on the web to receive public comments after each meeting to be reviewed by the subcommittee and shared with the panel at the next meeting. It was suggested the first topic be MAP testing/MAP-A.

### **DESE Update**

- Proposed Part B State Regulations – The proposed Part B State Plan changes have been posted. The public hearings will begin next week. For more information on dates/locations or to view the proposed changes to the State Plan, go to: <http://dese.mo.gov/divspeced/PublicHearing05/index.html>. The proposed changes to the State Plan will be presented to State Board at their April meeting.
- Part B APR/SPP – The APR and SPP have both been submitted to OSEP. They are posted at: <http://www.dese.mo.gov/divspeced/SPPpage.html>.
- Application – DESE's annual application for funds is due to OSEP on May 27. There is a sixty day publication period. To review and/or make public comment, go to: <http://dese.mo.gov/divspeced/Administration/ListServPostings/LS02.08.07.html>.
- State Personnel Development Grant (SPDG) - Missouri was one of several states invited to apply for the SPDG grant which is basically the same as the State Improvement Grant (SIG). The current SIG DESE is operating under is for three years and ends September 2007. DESE will apply for a one year no cost extension. The SPDG will be a five year grant and DESE will apply for \$1.5 million per year for personnel development.
- Incentive Grants/IMACS (Improvement Monitoring for Accountability and Compliance) – Identified districts are being invited to apply for incentive grants. IMACS is a web-based monitoring system DESE is developing which will do many things, one of which will be to obtain information from districts applying for incentive grants. DESE hopes to have IMACS ready to go by the first of March. Due to delays in the IMACS development/testing, the submission date for the incentive grants has been changed from March 1 to April 1. At the April meeting, DESE will be able to report the number of districts that applied for incentive grants, etc. The improvement plan is an integral part of the IMACS system and will be used for submission of grant applications and for districts going through a special education monitoring and/or MSIP. Districts will be able to use IMACS to compare their data to the state targets.
- Speech Implementer – Currently, the Board of Healing Arts has decided to ask for an Attorney General's opinion on whether or not DESE has the statutory authority to have

the speech implementer model. Another issue the Board of Healing Arts has is with the supervision of speech implementers. The Board of Healing Arts wants to make sure the statute is being implemented appropriately even though this program has been in place for many years. Highly Qualified – The Missouri plan has been accepted by the U. S. Department of Education.

© **Panel Meeting - April 13, 2007**

**New Assistant Commissioner Addresses the Panel** – Heidi Atkins Lieberman, new Assistant Commissioner for the Division of Special Education, spoke briefly to the Panel. She indicated her goal is to determine how DESE can better serve students and schools. She indicated she has been meeting with Division staff and stakeholder groups collecting input from them.

**Adequate Yearly Progress (AYP)/No Child Left Behind (NCLB)** – Randy Rook, Director of the Federal Grants Management Section in the Division of School Improvement, presented information to the panel on AYP, NCLB (<http://dese.mo.gov/divimprove/fedprog/instrucimprov/index.html>), and highly qualified teachers (HQT) (<http://www.dese.mo.gov/divimprove/fedprog/grantmgmnt/>).

NCLB is the reauthorization of the Elementary and Secondary Education Act (ESEA). NCLB includes significant new accountability measures for all public schools. It is based on the goal that all children will be proficient in reading and math by 2014. The law requires all children be taught by “highly qualified” teachers. A reauthorization of NCLB, later this year or sometime next year, may have some impact on several items. One such change may give districts flexibility to transfer federal funds between different programs within the district (with the exception of Title I funds).

AYP is a district requirement and uses MAP scores to determine progress. Accountability is a large part of NCLB. Districts must have a target of having all students academically proficient by 2014. Any school that fails to achieve AYP for two consecutive years in the same subject area will be identified by the state as “needing improvement.”

Highly qualified teachers (HQT) must have a bachelor’s degree, be fully certified by the state, and demonstrate knowledge of content by passing a “rigorous test.” In Missouri, this is done through the Praxis II test. The U. S. Department of Education indicated Missouri was not doing an adequate job in determining HQT and required DESE to send out a form, called the HOUSSE form, to over 16,000 veteran teachers in Missouri to determine if they were HQT or not. NCLB allows veteran teachers to determine if they are HQT by using the HOUSSE form if they have not taken the Praxis II. The special education portion is very complex. One problem is that many special education teachers have taken the Praxis but in the area of special education, not in an academic area. Another issue is some special education teachers do not have five years of experience which is a requirement. DESE is reviewing these issues.

