

DRAFT MINUTES**Purpose**

The Individuals with Disabilities Education Act (IDEA) requires that each State establish and maintain an advisory panel for the purpose of advising the State special education staff regarding the education of eligible children with disabilities.

Date/Time:

Thursday: February 13, 2020 (9:30 am – 2:30 pm)

Location:

College of Fine Arts (CAPS), 32 College Street, Montpelier, VT 05602

Agenda:

9:30-9:35	Introductions/Call to Order
9:35-9:40	Brief overview of the special ed advisory council for new members
9:40-9:45	Review & Approve Agenda & past meeting minutes
9:45-10:15	Election of officers
10:15-10:30	BREAK
10:30-12:00	State performance plan (SPP) and Annual Performance Report (APR) – Target setting with the council
12:00-12:30	Rulemaking
12:30-1:15	Break / Lunch (not provided)
1:15-1:45	Membership to council / What tasks that need to be taken care of?
1:45-2:00	BREAK
2:00-2:30	Review bylaws and roles of council members
2:30	Adjourn

Present:

Eileen Guyette, Sara Kruk, Sarah Fabrizio, Scarlett Duncan, Karen Price, Marylynne Strachan, Rachel Seelig, Joy Wilcox, Jacqui Kelleher, Robin Hood, Carrie Lutz, Nancy Richardson, Randi Lowe, Vicki Haskins, Susan Comerford

Overview of Sp. Ed. Advisory Council for New Members:

Eileen Guyette read the purpose of the Sp. Education Council (from the website)

- Advise the state on unmet needs in the education of children with disabilities,
- Comment publicly on any rules and regulations proposed by the state regarding the education of children with disabilities;
- Advise the state in developing evaluations and reporting on data as required by federal special education laws;
- Advise the state in developing corrective action plans for U.S. Department of Education; and
- Advise the state in developing and implementing policies relating to coordination of services for children with disabilities.

Review & Approve Agenda & past meeting minutes:

Discussion: Carrie Lutz asked about when we would discuss membership; discussion of application process and bylaws. Some prospective members have completed applications, which may be with Troy the previous chairperson. Eileen will follow up with John Spinney on this.

Rachel moved to approve September and October minutes and to table June Minutes.

Seconded by Karen. The question was called. By unanimous vote the minutes for September and October were approved.

There was a meeting in November, it was informational for parents, and not a quorum.

The advisory council has not met officially since October.

Election of officers:

Discussion of bylaws and procedures

Nominations:

Chair: Randi nominated Rachel, seconded by Joy

Discussion: Rachel is happy to serve

Vote: By unanimous vote Rachel Seelig was approved as chair.

Vice Chair: Eileen nominated Carrie Lutz

Discussion: Question by Scarlett Duncan about all officers being professionals (Carrie is a parent, but is also a professional). Sarah suggested if we have members, move forward.

Seconded by Sarah Fabrizio.

By unanimous vote Carrie Lutz was approved as vice chair.

Discussion of an Interim Secretary Position:

Sarah Fabrizio was nominated by Carrie Lutz, seconded by Sara Kruk

All in favor. By unanimous vote Sara Fabrizio was approved as interim secretary.

State performance plan (SPP) and Annual Performance Report (APR) – Target setting with the council:

Jacqui Kelleher presented information about the State Performance Plan (SPP). It is required within the law. It was developed by the federal government. It is about systems change and assuring compliance with the IDEA and ultimately leading to continuous improvement. Each state will have an annual performance report based on 17 indicators. This council is a primary stakeholder group. The role of the stakeholders includes: expertise of stakeholders, beliefs about innovation, tension for change, and champions and opinion leaders. Jacqui reviewed compliance (set by federal government) and results-based indicators. Her goal today is to inform the council of the SPP/APR data overview, and to hear if there is any strong input from the group that can be used for the new 6-year plan.

The advisory council is in agreement to keep the targets the same for one year.

Indicator 1: Graduation Rate: can report on 4, 5, or 6-year rate. Vermont tends to report on a five year graduation rate. Vermont's data is an area of "Needs Assistant".

