

GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION

Education Committee Meeting

LOCATION

Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference

Meeting Date

July 26, 2012
1:30 p.m.

Attendees:

Anna Attla
Julie Broyles
Meredith Jaecks
Taylor Gregg
Terese Kashi
Margaret Kossler
Ernie Manzie
Lucy Odden
Justine Sheehan
Eric Gebhart

Community Members and Guests:

Art Arnold
Katherine Holmes
Christine Inglet
Patrick Pillai
Christie Reinhardt

Staff:

Teresa Holt
Patrick Reinhart

Prepared by:
Sheryl Cobb, Administrative Assistant

Call to Order – 1:30 p.m.

Roll Call

READING OF THE COUNCIL MISSION

Taylor Gregg recited the Council's mission statement: Creating change that improves the lives of people with disabilities.

WELCOME FROM THE CHAIR

Announcements or Good News

Lucy announced that she had her 30th class reunion.

Teresa said the Council was disappointed that Taylor did not get re-appointed to the Council.

Teresa announced that we have some new Council members. They include Susan Kaplin, from the University, Terese Kashi, Jean Gearhart-Cyrus and Karli Lopez.

APPROVAL OF THE AGENDA AND PAST MINUTES

Justine Sheehan **MOVED** to approve the agenda. Julie Broyles seconded the motion. The motion **PASSED**.

Justine Sheehan **MOVED** to approve the minutes from the May 2012 meeting. Don Enoch seconded the motion. The motion **PASSED**.

CORRESPONDENCE

Teresa shared that we received a letter from Michael Beyer who is the superintendent of the Haines School District. He was very upset by the fact that one of his students did not get a diploma because he missed the

writing portion of the HSGQE by 2 points. The school wrote a letter to Commissioner Hanley asking him to grant this student a diploma but he did not. The school staff wanted to share this young man's story with the Council so that hopefully this wouldn't happen again to other students.

Teresa shared another letter she got yesterday that comes from the office of Special Education Programs(OSEP). It is a request for feedback. It said that educational outcomes from children and youth with disabilities have not improved as the department had expected. OSEP is going to change the State Special Ed accountability system. They are going to focus on student results rather than on compliance monitoring. OSEP will be asking for the public's input until the end of August. Teresa will send out the link and anybody can provide comment on it. There will be a different question every 2 weeks.

Teresa also received some correspondence about that Christine Inglet was able to accomplish regarding the rights of foster parents for special education students. Christine explained she was doing some research and found out the changes to the IDEA state that a foster parent is the educational decision maker for students receiving special education services. In the past, a student would need to have someone appointed as a surrogate parent just for these educational rights. Then if the child was in the foster home for six weeks or longer, the foster parents would gain the right to make educational decisions for the children in their home. Christine discovered is both the state and Anchorage were not following the new changes so she worked to get that changed.

The other piece of correspondence the Council received was information about the creation of the statewide longitudinal data system (SLDS). This system is a collaboration between the Department of Education and Early Development, Department of Labor and the University of Alaska and will track all students when they leave school to determine whether they enter higher education or enter the workforce. Patrick and Don have been in contact with the those in charge of this project to ensure they are able to track outcomes for special education students. Teresa suggested the Committee should follow up to be sure this data system can track special education students.

Teresa also reported the federal Restraint and Seclusion bill was heard by

the Senate but did not move out of committee.

UPDATE ON COUNCIL BUDGET

Teresa provided information to the Committee regarding the decrease in Council funding due to the loss of a federal grant that ended. The Council lost 1/3 of its funding and will be making changes including having Council staff complete minutes for all committee meetings, reducing travel to conferences and the number of people who can attend each conference. The Education Committee will no longer be able to send anyone to the CEC conference. Travel to in-state conferences including ASSEC, will also be limited to Council members. The Council meetings will also be restricted to Anchorage (October and May) and Juneau (January) to help reduce costs. There will also be staffing changes due to these reductions, Patrick Reinhart will now be the staff for the Education Committee. He will also be working part-time on health promotion and emergency preparedness. Jennifer Jones will be staffing the Early Intervention Committee and working on the ASPEN domestic Violence expansion program.

