

Special Education Advisory Panel Meeting

Minutes

December 2, 2011

Members in Attendance

Russ Brock	Mary Kay Savage	Lori Christiansen
Diana Taylor-Soole	Martha Crabtree	Jamey McVicker
Thurma DeLoach	Judy Ray	Danny Tipton
Laura Moseley	Dorothy Parks	Stephen Barr
Jerry Neal	Lauren Zeliff	Lisa Bonacker Slattery
Byron Koster	Patricia Kopetz	

Members Not in Attendance

Jennifer Bax	Karen Downs	Tammy Pence
Angela Brown	Doreen Frappier	Pam Schneeflock
Donna Cash	Steve McDannold	Susan Sharp
Wayland Dillard	Scott Montgomery	

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

Call to Order/Introductions – Filling in for Scott Montgomery, Russ Brock called the meeting to order at 10:00 a.m. Introductions were made.

Approval of Minutes – Patricia Kopetz made a motion to approve the minutes from the last meeting as written. Lauren Zeliff seconded. Minutes were approved.

MIM Presentation – Presenters included Rich Hodits, MIM implementation facilitator; Pattie Noonan, University of Kansas; Melvin Bishop, St. Charles School District; and, Russ Rowbottom, Meramec Valley School District. MIM is an innovative process directed at improving student achievement and transforming school culture through tiered layers of support. MIM is a framework that pulls together evidence-based components with the goal of creating collaborative and effective schools where parents, community members, and school staff work together. The MIM which began in 2008 is funded by a 2008-2012 State Personnel Development Grant (SPDG) awarded to the Department of Elementary and Secondary Education by the U. S. Office of Special Education Programs (OSEP). A copy of the MIM annual report was disseminated to panel members. Pattie Noonan reviewed with panel members the eleven essential features which represent the practices and qualities congruent with effective schools, responsive intervention, and successful system-change efforts. In 2008, MIM started with 14 pilot schools (elementary and middle school). Currently, there are 25 schools which include a couple high schools. Melvin Bishop and Russ Rowbottom both discussed how MIM is implemented in their specific school.

Part B APR/SPP – Copies of the draft Part B Annual Performance Report (APR) and the draft Part B State Performance Plan (SPP) along with a summary document were sent to panel members via email prior to the meeting. Stephen Barr reviewed the summary document with panel members. The APR and SPP are due to OSEP by February 1. There were few significant changes from last year. The bulk of the improvement efforts address achievement and post-secondary/transition. The graduation and drop-out rates have changed from past reports to be consistent with those used in the state's NCLB accountability workbook. Graduation rates for the future will be calculated based on the state's new cohort model. There are still targets DESE is not meeting; however, in most cases DESE continues to make progress. Staff is reviewing all improvement activities to better focus efforts. Lori Christiansen made a motion to approve the draft APR and SPP as written. Martha Crabtree seconded the motion. Motion passed.

Department Update

Elementary and Secondary Education Act (ESEA) Waiver - DESE received approval from the State Board of Education to solicit public input to a draft document which could become Missouri's flexibility waiver application for the federal No Child Left Behind Act (NCLB). The U.S. Department of Education invited each state education agency to voluntarily submit an alternate proposal that would provide state and local education leaders with flexibility regarding specific requirements of NCLB. The waiver would allow states to exchange federal regulatory, administrative and reporting requirements for comprehensive state-developed plans designed to improve educational outcomes for all students. DESE invited the public to review the draft and provide input. A recorded online presentation, available at <http://dese.mo.gov/qs/esea-waiver.html>, introduces the waiver application and the three principles addressed in the criteria:

- College- and career-ready expectations for all students
- State-developed differentiated recognition, accountability and support
- Support for effective instruction and leadership

Feedback will be collected until January 5, and then necessary revisions will be made to the waiver before it is given to the State Board for consideration at their January meeting. The application deadline is February 21 for states seeking flexibility for the 2012-13 school year. States that do not successfully apply for a waiver must operate under the provisions of the current ESEA until it is reauthorized by Congress.

