



Special Education Advisory Council

Meeting Minutes

Meeting Place: Nine East

Address: 9 West St., Montpelier VT 05602

Date: November 15, 2017

Present:

Mary Barton, Nancy Richards, Sherrie Brunelle, Kascinda Fleming, Karen Joyce, Tara Howe, Susan Kimmerly, Karen Price, Joy Wilcox, Troy McAllister, Nancy Richards

Agenda:

- 9:30 - 9:40 Roll Call, Assign Roles, Review/ Revise Agenda as needed – Mary
- 9:40 - 9:45 Open Meeting Sign-In Sheet/Public Comments
- 9:45 - 9:50 Approve minutes for October 18, 2017 Meeting
- 9:50 - 10:15 State Updates
- 10:15 - 10:45 Discussion of AnLar's Advice Regarding Conflict of Interest Provision in the By-laws
- 10:45 - 11:15 Discussion of AOE Input on Compensation for Council Members
- 11:15 - 11:30 Finalize By-laws
- 11:30 - 12:00 Discussion Proposed Statute Change and Next Steps
- 12:00 - 12:30 SEAC Membership Update
- 12:30 - 1:00 January Agenda and Meeting Place
- 1:00 - 1:30 Other

Roll call, sign in, and agenda reviewed.

No public comments.

A motion was made by Sherrie to approve October 18, 2017 minutes, seconded by Karen Price. Discussion - October minutes have not been posted as they are noted as being unapproved, Karen Price expressed concern that this was in violation of VT Open Meeting law, Karen Joyce will follow up. The vote to approve was unanimous.

Updates:

District Management Group (DMG) report has been published. Mary will email copies out to Council members. AOE's work will align to these initiatives.

Legislators have authorized a study as part of Act 49 and Secretary Holcombe has said there is not capacity to do this and lawmakers are looking at a lawsuit.

Alternative assessment has not been identified to replace the DLM. Tentative timeline is spring 2018.

Mary, Joy, Karen Price asked about direction on interface between IEP and PLP, adding that this is confusing for Special Educators. John Spinney is the contact person for these questions and AOE has a contract with Lee Ann Jung to do professional development(PD). Karen Price emphasized that parents need this information, as well as professionals in the field and how will the PD be delivered.

Discussion that people do not know who is doing what at AOE, making it difficult to know who to call when questions arise. Sherrie made a motion to get an AOE rubric of who is working on what issues, it was seconded Karen Price. The vote to approve was unanimous.

Adverse Effect:

Adverse effect discussion. Sherrie provided background information that the interpretation of adverse effect had been drifting. The drift was away from functional skills, focusing only on academic skills. As a result, kids were being found to be not eligible for SPED. There was a legislative mandate for PD, in an attempt to redefine adverse effect. Council members asked if the PD has been implemented, its effectiveness, and if there was a plan for monitoring and evaluating the effectiveness of the PD. Currently, there is one year of data, which is initial and re-evaluations. It will take a 3-year cycle to get the full scope. AOE does not have access to all the SU data and is working on a system to pull together all the data and funnel it into one data base. There are SU's that are opposed to AOE having access to this information. A meeting is being scheduled with Brian Townsend and Cindy Moran. Karen Joyce is going to work on how to evaluate the effectiveness of PD, such as looking at disability categories, checklist, if the person doing the evaluations were directly or indirectly trained, etc., and to identify the status and accessibility (to AOE) of the data collected. Joy will work with Karen on this. It was noted that it was difficult to find information on adverse effect on the AOE website.

By-Laws:

AnLar joined via phone to discuss by-laws, specifically the conflict of interest section. Everyone was in agreement to have a conflict of interest clause, but want to look at how it reads. AnLar felt that the 10-31-17 draft language is sufficient. Sherrie noted that the draft states "or otherwise give the appearance of a conflict of interest under state law," and that VT does not have a state law for conflict of interest. AnLar clarified that Part C regulations states there has to be a conflict of interest statement. Sherrie will research if there are any state laws for conflict of interest.