REVIEW OF STATE DETERMINATION LETTER

Teresa reminded the Committee that one of the duties as the Special Education Advisory Panel is to review how well the state is providing special education services in our state. The Committee reviewed Alaska's state determination letter which reports whether the state met its requirements under the IDEA. They also reviewed the accompanying table explaining the status of each indicator and if the state was required to complete any correction activities. Alaska met the determination requirements for the IDEA. The Committee reviewed indicators 1, 2, 3, 4, 5, 8, and 14. There were several indicators where the state must demonstrate improvement in performance for the report due 2/1/13.

Indicator 1: Graduation rate for students with disabilities. In FY10, the state had a 41% of students with disabilities graduating with a diploma. In FY09, there was 43%, so the numbers actually went down. The target was 55.8%. Teresa stated that EED is going to have a stakeholder meeting in September to discuss graduation rates of students with disabilities. Eric Gebhart, Julie Bryoles and Teresa Holt will be attending this meeting on

behalf of the Council. It was suggested that the Committee discuss this at the next meeting and make suggestions to improve graduation rates.

Indicator 2: Dropout rates for students with disabilities. In FY 10, there was a dropout rate for students with disabilities of 6.2% in 2010. In FY 09, the rate was 5.8%. The target was 5%. Teresa suggested that we include this in our discussion next week to make recommendations on ways the state can increase the graduation rate and decrease the number of students dropping out.

Indicator 3: Participation and performance of children with IELPs on statewide assessments. 3A is the number of districts that met AYP targets- in FY10, the data was 13.3% and in FY09 the data was the same. The state did not meet its target of 14.3%. 3B is the participation rate- In FY10 the data was 97.2% for reading and 97.3% for math. The state met its target of 95%. 3C is the number of students that passed these tests at a proficient level. In FY 10, 45.2% of the students with IEPs passed the reading and 38% passed the math. The State did not meet its targets of 49.9% for reading and 40.9% for math. Teresa reported that EED is applying for a waiver to change the way the State measures growth in this indicator.

Indicator 4: Rates of suspension and expulsion. 4A is whether districts have a significant discrepancy in suspension and expulsion rates for students with IEPs. In FY10, the data was 6% and In FY 09 the data was 5.8%. The state did not meet its target of 5.3%. Three districts were identified as having a significant discrepancy but EED reviewed these districts and did not find any noncompliance in these districts. 4B is whether districts have a significant discrepancy in suspension and expulsion rates for students by race/ethnicity for children with IEPs. In FY 10 the state reported there were no districts with significant discrepancy.

The fourth one is rates of suspension and expulsion and it is divided again into 2 sections. The first one looks at whether there is a specific discrepancy between kids who are in special ed and kids who are not who get either suspended or expelled. The data for this is 6.0% and the target was 5.3%. We didn't quite meet our target and again this is one where we want it to be smaller. Less kids with disabilities being suspended. The second piece is regarding a significant discrepancy either by race or

ethnicity for children on IEPs. If you have a native student on an IEP are they more likely to get suspended or expelled?

Indicator 5: Percent of children with IEPs who included in regular education. 5A is the percent of children who spend 80% of their day in a regular classroom. In FY10 the data was 58.8% and increase of 1.9%. The State met its target of 57.2%. %B is the percent of children who spend less than 40% of their day in the regular classroom. In FY10 the data was 11.5% and decrease of 1.3%. The State met its target of 12.6%. 5C is the percent of students in separate schools, residential facilities, homebound or hospital placements. In FY10 the data was 2.6%. The State did not meet its target of 2.1%. There was a question as to why these percents did not add up to 100%. Don responded that the statistics aren't compared again each other.

