

**STATE BOARD ADVISORY PANEL  
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at the Arizona Dept. of Education, 3300 N. Central Ave, 16th Floor, Room 100/101, Phoenix, Arizona, on September 26, 2017, 9:30 a.m. – 3:30 p.m.

Members Present

Kristina Blackledge  
Lara Bruner  
Wendy Collison  
Robert Gilmore  
Amanda Heyser  
Wendi Howe  
Cathy Humphrey  
Paul Johnson  
Sophia Lenny  
Leanne Murrillo, Vice Chair  
Kathleen Puckett  
Judith Shideler  
Heidi Sinkovic  
Christopher Tiffany  
Susan Voirol  
Mary Wennersten  
Nancy K. Williams, Co-Chair

Members Absent

Ron Denne  
Susan Douglas  
Kresta Horn  
Justan Rice  
Patrice Robinson

Others Present

Alissa Trollinger, ESS/ADE  
Suzanne Perry Early Childhood SPED/ADE  
Mike Mannelly, ADE  
Kacey Gregson, Dispute Resolution/ADE  
Angela Odom, ESS/ADE  
Chris Brown, ESS/ADE  
Jeannette Zemeida, ESS/ADE  
Daniel Gulchack, AzCEC President  
John Copenhaver, TAESE  
Kimberly A. Peaslee

Minutes Approved (As Read) (As Amended)

Chairperson:

Signature

Date



3-6-18  
3/6/18

Topic	Discussion	Outcome
<b>Call to order</b>	Nancy Williams, Co-Chairperson, called the meeting to order at 9:35 a.m.	None.
<b>Approval of March 7, 2017 minutes.</b> <b>Approval of August 21, 2017 minutes.</b>	Judith Shideler made a motion to approve the March 7, 2017 minutes. Paul Johnson seconded the motion. Motion approved.  Nancy Williams abstained from approval of March minutes since she wasn't in attendance.  Kristina Blackledge made a motion to approve the August 21, 2017 minutes. Nancy Williams seconded the motion. Motion approved.	Motion carried.    Motion carried.
<b>Public Comment</b>	Ms. Williams 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. Anyone wishing to comment on an item not on the agenda was asked to come forward at that time.	None.
<b>Welcome to New SEAP Members</b>	Leanne Murillo welcomed new members to the Panel.  Panel members and Arizona Department of Education/Exceptional Student Services staff introduced themselves.	None.
<b>A Review of Panel Functions and Emerging Hot Topics in Special Education</b>	John Copenhaver, Director, Center for Technical Assistance for Excellence in Special Education (TAESE)  Mr. Copenhaver reviewed the key contents of the Arizona SEAP bylaws and reiterated the seven functions of panel responsibilities. These functions are listed on each SEAP agenda. A new disproportionality function has been added.  Mr. Copenhaver recommended changes to the Arizona SEAP bylaws.  Mr. Copenhaver shared his personal perspective on the hot topics in special education: The "big picture" issues are: <ul style="list-style-type: none"> <li>• Evolution of Technology</li> <li>• Postsecondary Education</li> <li>• New Administration in Washington D.C.</li> <li>• Privatization of Education</li> </ul>	None.

Topic	Discussion	Outcome
	<ul style="list-style-type: none"> <li>• Results and Accountability</li> <li>• IDEA Re-authorization</li> <li>• De-regulations</li> <li>• Early Childhood Education</li> </ul> <p>Current OSEP Priorities:</p> <ul style="list-style-type: none"> <li>• Fiscal issues in special education</li> <li>• Youth incarcerated</li> <li>• Dispute resolution</li> <li>• Disproportionality and setting risk ratios</li> <li>• Differentiated monitoring (treating states based on their performance)</li> <li>• Implementation science (ensuring we have a lot of research in special education around what works in classrooms)</li> </ul> <p>Hot Topics</p> <ol style="list-style-type: none"> <li>1. Keep the main thing the main thing -- children with disabilities               <ol style="list-style-type: none"> <li>a. Increases of children receiving special education has been in the categories of Autism, Other Health Impairments (OHI) (has increased by 51%), and Learning Disabilities. Specific Learning Disabilities (SLD) remains the largest, but declined to about 39% in 2015.</li> </ol> </li> <li>2. Leadership in Special Education               <ol style="list-style-type: none"> <li>a. In March 2017, the Journal of Special Education Leadership focused on school principal leadership. Our country is currently experiencing a turnover and shortage of leaders in special education. Special education at the school district level has become very complicated since the implementation of the State Performance Plan/Annual Performance Report (SPP/APR) and other accountability measures.</li> </ol> </li> <li>3. Vouchers, Choice, and Charter Schools               <ol style="list-style-type: none"> <li>a. Wherever students are, we need to be mindful of the needs of children with disabilities.</li> </ol> </li> <li>4. Multi-Tier System of Support and Response to Intervention (MTSS/RTI)               <ol style="list-style-type: none"> <li>a. There has been an emergence of a general education framework to address the needs of children at risk academically and behaviorally. Students who don't qualify for special education services still need interventions in general education. This implementation may be why the category of SLD has dropped in numbers.</li> </ol> </li> </ol>	

