

**STATE BOARD ADVISORY PANEL  
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at Capitol Center Building, Basement Meeting Rooms A & B, 15 South 15<sup>th</sup> Ave., Phoenix, Arizona, on January 15, 2008, from 9:30 a.m. to 3:30 p.m.

Members Present

Molly Bright  
M. Diane Bruening  
Ronald L. Clanton  
Ileen G. Herberg  
Robert Hill  
Alecia Jackson  
Gail Jacobs, Ed.D.  
Terisa Rademacher, Co-chair  
Jean Sargent Richards, Ed.D  
Kim Simmons  
Nancy Williams

Others Present

Valerie Andrews, ADE/ECSE  
Cynthia Bolewski, ADE/ESS  
Lynn Busenbark, ADE/ESS  
Colette Chapman, ADE/ESS  
Diane Mignella, ADE/ESS  
Jeannette Zemeida, ADE/ESS

Members Absent

Jay Dashefsky  
Susan Douglas  
Jason Geroux  
Phyllis Green  
Dr. Ida Malian  
Kathy McDonald  
Mattie McVey Lord  
Kay B. Turner, Ed.D, Vice-chairperson

Minutes Approved (As Read)(As Amended)

Chairperson: \_\_\_\_\_

Signature

Date

Topic	Discussion	Outcome
1. Call to order.	Teri Rademacher, Co-Chairperson, called the meeting to order at 9:45 a.m. Meeting start time was delayed due to change of venue and lack of parking.	1. None.
2. Approval of September 25, 2007 and November 20, 2007 minutes.	<p>Ron Clanton made a motion which was seconded by Nancy Williams to approve the minutes of the September 25, 2007 minutes. The motion was approved.</p> <p>Diane Bruening made a motion which was seconded by Gail Jacobs to approve the minutes of the November 20, 2007 minutes. The motion was approved.</p>	2. Motion approved.
3. Public comment.	Ms. Rademacher welcomed the public in attendance. She explained to those present the procedures for making a comment. Anyone wishing to comment on an agenda item was asked to fill out a brief questionnaire stating which agenda item they wished to comment on. That person would then be called on when that item was discussed.	3. None.
4. State Performance Plan/Annual Performance Report.	<p>Dr. Lynn Busenbark, consultant for Arizona Department of Education, Exceptional Student Services (ADE/ESS) provided the Panel with a summary of the data to be used in the Annual Performance Report.</p> <p>The results were as follows:</p> <p>Indicator 1: Graduation Statistics – Target: 62.5%; Results: 60.4%.</p> <p>Indicator 2: Dropout Statistics -- Target met.</p> <p>Indicator 3: Participation/Performance of Children with Disabilities on Statewide Assessments The target for participation was met. The target for performance wasn't met. Arizona will continue to have difficulty meeting the target for performance and for the number of LEAs meeting the AYP because NCLB requires that the state progress to 100% on grade level achievement by 2013. The state has a progress target that continues to move upwards. Dr. Busenbark noted that children's performance has a pattern of decline as they get older. Panel members discussed possible reasons.</p> <p>Indicator 4: Rates of Suspension and Expulsion—Target: 1.55%; Results: 2.0%.</p> <p>Indicator 5: School-Aged Placements – A. Target met; B. Target met, C. Target: 2.5%; Results: 2.7%.</p> <p>Indicator 8: Parent Involvement – Target met</p> <p>Indicator 9: Racial/Ethnic Disproportionality – Target: 0%; Results: 1%.</p>	4. None.