Student Information System and Computerized IEP – DESE is developing a student-level record system, to be called Missouri Student Information System (MOSIS) that will contain a randomly generated state identification number for every student receiving service in the public schools. The process to select the vendor goes through the Office of Administration. It is down to two vendors. OA hopes to make the final decision by mid-December. For additional information, go to <http://dese.mo.gov/MOSIS/overview.html>.

Budget Reduction – The current Continuing Resolution which includes a 1.5% cut to all education will expire December 16. Additionally, without a change to statute, sequestration is very likely and would include an 8% cut across all programs which would potentially affect the Department and districts starting July 1, 2013.

Autism Spectrum Disorders Guideline – Plans are on target to have this document available in June 2012.

End of Course (EOC) Tests - DESE and Questar Assessment, Missouri's assessment vendor for the EOC Assessment, conducted a series of informational webinars about the upcoming Pilot project. It does not appear to be as able to provide additional accommodations for students with disabilities beyond those that can be implemented by the district. For additional information, go to <http://dese.mo.gov/divimprove/assess/eoc.html>.

MSIP 5 – MSIP5 was recently considered and approved by the State Board. It had been revised from the one proposed earlier this year. In April, the State Board temporarily withdrew the MSIP5 rule to allow DESE to gather more input from educators and non-educators across the state. Through regional small-group discussions, participants identified key consensus points for improving MSIP5. The MSIP5 rule will not be used for district accreditation purposes for two years, which will allow districts and schools time to make necessary instructional and operational adjustments.

Due Process Hearing Decisions and Disclosures – Stephen asked the SEAP to review the current process of having a three member due process hearing officer panel. In the past, 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. Cynthia presented to the SEAP the following options for their consideration.

- Eliminate the panel and have the hearing conducted by an attorney (requires statutory change see Exhibit A for possible language change)
- Eliminate the panel and have the hearing conducted by a -hearing officer who may or may not be an attorney (requires statutory change see Exhibit B for possible language change)
- Have the hearings heard by a Commissioner from the state Administrative Hearing Commission (requires statutory change)
- Retain the panel and make changes to the contract for hearing chairpersons that prohibit any attorney who represents school districts or parents in education cases from serving as a chairperson

A motion was made by Jamey McVicker to table this item to give panel members until next meeting to review. Motion was seconded by Lisa Bonacker Slattery. Motion passed.

Due Process Hearing Decisions/Disclosures – The link to the 2010-11 due process hearing decisions http://dese.mo.gov/divspced/Complaint_System/10-11_DPDecisions1.html was sent to panel members prior to the meeting and a hard copy of each decision was available at the meeting for panel members to review. This includes two due process decisions from 2009-10 that were not disclosed at the December 2010 SEAP meeting as they had not be completed yet. They are located on the web at http://dese.mo.gov/divspced/Complaint_System/09-10_DPDecisions.html -- Cameron R-I (#733) and Lathrop R-II (#686). A handout provided a summary of the data in connection to these decisions.

Subcommittees met from 1:30 p.m. to 2:00 p.m.

Subcommittee Reports

- **Evaluations** – no report
- **Rules and Regulations** – Jerry Neal indicated the subcommittee discussed Missouri not having a teaching certificate in the area of autism. With the recent passing of the house bill regarding autism, the subcommittee felt it may be time for Missouri to establish a certification requirement in the area of autism spectrum disorders. Jerry recently sent a letter to Hap Hairston and Karla Eslinger with the Office of Educator Quality asking them to consider looking into this.
- **Monitoring** – Jamey McVicker indicated the subcommittee is pleased with the increase in the number of mediations. They would like to encourage parents and districts to continue to use this process.
- **Programs** – Martha Crabtree indicated the subcommittee would like more information on the following items at future meetings:
 - Update on Check and Connect
 - Status of the Missouri Coalition of Transition teams
 - Would like additional information from states that utilize the single panel due process (is it a fair consistent practice, how do the parents and districts view that process)
 - Updates on MSIP
 - Updates on Common Core Standards and how they relate to students with disabilities
 - Assistive Technology Center
- **Nominations** – no report
- **Public Comment** – The subcommittee has not received any public comments since the last panel meeting. Would like to disseminate information about the website to stakeholder groups similar to what was done last year. One suggestion was to include discussion items on the panel's webpage.

Adjournment – Meeting adjourned at 2:25 p.m.