Indicator 2: Dropout

Indicator 3: Assessment (results-based indicator)

Participation of children with IEP's in Reading/Math

Proficiency Data in Reading/Math

Indicator 4: Suspension/Expulsion

N size is small. Rachel is interested in the number of students with IEPs vs students not on IEPs.

Discussion around how long and intense it is to determine data in this area as districts keep the data in different ways.

Indicator 4: Least Restrictive Environment (6 through 21; there is separate reporting for 3 through five).

Information is collected around percentage of time in and out of regular class, students in separate schools, residential facilities, and homebound/hospital placements.

Discussion: The low percentages make it look like being in a separate school is wrong; or schools looking at residential that may be caught between the AOE/Mental Health. Also, discussion of limited facilities.

The discussion also discussed targets and how these are set.

Time for questions and answers was included throughout as well as at the end of the presentation.

Discussion about the data and the need to think more deeply about this, as well as the "why?" behind this.

Indicator 8: Parent Involvement

Use a national survey. Vermont uses 2 surveys, one for preschool and one for 6 to 22. The survey comes by mail and is sent to every parent in the system. There is discussion of follow up; what is the return address, is it in parents' primary language? Parents in our group said they feel reluctant to participate; do they do a good job representing all parents? The extent to which parents in this group have participated in the survey is varied. Parents would like to have input into the survey items. The companies that develop the surveys are out of state, do they get current addresses? This is in paper, no follow up, only in English; parents question what the benefit is in completing this. Districts don't even know when it is going out, so there is no ability to even notify parents it is coming and remind them to complete it. Directors/schools do not get individual feedback. It was suggested that before there is another contract with the current contractor – State University of New York at Potsdam (SUNY-Potsdam), that there is input to the survey, and the consideration of another vendor, or at least have the AOE stamp on it. The number of respondents should be significantly higher. The AOE has had the target for 7 years and has not really unpacked this. Going forward, the level of participation should have a higher target. We are only expecting less than half of parents to feel involved. We need to look at the

overall return rate of surveys. The states' response rate is only 8%. We are not capturing some of the most vulnerable citizens in our states (New Americans). We cannot ignore this. We know better, so we need to do better with the new contract and the new state performance plan.

Indicators 9 through 13 all have to do with disproportionate representation (race, ethnicity, etc) The target is 0%.

Indicator 11: initial evaluations: 100% is the target (state hovers around 97%). Should have discussions about what are and are not exceptions.

Discussion around if the AOE has sufficient staffing.

Indicator 12: Transition from Part C to Part B. We continue to be in compliance.

Indicator 13: Secondary Transition (includes age appropriate transition assessments, transition services, including course of study, goals, student participation, etc. The target is 100%; this has been an area of growth over the past few years; each year it is also a different group of districts

Discussion around how goals are set. Several parents on the council mentioned that they are writing goals and doing work that the LEA should do. There is a need to educate members of the team on how to write each goal, define how to measure goals, etc. Many parents are writing these. There are best intentions by educators; teachers cannot do everything. There is a system that is broken, not always enough funds to support them, etc. How do schools collect this information so that directors get the information they need to hear from parents? We all agree that there is a lot of work to do.

OSEP gave guidance in the fall; when you first encounter noncompliance that is still considered non-compliant even though it was corrected. The VT numbers in terms of compliance have dropped because of this.

Indicator 14: Post School Outcomes: contacting individual students after they graduated; Enrollment in higher ed/competitive employment. Discussion around what is competitive employment. Again, low response rate. An important question to ask is enrollment in Think College SUCCESS count. What is the definition of a post-secondary training program; does this include adult services? (this is another SUNY-Potsdam contract) and is a phone interview. We have the opportunity to give them some feedback around what they are doing to improve response rate, work with graduates who speak other languages, etc.

Indicator 15: Resolution Sessions: information collected through the AOE; they maintain a database on all of these cases.

Indicator 16: Mediation: percent that are held in mediation agreements; target has been 82% and there is slippage this year; question about how the new American population participates.