Topic	Discussion	Outcome
	Indicator 10: Racial/Ethnic Disproportionality by Disability –Target: 0%, Results: 7.1%.	
	Indicator 11: Evaluation Timelines – Target: 100%; Results: 84%.	
	Indicator 12: Preschool Transition – Target: 100%; Results: 82.4%.	
	Indicator 13: High School Transition – Baseline: 83.5% for FFY 2005. Target: 100%; Results: 57.8%. This is primarily attributed to the fact that the baseline year was set based on IDEA 97 and the FFY 2006 results were based on IDEA 04.	
	Current trainings regarding Indicators 11 and 12 should help to increase the reporting results next year.	
	Indicator 15: Effective Corrective Action – Target: 100%; Results: 93.1%.	
	Indicator 16: Complaint Investigation Timelines -- Target met.	
	Indicator 17: Due Process hearing Timelines – Target met.	
	Indicator 18: Resolution Session Effectiveness – Target met.	
	Indicator 19: Mediation Effectiveness – Target: 82.5%; Results: 73.9%.	
	Indicator 20 results were not available at the time of SEAP meeting.	
	Indicators 7: Preschool Outcomes – Review of text and current findings. The results are not due until 2010.	
	Indicator 14: High School Outcomes – Review of measurement and collection process.	
5. Arizona Center for Disability Law (ACDL)	Panel members were provided with a copy of a fundraising letter was sent out by the Arizona Center for Disability Law. Colette Chapman, Deputy Associate Superintendent, Arizona Department of Education/Exceptional Student Services (ADE/ESS) sent a letter in response. A copy of her letter was also provided to the Panel.	5. None.
	A panel discussion followed a review of the contents of both letters. Peri Jude Radevic, the Executive Director for Arizona Center for Disability Law has been invited to come to a SEAP meeting to express her agency’s concerns. Ms. Radevic was unable to attend the January meeting but an open invitation has been extended for the first SEAP meeting date that Ms. Radevic and/or her staff are available.	

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6. Exceptional Student Services.	<p>Ms. Rademacher read the letter of invitation to Ms. Radecic which was written by the SEAP Executive Committee. The fundraising letter was provided to the Panel to determine whether or not SEAP wanted to further respond. Panel discussion followed.</p> <p>Ms. Chapman informed the Panel that she had met with Ms. Radecic after she had received Ms. Chapman's letter of response. Ms. Radecic agreed to edit the letter but it may not be sent to the original recipients.</p> <p>Ms. Rademacher informed the Panel that she had attended a presentation by Ms. Radecic in Yuma. Special education is a minor part of the funding that the ACDL receives. However, the majority of the ACDL's calls per week are regarding special education related issues. This is a significant percentage of their calls.</p> <p>A follow-up letter will not be sent to ACDL but the Executive Committee will continue to encourage Ms. Radecic and/or members of her staff to attend a SEAP meeting.</p> <p>Ms. Chapman spoke to the Panel regarding the "US. Department of Education Determination Letters on State Implementation of the IDEA". The IDEA details four levels of determination.</p> <p>For Part B:</p> <ul style="list-style-type: none"><li>Meets the requirements and purposes of the IDEA 9 SEAs were in this category</li><li>Needs assistance in implementing the requirements of the IDEA 41 SEAs were in this category</li><li>Needs intervention in implementing the requirements of the IDEA 10 SEAs were in this category</li><li>Needs substantial intervention in implementing the requirements of the IDEA No SEAs were in this category</li></ul> <p>For Part B Arizona was labeled "needs assistance"; for Part C Arizona was labeled "needs intervention". Ms. Chapman explained which factors affected the Part B determination.</p> <p>The Parent Information Network (PIN) has a new toll-free number dedicated to parents only. The new number will help route parent calls more efficiently and improve response to parent requests. In addition, a PIN Specialist of the Day (POD) will be available for phone consultations from 8 a.m. to 5 p.m. at 1-877-230-PINS (7467).</p>	6. None.

