

**STATE BOARD ADVISORY PANEL  
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at Arizona Department of Education, Room 417, 1535 W. Jefferson St., Phoenix, Arizona, on March 4, 2008, from 9:30 a.m. to 3:30 p.m.

Members Present

Molly Bright  
M. Diane Bruening  
Ronald L. Clanton  
Susan Douglas  
Phyllis Green  
Ileen G. Herberg  
Alecia Jackson  
Gail Jacobs, Ed.D.  
Dr. Ida Malian  
Kathy McDonald  
Terisa Rademacher, Co-chair  
Jean Sargent Richards, Ed.D  
Kay B. Turner, Ed.D, Vice-chairperson  
Nancy Williams

Others Present

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

Members Absent

Jay Dashefsky  
Robert Hill  
Kim Simmons

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 9:32 a.m.	1. None.
2. Approval of January 15, 2008 minutes.	Kay Turner made a motion which was seconded by Ron Clanton to approve the minutes of the January 15, 2008 meeting. The motion was approved.	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. Exceptional Student Services.	<p>Colette Chapman, Deputy Associate Superintendent, Arizona Department of Education, Exceptional Services (ADE/ESS) informed the Panel that ESS initiated the rule making process on February 25th in order to bring Arizona into compliance with IDEA 2004. There were three statutes changed. Citation changes were made to R7-2-401 and R7-2-402. A change was made to R7-2-405 as it conflicted with IDEA 2004. Ms. Chapman informed the Panel that Arizona had assured the US Department of Education (USDOE) that we would align the rules with IDEA 2004 before applying for Part B funds.</p> <p>A 60-day Notice to the Public started on February 25, 2008. Two public hearings will be held in March. The April State Board of Education meeting will also be considered a public hearing.</p> <p>Panel members discussed the proposed changes.</p> <p>The USDOE has concluded their review of the Arizona Department of Education's request to change the use of calculators by special education students to a standard accommodation. The request has been denied, therefore the use of calculators will not be allowed as an accommodation for the AIMS math test.</p> <p>The federal peer review concluded that use of a calculator would invalidate the test.</p> <p>Ms. Chapman gave a presentation regarding General Supervision Oversight in order to prepare the Panel for a possible state audit by the Office of Special Education Programs (OSEP). She discussed and explained the General Supervision Responsibilities and outlined, with a brief explanation, the 8 Components of General Supervision." The 8 components are:</p> <ul style="list-style-type: none"> <li>State Performance Plan &amp; State Goals with Measurable Targets</li> <li>Fiscal Management</li> <li>Integrated On-Site &amp; Off-Site Monitoring Activities</li> <li>Effective Policies and Procedures</li> <li>Data on Processes and Results</li> </ul>	4. None.

Topic	Discussion	Outcome
	<p>Improvement, Correction, Incentives &amp; Sanctions Effective Dispute Resolution Targeted Technical Assistance &amp; Professional Development</p>	
	<p>Ms. Rademacher encouraged Panel members to ask questions as they would be expected to participate in the interview process during an OSEP onsite visit.</p>	
	<p>Diane Mignella, Program Support Director, ADE/ESS assisted Ms. Chapman with her presentation by explaining the activities involved with the On-site &amp; Off-site Monitoring Activities.</p>	
	<p>Ms. Chapman and Ms. Mignella provided the Panel with further information regarding the Critical Elements under General Supervision. They went through each item and outlined the current steps that Arizona takes to ensure that the state and PEAs are in compliance with federal regulations. They fielded questions from the Panel regarding PEA monitoring, complaints and due process. Topics included: correcting noncompliance, compiling and integrating data across systems, barriers that impede the state's ability to identify and correct noncompliance, dispute resolution and technical assistance.</p>	
	<p>Ms. Chapman stressed that ESS still isn't sure whether or not OSEP staff will be making an onsite visit in 2008; however, the Department and the SEAP Executive Committee felt it was important to be proactive and begin preparing for the visit.</p>	
	<p>Valerie James, Program Director, Early Childhood Special Education (ECSE) reported on current activities in her Unit.</p>	
	<p>Several months ago the Arizona Association of County School Superintendents (AACSS) asked ECSE to review a proposal that they wanted to submit to the State Senate. The AACSS wanted to add developmental delay as a category of eligibility for special education services. The proposal was very basic. ECSE also had this issue on their agenda but did not plan to address it until this Spring. ECSE offered their suggestions for revision to the AACSS. Due to the state budget crunch, the proposal needed to be written as funding neutral. The proposal has been assigned as Senate Bill 1359.</p>	
	<p>There are currently five preschool categories: preschool moderate delay, preschool severe delay, preschool speech/language, vision and hearing. These categories are only for 3-5 year olds, so all students in these categories have to be reevaluated before they go to kindergarten to establish their school-age eligibilities. Testing young children is difficult and the measures aren't always valid or reliable, often children are not identified or identified incorrectly.</p>	

