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## Special Education Advisory Panel Executive Committee

### Approved Meeting Minutes

**Meeting Place:** Hybrid Meeting - Microsoft Teams platform (Virtual Meeting) and Physical location option: The Classroom at UVM Extension, 327 US-302, Barre Montpelier Rd. Barre, VT 05641

**Date:** May 25, 2023

**Present:** Katie Ballard, Rachel Seelig, Dawn Campbell, Molly McFaun, Crista Yagjian, Meg Porcella. Public - Charlie Smith, Jessica Akerman

#### Agenda:

4:30-4:40	Call to order, Approve minutes, Agenda changes
4:40-4:55	Discuss Election for EC and current openings to warn for June
4:55-5:15	Workgroup discussion and planning for next steps
5:15-5:30	Review areas of unmet need grid to address and discuss at June Meeting
5:30-5:45	Next year meeting schedule
5:45-6:15	June meeting agenda and planning
6:15-6:25	Summer work group discussion
6:25-6:30	Public Comment
6:30	Adjourn

#### Call to order, Approve minutes, Agenda changes:

Motion was made to adjust the agenda- Dawn and seconded by Molly. Public comment will be moved to the beginning of the meeting as we have Molly at our physical location. Lisa Johnson wasn't able to attend today's meeting as Secretary and is her last day as a member/secretary - Thank you Lisa for all you have done for and with the Panel. Jacqui will step in as Secretary starting June. Rachel is no longer a voting member.

April 27th, 2023, minutes - approved. February 23rd, 2023, minutes - approved. January 26th meeting minutes - approved

#### Public comment:

Charlie Smith is trying to deal with special education with his wife's son. It's been very, very challenging with the special Ed curriculum or trying to get even into the special education curriculum. They kept on giving the fight for was that he met, never met this new rule that might go in place. The 1 1/2 standard deviation, which I thought was insane to begin with anyway, but what part does this committee? Because I if this what type does this committee have that if this does go through July 1st, do they have any or what hour? I guess you say control oversight on this new rule, the 2362 point 2.5, and

more specifically referring to doing away with the 1.5 standard deviation. Katie explained that usually questions in public comment are not answered in the moment and proceeded to say our panel is part of the Federal law for the education of children with disabilities that require States to have this group, and it gives us kind of some specific things that we do, which is not necessarily, anything related to having authority to really be able to address compliance concerns. What our panel does do is bring areas of unmet need or other concerns that that we learn about or hear about to the AOE and to the State Board. We often will make recommendations. We really act in that advisory kind of role more so than an oversight or kind of accountability role.

Rachel stated that the other thing that I would add is that one of the other things this panel is required to do is provide public comment when Rules are changing or are open for Public Comment. And this group did provide public comment to the Board of Education, asking to get rid of that 1 1/2 standard deviations rule and replace it with what will be coming into effect on July 1st, which will be a more flexible way of determining whether that adverse effect criteria is met. So, we supported that change and I think we have kind of periodically checked in with the agency to see how they feel like the districts are doing and learning how to implement that change. But really, it's the Agencies job to provide oversight to the districts to make sure they're following the rules once they come into effect. Meg is here today so she can speak to this and AOE are the ones who kind of do a monitoring system and there are a bunch of different pieces of that monitoring. And so, they're the ones who have that kind of rule to make sure those rules are being followed once they are, once they become the rules on July 1st.

Charlie Smith asked if there was any training done. Dawn stated Yes. My wife and I have spent over 400 hours to get my son in for the 1 1/2 standard deviation which son met the 1 1/2 and we were still denied. We've gone through this whole year with denial and fighting advocates, tutors hundreds or thousands of dollars of special our own monies for special education. And then the teachers in the classroom how are they going to be trained now that you're going to have Six out of 15 instead of three children in the classroom? Dawn stated we've had some training through the Vermont family network, there's been training Shannon Newell out of Castleton, Higher Ed. Collaborative. The AOE has multiple office hours addressing this new way of looking at eligibility as well as gosh, their videos. There have been multiple opportunities for educators and parents, especially with the Vermont Family Network, one that I recently attended to be able to learn more about this new way that we're hopefully looking at students versus just the discrepancy model, which is what you're talking about with the 1.5. Katie offered to move through the agenda which will cover Unmet Needs and some of these other pieces and for Charlie to stay and engage and be a part of that conversation. Invitation was extended to come to any upcoming meetings.