The U. S. Department of Education has provided a guidance document for states dealing with the two percent issue. To review the SELS message DESE sent regarding this, go to: <http://dese.mo.gov/divspeced/Administration/ListServPostings/LS04.06.07-2.html>.

**Public Comment** – The subcommittee suggested at the last meeting that DESE provide a button on the panel’s web page to allow individuals to comment on specific topics (selected by the panel). DESE indicated the comments would have to go directly to the panel. Trish indicated a new topic needs to be selected since the previously selected topic has been addressed.

### **DESE Update**

- Final Part B APR/SPP – Margaret Strecker presented the Panel with updated information about the APR and SPP (two handouts). She indicated Division staff review these documents regularly, reviewing the strategies, targets, and data to see how the state is doing. To view the documents or for more information, go to <http://dese.mo.gov/divspeced/SPPpage.html>.
- IMACS Demonstration – Mary Corey presented information on the Improvement Monitoring Accountability and Monitoring System (IMACS) <http://dese.mo.gov/divspeced/Compliance/Monitoring/index.html>. The system will be used for special education monitoring self-assessment and grant application purposes. The special education consultants at the RPDCs are the main contacts for districts writing their improvement plans. The consultants provided training for districts needing to write improvement plans. A manual has also been developed. There is also a compliance review portion in the IMACS. Districts to be monitored will be asked to enter information for the student files to be reviewed. The indicators districts will use when entering the student file information will be specific to that district and to the student’s age and disability category.
- Incentive Grant Update – DESE indicated the due date for grants was extended to April 16, 2007. The grants will be scored next week. DESE will provide an update at the next panel meeting.
- Proposed Part B State Regulations – DESE indicated the proposed Part B State Regulations will be presented to the State Board next week. The Division received several comments.
- SPDG Grant – DESE submitted their application for the SPDG grant to the U. S. Department of Education (due March 27). The Division probably will not find out if awarded the grant until late summer or early fall. The proposal is for five years asking for \$1.5 million per year. The purpose of the grant is to get districts up-to-speed using a three-tiered model of intervention for pre-kindergarten to grade 12.

## **Standing Subcommittees**

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The Panel decided the following six standing committees would drive much of the panel’s meeting agendas in the future. The committees are expected to meet prior to and during the SEAP meetings and provide updates and make formal recommendations to the entire panel for consideration.

## **Rules and Regulations Subcommittee**

1. Review any rule changes in special education proposed by DESE;
2. Review current rules and regulations and make appropriate recommendations for change; and,
3. Provide a forum for keeping panel members advised of proposed legislation relevant to special education.

The Rules and Regulations Subcommittee activities include the following:

The effective date for implementing provisions of the Individuals with Disabilities Education Act (IDEA) of 2004 was July 1, 2005. Reauthorization of IDEA was followed by publication of revised federal regulations on August 3, 2006. Each state must adopt regulations that are in conformity with federal regulations. This necessitated a review and revision of the current State Plan, which is the Missouri equivalent of regulations for IDEA.

The committee held discussions with DESE staff about the process for review, revision, and adoption of changes to the State Plan. This resulted in a series of presentations at the next several meetings of the Panel.

- ◆ August 2006 – Pam Williams described the process. It includes revision of the Missouri State Plan for conformity with Federal regulations, a sixty-day public comment period, review of the comments submitted, and submission of the final State Plan to the State Board of Education for approval. Margaret Strecker reviewed changes made last year in the IEP section of the Missouri State Plan.

The committee requested that Panel members have the opportunity to review and comment on proposed changes. It was decided that the following topics would be presented at the Panel meetings: procedural safeguards, issue of evaluation and response to intervention, private school students, DESE responsibilities, LEA responsibilities, and funding.

- ◆ October 2006 – Pam Williams reported that the federal regulations went into effect the day of the Panel meeting and DESE was responsible for implementing the new regulations. She also reported that DESE would be conducting several regional compliance training sessions.

Panel members received a copy of the new Procedural Safeguards, which are based on the OSEP model that corresponds with the final federal regulations. Pam Williams and Margaret Strecker reviewed the changes for the Panel.