Indicator 17 is the state systemic improvement plan; we will hear more about this in March from others from the AOE. Chris Cane and Betty Roy will present and will be looking for feedback on the plan.

Question: are we a significant voice to the AOE in decision making (deciding on targets, providing feedback, etc.) where we can make significant recommendations? What is our involvement? According to Jacqui; it is critical that there is significant stakeholder input in the building of the plan. The level of involvement can vary from state to state. This has not been done in this way in VT before. In the past the council formed a committee of members who wanted to be involved; and this committee prioritized the indicators they wanted to represent. This may be an option for discussion in March. The AOE is flexible in working with the stakeholders in this capacity. There will also be a public comment for this.

Rulemaking:

Rachel reviewed the official process for rule making for the council. There is a separate advisory group on Census Based Funding. The state board has heard from the Census group and AOE many times. Yet, they have not officially opened the rules for public comment. When the rules are open, all are opened. And public comment is a time for commenting. Staff from the AOE are providing support to the state board. Historically there has been one set of rules for programmatic and for funding. Now there will be a set for each.

Randi shared responses from the council of priority items from a brainstormed list in the following areas:

- Adverse Effect
- LEA definition
- Child Find intersection with MTSS
- Re-evaluation timelines
- Parents Sign the IEP
- Definition of highly qualified Sped. Ed. Teacher
- Timeline for Prior Written Notice
- Definition of placement
- Definition of need
- Definition of special ed services
- General ed mandates
- Eval plan within 15 days
- MTSS basics
- Data for SLD determine
- Monitoring enforcement activities

Only 6 responses: Now that membership is growing; discussion about the results of survey and if it truly represents the group; Agreement that Rachel will re-send the link to the survey so that others can participate before March meeting. Feedback that parents in one district identified Transition as an area of weakness in the rules, when Council member reached out to families in her district.

Membership to Council:

Discussion around how to recruit a varied group, disproportionality, n size numbers for data, and the need to dive deeper and look at how things are working.

Karen asked where the other members to represent different areas are. How do we fill this position?

Other: Karen passed out postcards regarding the upcoming VFN conference on March 21st in the southern part of the state, on April 2 and 4 for Central Vermont, and on April ;7 in Northern Vermont.

Review bylaws and roles of council members:

Reviewed new bylaws; there is a revised document from September of 2019.

Three things needed:

- 1 Application
- 2 Attend one meeting and say you are interested
- 3 At a second meeting applicant attends, council votes and submits to Secretary, who submits to the Governor

Council moved to executive session to discuss applications to join.

Today we will vote on the 3 people who have met the above;

Applications will be resubmitted to Rachel (as do not have them from Troy).

The intent is to have people moved forward to the governor asap.

Vickie Haskins: will attend one more meeting; and we will vote in March

3 applicants:

Susan Comerford, parent

Scarlett Duncan, parent

Marylynne Strachan, parent

Eileen asked for a motion that a motion be made to recommend to governor to be appointed to the council,

Rachel moved to approve the 3 parent candidates, this was seconded by Carrie.

Discussion: will work between now and March regarding the roles that need to be filled

By unanimous vote all approved.

Meeting Schedules: March Meeting: 3/19/2020 4:30 to 7:30 Green Mountain Power, 2154 Post Road in Rutland,

May 21, 2020 (9:30 am -2:30 pm) TBA

Discussion: should other meetings be scheduled? Council discussed subcommittees that can be formed in March

Other Business:

Review of next agenda: Vote on Membership

State Systemic Improvement Plan and what participation in the plan looks like

Working on the rules (survey will be distributed to all new members)

Create sub committees to address rules and other projects that need work by the council

Cards to say thank you to Troy and Eileen

1:17 pm: Meeting was adjourned

Meeting Schedule (hold the dates):

March 19, 2020 (4:30 pm-7:30 pm) - (Green Mountain Power, 2154 Post Rd., Rutland VT (conference room))

May 21, 2020 (9:30 am-2:30 pm) - (TBA)