Topic	Discussion	Outcome
7. Special Education Advisory Panel	<p>The Special Education link will be listed on the ADE home page.</p> <p>There is a bill that ESS is working to pass. Districts are required to continue to provide services to special education students who are expelled. However, after 10 days the District is required to drop the student from its enrollment and will no longer receive ADM for the student. If passed, this bill will allow Districts to continue receiving ADM funds for the expelled special education student. Ms. Chapman was unsure if the bill would be passed this year due to the state's budget constraints.</p> <p>Molly Bright informed the Panel that the Interagency Coordinating Council (ICC) approved having a joint SEAP/ICC meeting in March of each year. There will be an exception this year due to time constraints. The 2008 meeting will be held in May.</p> <p>ICC also agreed that to host the joint meeting alternate years. When ICC hosts, the meeting will be held on a Friday as this is their regular meeting day. When SEAP hosts, the meeting will be held on a Tuesday as this is their regular meeting day. The ICC Executive Committee will meet with the SEAP Executive Committee to set the agenda for this year's meeting. Agenda topics suggested are transition and the regional trainings that have been taking place around the state, Child Find, policy and legislation, and the autism insurance bill.</p> <p>ICC agreed with SEAP that the Central Office was a good location for future meetings because of the location and the numerous meeting rooms available. The May meeting will be held at the Capital Center Building this year since the Central meeting rooms weren't booked soon enough.</p> <p>At the November meeting John Copenhaver advised the Panel to review the previous year's Annual Report to revisit the issues that had been addressed in that time period. It gives the Panel a chance to see which issues had been resolved and if some needed to be readdressed.</p> <p>Ms. Rademacher reviewed the outstanding issues that SEAP addressed in 2006-2007. The outstanding topics for 2006-2007 were: Proposition 203/First Things First, Arizona's Instrument to Measure Standards (AIMS) and Calculator Use, Autism Research Project and the School Facilities Board.</p> <p>The Arizona Early Childhood Development and Health Board (AZECDH) was created as a result of Proposition 203. Ms. Rademacher and Ms. Bright updated the Panel on the Board's current activities. The website is <a href="http://www.azecdh.gov">www.azecdh.gov</a>. Ms. Rademacher will contact Deputy Director Karen Woodhouse to invite someone from AZECDH to return for an update on their activities.</p>	7. None.

Topic	Discussion	Outcome
	<p>The topic of Arizona's Instrument to Measure Standards (AIMS) and Calculator Use is still being considered by the US Dept. of Education, Office of Special Education Programs (OSEP).</p> <p>The Autism Research Project is ongoing. When there is new information to report they will contact SEAP.</p> <p>The issues surrounding the School Facilities Board haven't been resolved. The SEAP focus is on how the School Facilities Board funds new construction. SEAP is concerned about facility space for preschool children. Dr. Busenbark had suggested at a prior meeting that SEAP work with a legislator to redefine how the School Facilities Board calculates the need for space. This issue may be placed on the March agenda. The Panel discussed approaching the Governor's Office and asking them to weigh in on the topic.</p> <p>Panel members discussed maintaining an Alumni group to fill in for absent members so that the Panel can maintain its quorum. Panel members decided that it wasn't a good idea for the group and the issue was dropped from consideration.</p> <p>Ms. Rademacher suggested changes to the SEAP application. She suggested that a copy of the meeting dates be attached to the application and that applicants be required to sign a form acknowledging that they are aware of the dates and can commit to the listed meeting dates.</p> <p>Panel members discussed the logistics of moving the meeting to various locations throughout the state in an effort to increase public input. Historically, it is difficult to move the meeting around. The State has to reimburse Panel members for travel and it may limit accessibility to ADE staff. On the positive side, it could open the meeting membership up to stakeholders who may not be able to travel to Phoenix. SEAP occasionally has a problem meeting a quorum and travel to locations outside of Phoenix could threaten quorum since so many Panel members live in the Phoenix area. The Panel consensus was to leave the meetings in the Phoenix area.</p> <p>Panel members discussed the lack of public awareness of SEAP and ways to improve increase public input. Suggestions included:</p> <ul style="list-style-type: none"><li>• A phone line be set up for 15 minutes during the meeting for the public to call in with questions and comments. Callers would have to register before the meeting.</li><li>• A generic e-mail be set up where constituents could e-mail their concerns.</li><li>• A press release be sent out by the Department advertising the e-mail address and/or phone-in option which would inform the public that SEAP is seeking stakeholder input</li><li>• Flyers distributed to schools for students to take home</li><li>• Set up a SEAP listserv</li></ul>	