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5. State Performance Plan/Annual Performance Report.	<p>The Developmental Delay Bill will keep the preschool severe delay; this category receives extra money. However the name has been changed to Early Childhood Severe Delay to align with how Early Childhood represents preschool. The bill also proposes that the preschool moderate delay be changed to read as a developmental delay which is what the category is called within IDEA. Preschool speech-language would be changed to speech-language impairment, which could be used throughout their school career, if applicable. Each state has to come up with its own definition of "developmental delay". The "developmental delay" category will allow the continuation of early intervention for a child up to age 9. Arizona chose to align the definition with the federal definition. It is close to the same definition as preschool moderate delay but it can be carried up to age 9. The child will not need to be retested before entering kindergarten with this new definition. There will be no change to the hearing or the vision categories.</p> <p>Ms. James fielded questions from the Panel.</p> <p>Most of the In-by-3 and Child Find trainings have been completed. ECSE has one left to do in Holbrook in April.</p> <p>ECSE and AzEIP are discussing having targeted trainings next year for the school districts who still aren't meeting the 100% target for their In-by-3 data.</p> <p>ECSE is working on a website that will assist individuals with getting the information and process for In-by-3. Ms. James will discuss more of the details at the May 13 SEAP/ICC Joint Meeting. ECSE is still working on some of the technical aspects of tracking the website.</p> <p>The final step for obtaining accurate In-by-3 data from PEAs is to determine the consequences for a PEA if its data is less than 100% compliant.</p>	5. None.
	<p>Cynthia Bolewski, Director, ADE/ESS informed the Panel that the FFY 2005-2010 State Performance Plan and the FFY 2006 Annual Performance Report had been submitted to the OSEP on February 1, 2008. The data for the APR was collected from July 1, 2006 – June 30, 2007.</p>	
	<p>Indicators 11, 12, and 13 have a 100 percent compliance requirement. The requirement wasn't met for any of these indicators; however the results were better than the previous year. Ms. Bolewski reviewed the results and data source for each indicator. The reasons for not meeting the requirement are listed in the report.</p>	
	<p>Indicators 9 and 10 have a 0 percent compliance requirement. Last year the indicators, which cover disproportionality, were calculated incorrectly. The baseline and calculations were reset</p>	

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6. Special Education Advisory Panel	<p>for the 2006-2007 report. After submitting the report to OSEP, ESS discovered that the weighted risk ratio had been miscalculated so they had to correct the numbers and will resubmit that section. Ms. Bolewski explained the calculations used to determine the numbers reported. Panel members discussed consequences for PEAs who are out of compliance in these indicators.</p> <p>Indicators 4B and 6 were suspended from the APR for FFY 2006. Valerie James reported that the data collection for Indicator 6 was changed so OSEP is giving states a year to adjust to the change. Data now needs to be collected for a preschool child's 8-hour day. Panel members discussed concerns regarding the definition of natural environment and the formula for data collection for preschool children. Panel members discussed possibly bringing their concerns regarding this indicator to the federal department of education.</p> <p>Arizona still has an open monitoring from a federal monitoring done for 1998-1999. There are three areas that are not closed: child find, psychological counseling and ESY. Arizona has a final response to these findings which will hopefully close this monitoring.</p> <p>Ms. Bolewski briefly reviewed the findings for the remainder of the Indicators.</p> <p>The joint meeting with the Interagency Coordinating Council (ICC) is scheduled for May 13, 2008. It will be located at the Capitol Center Building.</p> <p>ICC agreed that the Joint Meeting should be scheduled as an annual event. Future joint meetings will be scheduled in March. ICC and SEAP will alternate hosting the meetings. The meeting day will be determined by the hosting committee. When SEAP hosts the meeting it will be scheduled for a Tuesday as this is the usual meeting day for SEAP. When ICC hosts the meeting it will be scheduled for Friday as this is the usual meeting day for ICC. The meeting location will be booked at the Arizona Department of Education on Central Ave., when possible, due to the amount of meeting space available.</p> <p>The 2009 meeting will be hosted by ICC and is scheduled for Friday, March 6.</p> <p>SEAP and ICC will hold separate meetings in the morning and then will hold the joint meeting in the afternoon.</p> <p>The agenda items agreed upon between Ms. Rademacher and the ICC Co-chair, Maureen Casey are: presentation from "First Things First", regional In-By-3 and Child Find trainings, and legislative issues.</p> <p>Public input will be limited due to time constraints. Members of the public will be required to fill</p>	6. Motion approved.