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	<p>January 21, 2011 OSEP letter: cannot deny referral for evaluation because of MTSS process. Tennessee exclusively uses MTSS now to identify students with SLD.</p> <ol style="list-style-type: none"> <li>5. Dyslexia               <ol style="list-style-type: none"> <li>a. The Office of Special Education Programs (OSEP) issued guidance on the topic and reconfirmed that currently dyslexia is part of the Specific Learning Disability category under IDEA in a letter dated October 23, 2015. Next steps: increase awareness for needs of children with dyslexia, increase professional development opportunities for administrators and teachers, and increased exposure at the higher education level.</li> </ol> </li> <li>6. Recruitment &amp; Retention of Qualified Staff               <ol style="list-style-type: none"> <li>a. In 2016, California had more than 21,000 positions to fill. The number of candidates in higher education has dropped.</li> </ol> </li> <li>7. Implementation Science               <ol style="list-style-type: none"> <li>a. Professional development is a critical aspect of school improvement and student learning. A conference is not enough to change teacher behavior and practice. Coaching and mentoring are an important piece. Technology allows for virtual coaching. The most effective mode of professional development is to teach others and have immediate use of learning (90%) retention, Practice by doing (75%).</li> </ol> </li> <li>8. IDEA Re-Authorization               <ol style="list-style-type: none"> <li>a. Reauthorization usually occurs every 5 years. It has been 13 years since the last IDEA reauthorization. The law is very outdated.</li> <li>b. Possible issues that might be considered in reauthorization: data and fiscal issues enhanced, alignment with the Every Student Succeeds Act (ESSA), virtual and online issues, results driven accountability, SPP/APR/SSIP, functions of SEAP, implementation science, dispute resolution, juvenile/adult corrections, disproportionality, MTSS/UDL.</li> </ol> </li> <li>9. Mental Health               <ol style="list-style-type: none"> <li>a. One in five Americans live with a mental health condition. Thirty-seven percent of students with a mental health condition ages 14 to 21 and older who are served by special education drop out. Suggestions to address the issue include: provide more professional development around mental health, partnerships with medical and social work communities, and dedicate expert SEA/LEA (state education agency/local education agency) staff to provide leadership and guidance.</li> </ol> </li> </ol>	

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	<p>10. Disproportionality in Special Education</p> <p>Mr. Copenhaver fielded questions from the Panel.</p>	
<p><b>Public Comment</b></p>	<p>Arizona Council for Exceptional Children (AzCEC) President, Daniel Galcheck</p> <p>Appreciation of work that SEAP is doing regarding the rules. Feels that SDI needs more clarification. Second issues, MTSS- positive behavior supports- statewide PBIS Arizona Advisory Council. PBIS is part of federal law since 1997. ADE/ESS and DD Planning Council have helped PBIS AZ. Behavior, Education, Technology Conference (BET-C) next week on October 5<sup>th</sup>. Celeste Namath from ADE is receiving award. BET-C.org code PBISAZ2017 will give SEAP members \$50 off registration. Flyers to distribute. Keynote will be on culture responsiveness.</p>	<p>None.</p>
<p><b>Review State Board of Education Proposed Special Education Rules and develop public comment from SEAP</b></p>	<p>Ms. Williams summarized how Panel addressed the rules in the August emergency meeting.</p> <p>Ms. Williams reviewed the letter to the Arizona State Board of Education which summarized SEAP efforts during the August meeting.</p> <p>Mr. Tiffany reviewed the role of SEAP and ESS regarding making recommendations to the State Board.</p>	<p>None.</p>
<p><b>Small Group Discussion</b></p>	<p>Panel worked in small groups.</p> <p>R7-2-401 sections discussed:</p> <p>Section B. Definitions</p> <p>Section D: Child ID &amp; Referral</p> <p>Section E: Evaluation/re-evaluation, paragraphs 1-5</p>	<p>Proposed changes were documented.</p>
<p><b>Exceptional Student Services</b></p>	<p>Deputy Associate Superintendent, Exceptional Student Services, Alissa Trollinger</p> <p>Arizona has been under a Federal Fiscal Audit for approximately two years. OSEP conducted a desk audit on Arizona’s allocation procedures. Arizona was given audit findings related to our allocation formulas as well as maintenance of effort and coordination for early intervening services. There were two areas of noncompliance. They each had specific areas of concern that needed to be addressed.</p>	<p>None.</p>