Teresa in the past the Committee spent time each meeting going over these indicators and making recommendations to EED. She suggested the Committee might want to begin doing that again. The Committee has gone over Indicator 8-Parent Involvement and Indicator 14 post school outcomes survey every year. She suggested that the Committee review the rest of this table as this was just a quick overview. She also stated that indicators 6, 7, 12 were reviewed by the Early Intervention Committee. Don stated that some of the changes to the Special Education handbook should improve some of the data by clarifying what data districts are supposed to report.

Teresa reminded the Committee of the correspondence from OSEP about changing the process to focus on student data rather than on whether the state is meeting these indicators. Don reported that he is excited to see what changes OSEP will come up with. The Committee agreed to look at Indicators 1 and 2 at the next meeting and make recommendations to EED.

SECLUSION REPORT FROM DISABILITY LAW CENTER

Patrick Reinhart summarized the recommendations from the report "Abuse and Neglect Investigation-Inappropriate Use of Seclusion, Anchorage School District-College Gate and Northwood ABC elementary schools, January 2012" completed by the Disability Law Center of Alaska. The

Findings begin on page 25 of the report. The report found that students were placed in seclusion rooms even though the district does not allow for the routine use of seclusion at neighborhood schools. The report found that the district did not have policies or procedures for the use of these rooms, parents were not notified when their student was placed in a seclusion room, there was insufficient training and oversight for staff on the use of seclusion rooms. One parent reported increased behavior and the use of the seclusion room. The report recommends the district develop policies and practices regarding the use of seclusion room and clarify that seclusion should not be used at neighborhood schools, the district provide training to staff regarding the appropriate use of seclusion and develop a process to ensure parents are informed of the district's policies and procedures regarding seclusion.

The Committee discussed the report and whether seclusion is an issue throughout the state. EED does not collect data on restraint or seclusion in Alaska but the new Special Education handbook suggested districts address the issue and develop their own guidelines. There are no federal or state statutes/regulations regarding restraint and seclusion. Teresa stated in 2009 the Council surveyed each district regarding restraint and seclusion use, policies and training. The results of that survey showed most districts do not have policies and very little training for staff. Don stated that EED was planning to do a brief survey at the Special Education Directors meeting this fall regarding the use of restraint and seclusion. The Committee decided they should follow up with the Anchorage School District to see if they implemented the recommendations of the report and to follow up with Don Enoch after he completes his survey. Teresa said she would send out the results from the Council's survey and information on restraint and seclusion to the Committee.

REVIEWING HANDBOOKS

Julie Broyles, Lucy Odden, Christine Inglet and Terese Kashi volunteered to review the Special Education handbook. Julie Broyles, Anna Attla, Margaret Kossler Terese Kashi and Christine Inglet offered to come up with ideas for the Parent Special Education handbook for Stone Soup Group who is creating the Parent handbook.

REPORT FROM STATE BOARD OF EDUCATION

Geri Benshoof was not able to attend this meeting but Teresa Holt gave an

update. The State Board of EED approved the regulations regarding special education evaluations as written that the Committee discussed at the last meeting. The schools must now complete evaluations and IEPs in 60 calendar days from the time they receive parental request. Teresa Holt gave testimony to the State Board of EED in support of UAS special education teacher preparation programs (under-graduation and masters). All of UAS's programs were approved by the State Board of EED.

REPORT FROM SESA

Patrick Pillai reported that SESA hired Stephanie George as the new Program Director. The next SESA Board meeting will be September 25th. The preliminary legislative audit report will be released in October 2012. SESA has to close the Fairbanks office of the Alaska Autism Resource Center due to a reduction in funding. SESA will be fully operational by August 13th after taking a summer break.

REPORT FROM EED

Don Enoch reported

UPCOMING MEETINGS

OSEP Mega Conference in Washington DC: 7/30-8/1
EED stakeholder meeting in Anchorage: 8/30-8/31
State Board of EED in Kodiak: 9/13-9/14

DATE AND TIME OF NEXT MEETING

The next regularly scheduled meeting will be Thursday, August 23rd, 2012, from 1:30 to 3:00 p.m.

ADJOURN

The meeting adjourned at 2:35 p.m.