The committee reported that Assistant Commissioner, Melodie Friedebach, was responsible for editing the State Plan to bring it into conformity with the federal regulations. A presentation of the other topics was scheduled for the December meeting of the Panel.

- ◆ December 2006 – Pam Williams reported that the intent was for the State Plan to follow the language of the federal regulations as closely as possible, except where required by state statute or state-specific circumstances. She reviewed the draft changes to the Part B topics previously identified. During the presentation, Panel members offered comments and suggestions for modifying some of the proposed changes.

The Panel was informed that the period of public comment would open in January and DESE would accept comments by mail, fax, and email. DESE would also hold a number of public hearings around the state to provide an additional opportunity to receive public comment.

- ◆ February 2007 – Pam Williams reported that the proposed State Plan Part B changes had been posted on the DESE website, and the public hearings were scheduled to begin within a few days. She also reported that State Board of Education was expected to consider the proposed State Plan at the April meeting.

The committee recommended that Panel members attend one of the hearings to observe the process. Panel members were asked to use their communications networks to disseminate information about the hearings and the public comment process and to encourage interested persons to review the State Plan and make comments. Panel members, acting as individuals or representatives of organizations, were also encouraged to submit their own comments.

- ◆ April 2007 – Pam Williams reported that DESE reviewed all of the comments submitted. All were considered and some resulted in changes to the proposed State Plan. Panel members who attended public hearings also reported on their experiences.

The State Board of Education approved the revised State Plan for Part B at its April meeting. The pending rules will officially take effect when they are sent to the Administrative Rules Division, the Joint Committee on Administrative Rules, and filed with the Secretary of State.

### **Evaluation Subcommittee**

1. Ensure that evaluations and data collection are appropriate and complete as directed by the panel and OSEP;
2. Ensure that any decisions are supported by data;
3. Track the improvement plan (CIMP); and,
4. Prepare the Annual Report of the advisory panel.

The Evaluation Subcommittee activities include the following:

- ◆ Received approval from the Panel to publish and disseminate the SEAP 2005-2006 Annual Report.
- ◆ Reviewed the Missouri Special Education Annual Performance Report (APR) and State Performance Plan (SPP) for the reporting period July 1, 2006 – June 30, 2007.

- ◆ Reviewed the Panel bylaws and provided to the Panel amendments to the bylaws (see Bylaws report).
- ◆ The SEAP 2006-2007 Annual Report has been compiled in DRAFT format for Panel members to review and accept at the August 17, 2007, Panel meeting.

### **Monitoring Subcommittee**

1. Review statewide monitoring data trends;
2. Review corrective action plans (CAP) and improvement plans (IP) submitted to OSEP;
3. Review MSIP cycle plans; and,
4. Review due process and child complaint results.

The Monitoring Subcommittee activities included the following:

- ◆ Received and reviewed child complaint and due process survey information. Data represented responses from parents/guardians and from school districts' personnel.
- ◆ Discussed the child complaint and due process data discrepancy in the number of surveys responded to by school district personnel versus parents/guardians.
- ◆ Recommendation for DESE to continue to collect the data on child complaint and due process and will be reviewed during the upcoming year.
- ◆ Reviewed the child complaint and due process data by regions in the state and school districts. In the future, will review data on student achievement, dropout, and discipline rates for students with disabilities along with the child complaint and due process data to see if there is any relationship.
- ◆ In the future the committee will determine if there is any relationship to school districts that are identified for "Focused Monitoring" by DESE and those who received child complaints or are involved in due process procedures.
- ◆ Discussed the opportunity to look at MSIP Advance Questionnaires in more detail as they relate to parents/guardians responses. There was a suggestion to DESE to pursue the possibility to see if any additional questions might be included that would better describe a parent/guardians perception of the special education process and procedure.

### **Programs Subcommittee**

1. Provide panel input to the Effective Practices (EP) Section of the Division of Special Education and
2. Act as an advisory board in the development of initiatives prior to the finished product.