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	<p>When Ms. Trollinger and Mike Mannelly, Associate Superintendent, begin their jobs last year, the findings were one of their first priorities.</p> <p>Arizona has been able to close out maintenance of effort.</p> <p>In September OSEP was on site to conduct an audit. Once again, they focused on allocations for the IDEA Entitlement Funds. They also focused on the single audit – the audit that happens at the LEA level. ESS staff conduct monitorings to ensure that LEAs are spending their IDEA funds appropriately.</p> <p>ADE/ESS didn't know the results of the Federal Fiscal Audit prior to the September SEAP meeting. It will take up to 90 days for OSEP to notify the Agency regarding the finding results. Ms. Trollinger reported that OSEP was pleased regarding Arizona's allocations.</p> <p>In August, FY18 allocations for IDEA Basic were rolled out.</p> <p>Since ESS had to make allocation adjustments there were entities whose allocations increased and entities whose allocations decreased.</p> <p>ESS has been notified that Arizona failed to maintain fiscal efforts so our general allocation amount has been decreased by 2 percent. The state has a requirement to extend a certain amount of M&amp;O expenses each year every year, and not decrease the regular operating costs. IDEA money is intended to be supplementary not supplant.</p> <p>When Ms. Trollinger applied for the IDEA Basic Funds this year she had to pull the data of state funds from the last two years to demonstrate our maintenance of fiscal effort at the state -- our funds decreased from 2015 to 2016. It was a calculation error that caused it. She doesn't believe it was an actual decrease, but a math error. She will have a conversation with OSEP and may seek a waiver to recoup the funds that were removed as a penalty.</p> <p>What this means for entities: ESS must go back and make decreases to every entity. The pot of money has been reduced for everyone. As of Ms. Trollinger's report to SEAP, the field had not been notified about the allocation changes. She was hoping to have a conversation with OSEP before they did that. ESS staff is working to make process changes systemic so that this won't happen again.</p> <p>Ms. Trollinger fielded questions from the Panel.</p> <p>Cathy Sproul, Director of Federal Initiatives, ADE/ESS</p>	

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	<p>Ms. Sproul reviewed the IDEA definition and the current Arizona methodology for Indicators 9 and 10 regarding Significant Disproportionality (SD). She explained the challenges and concerns of the current methodology. The current methodology isn't effective.</p> <p>The changes to Arizona's current methodology are due to new regulations produced regarding Significant Proportionality. The changes need to be in place by January 2018. OSEP's new guidelines apply to all states and set a maximum value for minimum cell and n sizes.</p> <p>Changes to Indicators 9 (Disproportionate Representation) and 10 (Disproportionate Representation in Specific Disability Categories).</p> <ul style="list-style-type: none"> <li>• Move from weighted risk ratio to risk ratio. This will use a much simpler formula for the state to review LEA data.</li> <li>• Cell size will be reduced from 30 to 10. The minimum n size will remain 30 and the threshold for the ratio remains 3.0.</li> <li>• Single step to multiple steps. Ms. Sproul explained the new method using an If/Then chart to determine whether a PEA will be flagged for SD.</li> </ul> <p>The Significant Proportionality memos are nearly ready to be sent to PEAs. They will be based on the October 1, 2016 Child Count. Those will be conducted on the current methodology. PEAs can't use the new methodology because the metadata that was reported in January 2017 delineated that Arizona will use the current methodology.</p> <p>Indicator 4B: Suspension/Expulsion by Ethnicity</p> <ul style="list-style-type: none"> <li>• Still in development phase of new definition</li> <li>• Current n size is 50</li> <li>• State bar method (state average + 5%)</li> <li>• New definition will be special education against special education, not special education against general education</li> </ul> <p>Ms. Sproul and Ms. Trollinger fielded questions from the Panel.</p>	
<b>Panel Discussion</b>	Emergency meeting: 10/11/17	None.
	Adjourned 3:30 pm	

