

# Special Education Advisory Panel Meeting

## Minutes

### March 2, 2012

#### Members in Attendance

Scott Montgomery	Lori Christensen	Russ Brock
Diana Taylor-Soole	Angela Brown	Martha Crabtree
Sue Sharp	Lauren Zeliff	Steve McDannold
Laura Moseley	Doreen Frappier	Thurma DeLoach
Lisa Slattery	Heath Dillard	Danny Tipton
Deena Ring	Tammy Pence	Stephen Barr
Jerry Neal	Dorothy Parks	Jamey McVicker

#### Members Not in Attendance

Jennifer Bax	Patricia Kopetz	Judy Ray
Donna Cash	Byron Koster	Mary Kay Savage
Karen Downs	Ashley Krause	Pam Schneeflock

**Comments from the Public** - Geoff Lanham from the MO Planning Council for Developmental Disabilities attended the SEAP meeting as an observer.

**Copies of handouts and presentations for this meeting are available at** - <http://dese.mo.gov/se/seap/>.

**Call to Order/Introductions** – Scott Montgomery called the meeting to order at 10:00 a.m. Introductions were made.

**Approval of Minutes** – Steve McDannold made a motion to approve the minutes from the last meeting as written. Lori Christensen seconded. Minutes were approved with one abstention.

**Assistive Technology** - David Baker and John Effinger from the Assistive Technology Center presented information on the Assistive Technology program and discussed current trends in technology along with demonstrating several pieces of assistive technology. For information about the Assistive Technology Center, go to <http://at.mo.gov/>. Their PowerPoint is posted at <http://dese.mo.gov/se/seap/documents/se-seap-moassistivetechpresentation.pdf>.

#### Department Update

- **Autism Guidelines Initiative** – The publication will be available July 1 and identifies the most effective research practices as interventions for autism. There are 39 education and medical related studies which are being recommended. DESE will review services and training provided by Project Access and their consistency with the Guidelines document.
- **State Budget Process** – The Office of Special Education is in a relatively good position at this point in the process. There will be a five percent cut across the board in supplies, equipment, and travel.
- **Disability Awareness Month** – October has been designated as Disability Awareness Month. The Department is encouraging schools to participate. Any suggestions on how to facilitate this process are welcome.
- **ESEA Waiver** – The ESEA waiver has been submitted to the U. S. Department of Education. One area that raised questions in the field was teacher evaluation. It is not clear how much of a teacher's evaluation might be based on state test data. That percent was not included in the waiver and, in the Department's opinion, should be a local district decision.
- **MSIP Scoring Guide** – The MSIP Scoring Guide is close to completion. It was recently presented to the State Board.

- **Resource Standards** – There is a committee reviewing the resource standards.
- **APR/SPP** – Both the Annual Performance Report (APR) and State Performance Plan (SPP) have been submitted to the U. S. Department of Education. OSEP is focusing more on performance instead of only compliance. The Department will begin moving in the same direction.
- **Computerized IEP** – The computerized IEP has been provided to districts. Based on concerns from the field, OSE organized a committee of school personnel to make recommendations for changes to the IEP product.
- **Due Process** – Stephen reminded the SEAP about the discussion at the last meeting. In the mean time, a bill was initiated by Senator Krause at the request of parents. The bill recommends due process cases be sent to an administrative hearing commissioner instead of the current three member panel.

Cynthia reviewed what she discussed at the last meeting. There have been concerns about the length of time it takes for the hearings to be scheduled and the perception that hearing panel members may be biased since one is picked by the school and one is picked by the parent. The third person on the hearing officer panel is the chairperson and must be an attorney. Multiple options were given to the SEAP for their consideration and they were asked to provide their recommendations.

**Subcommittees met from 12:45 p.m. – 1:40 p.m.** - The subcommittees discussed the due process issue.

The monitoring subcommittee felt that the Department should retain the three member panel and suggested that more training be provided for all panel members.

Jerry Neal made a motion that the administrative hearing commissioner or whoever hears the due process case should not have worked in a school district for at least five years and should not have worked as an advocate or consultant or have had the parent or family member as a client in the past five years. The motion was seconded. Motion passed.

Lisa Slattery made a motion that no changes be made to item #8 of Senate Bill 595 (wording below). The motion was seconded. Motion passed.

*8. Notwithstanding any provision of law to the contrary, when conducting a due process hearing, the administrative hearing commission shall conform all of its practices, procedures, filing deadlines, and response times to the requirements of the Individuals With Disabilities Education Act (IDEA).*

Lisa Slattery made a motion to continue with the three member panel. The motion was seconded. Nine panel members voted in favor while six members voted against. Motion passed.

The panel discussed the need for more training for all hearing panel members; at a minimum, training should be provided every two years. Jamey McVicker made a motion that due process panel members receive training every two years. The motion was seconded. Motion passed.

### **Subcommittee Reports**

- **Evaluations** – Subcommittee is working on annual report letter. Will send draft to Scott and the Executive Subcommittee for their review. The final draft will be presented at the June meeting.
- **Rules and Regulations** – no report
- **Monitoring** – The subcommittee is looking at last year’s due process cases as a whole.
- **Programs** – The subcommittee would like to determine ways of getting information about what assistive technology is available in the state to school districts.
- **Nominations** – Lina will send an email to panel members asking for nominations for officer and executive committee elections (due mid April).
- **Public Comment** – no report

**Adjournment** – Heath Dillard made a motion to adjourn. Angela Brown seconded. Meeting adjourned at 2:35 p.m.