The Programs Subcommittee activities include the following:

- ◆ Reviewed Missouri Special Education Annual Performance Report (APR) and State Performance Plan (SPP) at the state level and at the school district region level along with how these two levels compared at the national level with the 20 performance indicators.
- ◆ Reviewed and made recommendations regarding the State Plan regarding: IEP Section, Summary of Performance, Teacher/Student Caseload Ratios, Teacher Retention and Training, and Eligibility Determination for LD Procedural Safeguards of the State Plan of the Standards and Indicators Manual.

- ◆ Reviewed and made recommendations regarding current issues impacting effective practices within the state of Missouri, including: speech/language licensing and speech implementer model, High School Assessment-end of year exams, Highly Qualified Teachers and HOUSSE (High Objective Uniform State Standard of Evaluation) rule, Incentive Grants-RPDCs to provide assistance to school and IMACS web-based monitoring system, dropout rate, and RTI.
- ◆ Requested that Melodie Friedebach's position as Assistant Commissioner be filled and have one of the SEAP members be a part of the interview process.

### **Nominations Subcommittee**

1. Provide panel with slate of officers for next fiscal year for nomination and
2. Review and recommend nomination requests for panel members.

#### The Nominations Subcommittee activities include the following:

- ◆ Selected a slate of officers to serve for FY 2007-08.
- ◆ Recommended applicants to DESE for nomination to serve as Panel members for the following categories:
  - seven vacancies from Parents of Children with Disabilities
  - one vacancy from Representatives of IHE
  - one vacancy from State and Local Education Officials
  - one vacancy from Administrators of Programs for Children with Disabilities

### **Public Comment Subcommittee**

Identify available sources (including but not limited to: taxpayers, parents, teachers, school administrators, school boards) which may be available to facilitate public input. The public input received shall be disseminated to the Panel to assist the Panel in carrying out its prescribed function.

#### The Public Comment Subcommittee activities include the following:

- ◆ Reviewed data available from DESE and discussed concerns of the Panel before determining the direction for the subcommittee's responsibilities regarding public forums or opportunities for additional public input.
- ◆ The committee struggled to determine what additional avenues should be available in order to not duplicate existing efforts, since DESE collects and provides multiple opportunities for public comment.
- ◆ Reviewed DESE data included:
  - MSIP advanced questionnaire results,
  - due process and child complaint information,
  - discipline statistics,
  - division phone logs,
  - post secondary outcome data, and
  - State Performance Plan (SPP) indicators.

- ◆ From the review of the data, the subcommittee identified the following unmet needs for the state and presented them to the Panel:
  - research in instruction/learning/curriculum/interventions,
  - program funding,
  - career education opportunities,
  - paperwork reduction and simplification,
  - mental health needs of students, and
  - achievement.
- ◆ Discussed the possibility of having DESE install a button on the panel's webpage for public comment:
  - During each panel meeting, two topics would be identified and posted on the webpage for public comment.
  - The topics would be selected by panel members at each panel meeting.
  - Links to additional information regarding each topic could be provided to the public.
  - A disclaimer should be added asking those making comments not to include personally identifiable information as well as not to expect a response to their comments.
  - DESE reviewed the request and determined that a button and links to other sites/information can be set up.
  - Due to confidentiality, the emails will first be received by a member(s) of the subcommittee, reviewed, and then summarized for the Panel and DESE.

The panel was advised on a number of issues both from DESE and from individual panel members surrounding special education. Visitors are welcome to comment at any of the panel meetings. Comments can also be submitted via email, telephone, or in writing to:

Missouri Department of Elementary and Secondary Education  
Division of Special Education  
P.O. Box 480, Jefferson City, MO 65102  
Email: [webreplies@dese.mo.gov](mailto:webreplies@dese.mo.gov)  
Phone: 573-751-5739 Fax: 573-526-4404

## Future Focus

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It is with great hope and dedication from many members that the advisory panel continues its close relationship with DESE over the next year. As members come and go, the focus stays strong within the panel that it will advise DESE on programs and services provided across our state to serve individuals with their needs in special education. It is also anticipated that the panel will continue to address issues of upcoming legislation as it presents itself for review and that the members of each subcommittee will work closely to review all information provided and give responses necessary to DESE according to the by-laws as a volunteer panel.