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	<p>out the "Public Input" forms provided by either SEAP or ICC.</p> <p>Sue Douglas informed the Panel about the bylaws from advisory panels in other states regarding the topics of absences and quorum. The Panel discussed the problem it has had with member absences.</p> <p>Ms. Rademacher informed the Panel that there were a few Panel members who would be receiving a letter from Kay Turner, Vice Chairperson, due to their poor attendance. Ms. Rademacher recommended that Panel members be sent an alert when they have two absences in the same fiscal year. Panel members discussed the suggestion.</p> <p>The Panel discussed including a student on the Panel. It was suggested a college/university student be considered as they would have the flexibility to attend. Ms. Douglas volunteered to contact Mesa Community College.</p> <p>Panel members discussed having an annual planning session. It was suggested that instead of an annual meeting with all departments in ESS presenting to the Panel that a different ESS department present at each meeting. It was felt that this might give Panel members a base of understanding on how they are supporting ESS.</p> <p>After further discussion, the Panel members decided that they would not change the bylaws for this year. All suggestions discussed will instead be procedural changes only.</p> <p>At the January meeting members discussed changing the June 17 meeting to June 10 due to the anticipated absence of ESS staff. Phyllis Green made a motion, which was seconded by Kay Turner, to move the June 17 meeting to June 10, 2008. Motion carried.</p> <p>The current meeting times for SEAP are 9:30 am – 3:30 pm. Some Panel members have requested that the meeting time be moved back to the original time of 9:00 am – 3:00 pm. After Panel discussion, it was decided to leave the meeting from 9:30 am – 3:30 pm.</p> <p>Panel members reviewed the proposed dates for the FY 2008-2009 SEAP meetings. September is a conference intensive month for ESS so several dates were proposed. Panel members discussed the proposed dates for the September meeting. Ron Clanton made a motion, which was seconded by Sue Douglas, to approve the SEAP Meeting Calendar for FY 2008-2009. Motion carried. The calendar for FY 2008-2009 is as follows:</p> <p style="padding-left: 40px;">September 30, 2008 November 18, 2008 January 20, 2008</p>	

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	<p>March 6, 2009 (Friday) Joint meeting with the ICC May 19, 2009 June 16, 2009</p> <p>Ms. Rademacher announced that Jason Geroux has submitted his resignation due to his inability to attend SEAP meetings. Mattie McVey Lord has also resigned. Ms. McVey Lord's position was in State and Local Education Officials. It will not be replaced since Diane Bruening and Kay Turner also serve in this category.</p> <p>There are currently two members who are in jeopardy of losing SEAP membership due to poor attendance.</p> <p>SEAP currently needs 3 parents for the panel. Ms. Rademacher volunteered to develop a 1-sheet overview for parents to generate parent interest and applications. SEAP needs a category interpretation for "State Juvenile and Correction Agencies" and "Charter and Private Schools" from OSEP.</p> <p>Panel members feel that the SEAP application is too general. They would like to include the categories on the application to make it easier to pinpoint which category the applicant would qualify for. Ms. Chapman is going to work with the State Board to get them to allow SEAP to update the application by listing the categories.</p> <p>The vacant co-chair position was opened for election. The position will expire June 30, 2009. Robert Hill was unable to attend the March meeting but indicated his interest in the position by e-mail to Terisa Rademacher. Ms. Rademacher opened the floor for nominations of the co-chair. Alecia Jackson nominated Robert Hill and was seconded by Kathy McDonald. The motion was approved. Robert Hill is now the new co-chair for SEAP.</p>	7. None.
7. Members' Reports from the Field	<p>Terisa Rademacher reported that the Executive Committee is still working on getting Peri Jude Radevic, or a staff member, from the Arizona Center for Disability Law to present at a SEAP meeting.</p> <p>Dr. Ida Malian informed the Panel that the state universities, NAU, U of A, and ASU, have all gone through their Department of Education reviews. Many of the special education programs have received a one-year extension on their approval process for certification; some received two years; some received three years. Most of the programs received a two-year approval because many of the programs have changed.</p> <p>The special education chairs in several universities are trying to work together to blend their elementary education and special education programs. The program at ASU West is a dual-</p>	

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	<p>certificate program.</p> <p>ASU is interested in having programs that are similar across all of its campuses. ASU and ADE are meeting to accomplish this. All four campuses will have programs in education. The Teach for America Program has been moved to the campus in downtown Phoenix.</p> <p>Dr. Malian asked to be placed on a future agenda in order to inform the Panel regarding university issues.</p> <p>Sue Douglas asked that the Panel take a look at English Language Development requirements at a future meeting. The concern is regarding a special education child in this situation. Ms. Chapman informed the Panel that the IEP requirements take precedence.</p>	
8. Adjournment	<p>The next SEAP meeting is scheduled for May 13, 2008.</p> <p>Ms. Rademacher adjourned the meeting at 3:39 p.m.</p>	8. Adjournment.