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	<ul style="list-style-type: none"><li>• Put an article on SEAP in the Special Edition newsletter</li><li>• Put a link for SEAP on the ADE Home Page</li><li>• Family stories at meetings</li></ul> <p>Ms. Dries cautioned the Panel about the message that they send to parents. She felt it would be a great resource for the Panel to discover unmet needs. However, it is critical in how SEAP frames the message to the family in terms of their expectation of outcome. SEAP needs to tell families that first and foremost they need to contact their school district, Dept. of Education, etc., that SEAP may be able to help facilitate those connections, but that SEAP could also use the information to better articulate the unmet needs as they advise the State Board.</p> <p>The Panel decided that the two top ideas they wanted to pursue was the e-mail link and getting information out to parents of students. An automatic response will need to be crafted for e-mails.</p> <p>Sue Douglas (by proxy), Jean Richards and Alecia Jackson volunteered to review the bylaws.</p> <p>SEAP needs more parents on the Panel. It was suggested that parents exiting the ICC Panel might be a resource. The Governor's Council and Pilot Parents would also be other sources that could be tapped for parent membership.</p> <p>Panel members were asked to check their calendars to see if the June SEAP meeting could be moved to June 10, 2008 due to a conflict for ESS staff. Consensus was that the change would not affect the attendance of those present.</p>	
8. Dispute Resolution	<p>Kasey Gregson, Director of Dispute Resolution, ADE/ESS updated the Panel on Complaints, Mediation, and Hearing Requests for 2006-2007.</p> <p>Complaints: 162 complaints were filed; 112 were resolved with a letter of finding; 40 were withdrawn; and 10 were pending on July 1, 2007.</p> <p>The top issues were: implementation of the IEP; components of the IEP and the IEP meeting. Dispute Resolution also received complaints that they did not have the authority to address. These included 504 issues, discrimination issues and reports of abuse.</p> <p>Of the 112 letters of finding that were issued, 72 issues were discovered to have some area of noncompliance; 40 were found to be in compliance.</p> <p>Mediation: 37 requested; 23 were held; 14 were withdrawn. Mediation has to be voluntary for both parties involved so this is why some are withdrawn. Eleven (11) of the 23 mediations</p>	8. None.

Topic	Discussion	Outcome
	<p>were held by way of a due process hearing; 7 were settled. Twelve (12) mediations were not related to due process; 10 of those were settled.</p> <p>Due Process: 58 requests, 2 went to a hearing; 16 were resolved without a hearing; 22 went to a resolution session. The remainder was withdrawn or was dismissed by the Administrative Law Judge. Ms. Gregson outlined some of the reasons why some requests are dismissed.</p> <p>Expedited Hearing Requests: 3 were requested; 1 was settled; 2 were withdrawn.</p>	
9. Medicaid School Based Claiming Program	Ms. Rademacher informed the Panel that the Parent Information Network (PINs) is developing a brochure for parents explaining the Medicaid program and responding to specific concerns. The brochure will be easy to reproduce and schools can disseminate it to parents. PINs is working in coordination with AHCCCS and a committee that includes PEAs, MAXIMUS, and other stakeholders.	9. None.
10. Secure Care and Juvenile Corrections	Panel discussion regarding information presented at the November meeting.  Dr. Jacobs reminded the Panel that due to the current funding set-up, teachers at the Arizona Dept. of Juvenile Corrections are the only secure care teachers who receive 301 funds. She suggested that SEAP and ADE support a legislative bill that would allow teachers in Detention Centers and Jails to receive the funding as well. Ms. Chapman suggested that the Dept. of Corrections support the proposal.	10. None.
11. Members' Reports from the Field	Molly Bright: Arizona Early Intervention Program (AzEIP) just awarded contracts for the team-based model on services in early January. She will send information to SEAP members on how to make referrals once it is available.  Nancy Williams: Many special education providers are feeling overwhelmed with class size, case loads, and AIMS test. Many teachers are leaving the field.  Diane Bruening: There is a void in the number of special education teachers being taught. Universities have had to cancel some special education classes because there aren't enough students registering for the classes. Chandler still has several openings for special education teachers because they can't find qualified professionals.  Ms. Bruening also informed the Panel that the universities are having a hard time placing student teachers with qualified professionals.  Colette Chapman: 2008 Great Arizona Teach-In, Saturday, March 15, 2008, 10:00 am – 3:00 pm, Phoenix Convention Center.	11. None.



Topic	Discussion	Outcome
12. Adjournment	<p>Audience member: Education services for medically-fragile students that are medically-homebound.</p> <p>The next SEAP meeting is scheduled for March 4 2008.</p> <p>Proposed agenda items for next meeting:</p> <ul style="list-style-type: none"><li>• Cindy Bolewski, State Performance Plan</li><li>• Colette Chapman, OSEP Questions</li></ul> <p>Ms. Rademacher adjourned the meeting at 3:12 p.m.</p>	12. Adjournment.