## Closing

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The advisory panel continuously works towards the understanding of, respect for, support for, and the appropriate education of, all children with disabilities in Missouri schools. The panel believes in optimizing the educational achievement of every child through a strong education system that is proactive and supportive of students, families, and educators. To this end, the Panel will use its strength as a broad-based constituency group to plan an active and influential role in decisions affecting policies, programs, and services. Improving the education of children with disabilities is never an accident; it is the result of high intention, sincere effort, intelligent direction, skillful execution, and the vision to see obstacles as opportunities.

## Acknowledgements

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The panel wishes to acknowledge the contributions of Melodie Friedebach, Heidi Atkins Lieberman, Pam Williams Mary Corey, and Lina Browner, along with other DESE staff, for their assistance in providing essential information through a variety of reports and presentations.

## Links

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Additional information about the panel can be found at:

[www.dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142mainpage.html](http://www.dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142mainpage.html)

Additional information from the Division of Special Education can be found at:

[www.dese.mo.gov/divspeced/](http://www.dese.mo.gov/divspeced/)

Additional information about the Missouri Continuous Improvement Process, including the Self-Assessment, Improvement Plan, and Annual Performance Report can be found at:

[www.dese.mo.gov/divspeced/IPpage.html](http://www.dese.mo.gov/divspeced/IPpage.html)

DESE maintains a webpage of special education links at:

[www.dese.mo.gov/divspeced/othersites2.html](http://www.dese.mo.gov/divspeced/othersites2.html)

# Membership Roster 2006-07

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Sue Alderton-Canton  
Jeaneal Alexander-Columbia  
Heidi Atkins Lieberman-Jefferson City  
Kristen Callen-Springfield  
Amanda Coleman-Kansas City  
Karen Coleman-Farmington  
Martha Crabtree-Cabool  
Cathy (Meyer) Einhorn-Chesterfield  
DeAnn Fiedler-St. Clair  
Diane Francis-Maryville  
Doreen Frappier-Columbia  
Melissa Frazier-Steelville  
Melodie Friedebach-Jefferson City  
Patricia Grassa-Springfield  
Marnie Gustafson-Kimberling City  
Deb Hendricks-Jefferson City  
Eileen Huth-Ballwin  
Patricia Jackson-Raytown  
Nina Murphy-St. Louis  
Jerry Neal-Corder  
Kim Oligschlaeger-Jefferson City  
Dorothy Parks-Jefferson City  
Lynda Roberts-Jefferson City  
Mary Kay Savage-Kansas City  
Patti Simcosky-Independence  
Kenneth Southwick-Belton  
Sherri Tucker-Lee's Summit  
Theresa Valdes-Jefferson City  
Teresa VanDover-Columbia  
Stephen Viola-St. Louis  
Stephanie Wickers-Jefferson City  
Raymond Wicks-St. Louis  
Shirley Woods-Kansas City  
Beverly Woodhurst-Perry  
Joan Zavitsky-Eureka

# Terms

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**APR** – Annual Performance Report  
**AT** – Assistive Technology  
**AYP** – Annual Yearly Progress  
**CIFMS** – Continuous Improvement and Focused Monitoring System  
**CIMP** – Continuous Improvement Monitoring Process  
**DESE** – Department of Elementary and Secondary Education  
**DOC** – Department of Corrections  
**DYS** – Department of Youth Services  
**ECSE** – Early Childhood Special Education  
**EP** – Effective Practices  
**EPA** – Exceptional Pupil Aid  
**ESY** – Extended School Year  
**FAPE** – Free Appropriate Public Education  
**FERPA** – Family Educational Rights and Privacy Act  
**IDEA** – Individuals with Disabilities Education Act  
**IEP** – Individualized Education Program  
**LD** – Learning Disability  
**LRE** – Least Restrictive Environment  
**MAP** – Missouri Assessment Program  
**MSB** – Missouri School for the Blind  
**MSD** – Missouri School for the Deaf  
**MSIP** – Missouri School Improvement Plan  
**NCLB** – No Child Left Behind  
**NCRRC** – North Central Regional Resource Center  
**OSEP** – Office of Special Education Programs  
**RFP** – Request for Proposal  
**RPDC** – Regional Professional Development Center  
**RtI** – Response to Intervention  
**SB** – Senate Bill  
**SEAP** – Special Education Advisory Panel  
**SICC** – State Interagency Coordinating Council  
**SIG** – State Improvement Grant  
**SPP** – State Performance Plan  
**SSSH** – State Schools for Severely Handicapped