Susan stated that if Council members hold multiple roles, they may experience a conflict of interest, i.e. parent and paid employee for an organization. AnLar clarified that when a person joins the Council they should identify what role they will represent while on the Council. The Council felt that would limit people from being able to serve multiple roles, which they support. AnLar recommended adding a sentence that disclosure of conflict interest is the responsibility of the member and may require situational recusal. A motion made by Joy to remove "or otherwise give the appearance of a conflict of interest under state law," it was seconded by Susan. No further discussion. The vote to approve was unanimous.

Article X: Expenses and Compensation has been updated in the SEAC by-laws, to align with 32 VSA, section 1010. Compensation is now \$50.00 for members who are not state employees.

Discussion of paying for child care expenses for parent Council members. The current language is broad enough that this could be a reimbursable expense. A motion was made by Susan, to

approve the 10-31-17 draft SEAC by-laws, it was seconded by Troy. No further discussion. The vote to approve was unanimous.

Proposed Revisions to Draft #1, 11-9-17, needs a legislative sponsor. Suggestions were David Yacovone, someone on the house education committee, or someone on the senate education committee. This was sent to Karin Edwards. Karen Joyce stated there was no comment from AOE, at this time. A motion was made by Troy that a formal letter be written to Secretary Holcombe, with an explanation of why this is being done, what the Council likes, support and guidance for next steps. It was seconded by Joy. Further discussion-Mary will draft the letter and send to Sherrie for review, a copy of the letter will be sent to Cindy Moran and Karin Edwards. The vote to approve was unanimous.

Membership:

There are no updates.

Discussion - What is the process for deciding Council membership? There is no process, but one needs to be developed. AnLar's input was the process needs to be in compliance with Federal and State regulations. AnLar is looking at how the membership process is being done in other states and noted that some states use a membership committee for appointments, orientation, etc.

There is a problem in getting appointments through. Troy has worked with Jason Maulucci, who has been helpful. Troy shared that with the new Governor, there is a new process. Governor Scott is currently doing reappointments and for new appointments is wanting more than the one application for each slot. Council would like the process of appointments formalized, including a clear understanding of what is meant by "the advice of the Secretary." It was suggested that the AOE should have a conversation with Karin Edwards, on who will move applications forward. Karen Joyce has the list of current applicants. Michelle Paya, a potential applicant, is planning on attending the January, 2018 meeting.

There is no December meeting. January meeting will be at 9 East, Montpelier.

Other:

Karen Joyce will bring updates on the following: legislative updates, membership updates, special education funding, Act 264 Interagency Agreement.

A motion was made by Joy, that in January work for January through June, 2018 be prioritized and that AOE send out information for the for the meeting 2 weeks before. This was seconded by Susan. Discussion-how do things get done after they are prioritized, why are people on the Council, personal agenda/reason, information, systems change, support work with families and students. The vote to approve was unanimous.

The Council would like Secretary Holcombe to attend either the April or May, 2018 meeting.

Next meeting will be used to set priorities. Discussion-what is the process for doing this, can AnLar facilitate January meeting, can AnLar help members differentiate between advocacy of the council and individual role advocacy, can someone else facilitate as there are mixed feelings

about AnLar's effectiveness, can AnLar be physically present, develop a plan for internal workings of the Council, no AnLar for Jan, possibly for February.

Karen Price expressed a priority for more people with disabilities and families to be on the Council, how to keep the PTI and other stakeholders informed of special education and general education PD, and how are people's voices weighted.

Concerns were expressed that AOE is trying to manage multiple initiatives, at one time.

The Council would like respect given to them by governing bodies, i.e. recognition and value of the work being done.

AOE define how the Council would be helpful and how can they work most effectively together.

Set Next Meeting Agenda:

- 9:30 - 9:40 Roll Call, Assign Roles, Review/ Revise Agenda as needed
- 9:40 - 9:45 Open Meeting Sign-In Sheet/Public Comments
- 9:45 - 9:50 Approve minutes for November 15, 2017 Meeting
- 9:50 - 10:15 State Updates
- 10:15 - 10:45 SEAC Membership update
- 10:45 - 11:15 Adverse Effect Evaluation
- 11:15 - 12:30 Set Work Priorities
- 12:30 - 1:00 February Agenda and Meeting Place
- 1:00 - 1:30 Other

A motion was made by Joy to adjourn the meeting, Karen Price seconded. No Discussion. The vote was approved unanimously.

Adjourned 1:30pm.