## **Discuss Election for EC and current openings to warn for June:**

Katie spoke and apologized regarding an email that went out after our last meeting. I'm not perfect and I absolutely would like any feedback or to hear any opportunities in ways that I can be more thoughtful and considerate and supportive and ensure that every Panel member feels heard and respected. I apologize to Crista and to anybody that

might have felt that at different times. I didn't necessarily and engage via email in depth or wasn't able to change the voting after the meeting is because we had already had motions that had been on the floor and per Open Meeting Law we needed to carry those votes through as voted on, and so it was in no way and in an intent to ignore or dismiss. We do really need to be mindful of when we send an email to everybody, if we are engaging in any sort of voting decision making or any of our kind of charges then then that needs to be done in public meeting spaces. Part of the challenge for me was how do we resolve this and also follow Open Meeting Laws in our Bylaws. I do want to just clarify that there have been an ongoing conversation related to identifying peoples roles and this was something that really started before they changed the law and OSEP had actually been involved and been giving some feedback to the Panel and that was one of the first things they focused on was for compliance and stakeholder representation.

We need to have clarity on who's representing a role for the purpose of voting and for making sure that we're in compliance with parent or person with individual majority that in no way is meant to silence or stop anyone on the Panel from bringing their other perspectives early in September. If you all remember Pat had us do the Hat Activity where we talked about the different roles that many of us bring to the table and so. I think this is something that if the full Panel feels it, it is something that we want to talk about and potentially change our bylaws, then that would be something that we would need to go through that process. It was a pretty robust conversation, and the vote reflected the decision clearly. This is also about making sure that every stakeholder has representation when we're voting for it. It really isn't about the discussion pieces. Crista mentions her concern regarding her change in membership without notification. Katie and she converse regarding their communication. Katie states, people were leaving, and we no longer had quorum so part of the challenge was at that point we could no longer vote either way. And so, what I said at the end of the meeting was; we will have another vote for the Executive Committee next month because we are going to have a parent seat either way on. Katie states, checking on Open Meeting Law that my understanding and what I've been told was that once a nomination and motion is made, we have to vote on it as is, unless there's a motion and a vote to amend it.

Rachel gave her perspective of how she felt as Chair. Discussion of the Bylaws review and changing the Bylaws was a discussion. We can talk about how we can be more effective. Crista suggested a membership map like other Councils have and what your role is on the website.

### **Workgroup discussion and planning for next steps:**

Membership needs resolved with the Governor's office. We need to list members' names and terms on our website, which will show vacancies and we can promote those positions to be filled.

Bylaws need to be reviewed and edited.

## **Review areas of unmet need grid to address and discuss at June Meeting:**

Rachel to send Unmet Needs draft and notes to Executive Committee.

## **Next year meeting schedule:**

Katie asked Meg if AOE will still be attending meetings in the evenings. The Panel will be setting their schedule for this next year. Meg states she is committed to the Panel's work and will do everything she can to get the Panel what they need. Meg asks if AOE needs to be at the entire meeting? And suggested that if needed; AOE would be asked in for updates and then you know maybe if you want someone to answer questions about some data -we give you a data set in an email and then you want to talk about it. The end of day for AOE is 430pm. Meg cannot speak on behalf of the next State Director and their time. Meg acknowledges the Panel members are volunteers, their time is important and scheduling when most folks can attend to do your work. Katie will work on schedule. Katie, Meg and Heather have an upcoming meeting.

Rachel asks if AOE is close to hiring a State Director. Meg reports that they are scheduling interviews. Rachel mentioned prior to Jacqui representing AOE John Spinney did it, he did a really good job, and he did come to most of the meetings. The issue was because when you're not in charge, there's only so much you can do as a liaison, right? The department's going to do X and Y and come back to you.

Discussion of 1st and last meeting be In-Person, other meetings 1st, 2nd, 3rd, 4th Thursday of each month.

Day vs evening meetings and participation. Schedule will be presented at the June meeting.

## **June meeting agenda and planning:**

In-person meeting Motion was made and approved by Panel Members to have two in person and make the rest Hybrid meetings.

- SPP APR presentation - Ana Russo
- End of year connection - Interim Secretary Bouchey
- Update on restraint and seclusion - Chris Kane/Tracy
- Workgroup time
- Unmet Needs
- Exclusionary Discipline- Guy Stevens
- Presentation on the Rule Change for Independent Schools - Tracy

## **Summer work group discussion:**

Old SWAT and the new SWAT.

**Public comment:**

None

**Adjourn:**

**Meeting Schedule (hold the dates):**

June 22, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))