

CT STATE ADVISORY COUNCIL ON SPECIAL EDUCATION (SAC)**Executive Committee
Special Meeting**

Wednesday, April 14, 2011
4:00pm – 6:00pm
CT State Department of Education
25 Industrial Park Road
Room MCR2 (Front of Building)
Middletown, CT 06457

I. Call to Order

Member Attendees: John Burke, Beth Hart, Brenda Sullivan, Marcus Rivera.

Dr. Burke called the meeting to order at 4:22pm.

II. Executive Committee Update

Mr. Rivera shared that Ms. Sarah Harvey, Bureau of Special Education consultant, will offer the General Supervision System review at the April 20 SAC meeting and provide the “Bureau Chief” update. Anne Louise will be attending an important federal IDEA meeting and regrets not being able to join the SAC at its monthly meeting. Ms. Terri DeFrancis will also be attending to review the Part B Application and proposed Procedural Safeguards, as well as receive feedback from SAC members.

III. Discussion and Action Items**A. SAC Legislative Committee (SLC) Proposals**

Ms. Sullivan reviewed several bills with the rest of the SAC Executive Committee for consideration.

o Bill 1038: An Act Concerning Special Education

- The focus of this bill is to improve the dissemination and communication of information regarding IEPs to parents and guardians and to improve the quality of education for teachers in the implementation of IEPs.
- The SAC Legislative Committee (SLC) is reviewing this bill and will offer a recommendation at a later date. Concerns include sufficient notice for parents to review assessments; the opportunity to extend this notice to all evaluations (initial and reevaluations); and the need for parental consent.

o Bill 6320: An Act Concerning the Inclusion of Humane Education in the Public School Curriculum

- This bill encourages the inclusion of humane education in the curriculum of public schools and the in-service training program for teachers and school administrators. The SAC Legislative Committee is also reviewing this bill and will offer a recommendation at a later date.

o Bill 930: An Act Concerning the School Entrance Age

- It seems now that this bill will be reviewed by the CT General Assembly. The SAC Executive Committee (SEC) already took action at its March 23, 2011, meeting to support this bill; i.e., that it supports “requiring a child to be five years of age by October 1st, before s/he registers for kindergarten.” At that time the Executive Committee discussed the probable reduction in any possible over-identification of students with disabilities due to age-related

issues, if more developmentally sound policies are in place – such as kindergarten registration when a child is 5 by October 1 and universal preschool until age 5. The SLC shared that a sample of kindergarten teachers were in support of this bill. CSDE also supported this bill.

- **Bill 6501 (formerly 6583): An Act Concerning the Delays in the Evaluation and Determination Process for Children Suspected of Requiring Special Education Services**
 - This bill includes written notification to parents when a child currently identified with special education needs is, in addition, identified for participation in any SRBI intervention. AFCAMP requested an amendment to the bill to reference that the SRBI process should not interfere with the prompt evaluation of a child with a suspected learning disability. OPA offered an amendment to include other supportive interventions that fall outside of SRBI.
 - **Dr. Burke moved and Ms. Hart seconded the motion to support this bill and include support for the AFCAMP and OPA amendments. Dr. Burke, Ms. Hart and Ms. Sullivan were in favor. Mr. Rivera abstained because CSDE's position is unclear. The motion passed.**

B. Summary of 2010 Annual Performance Report

The SEC followed up on the SAC review of the State Performance Indicators at the March SAC meeting. Mr. Rivera shared an overview slide of the indicators that met and did not meet the annual target. In addition, a chart was prepared to show the annual target and the performance reached in 2009-10. The SEC wanted to develop questions and consider unmet needs for the development of 2010-11 priorities and ad hoc committee assignments. The SEC had questions in the following areas:

- **Dropout Rate**: How was the target developed? What is the student count for the last two years? What is the percent and number incarcerated and dropping out for the last two years?
- **Districts Making AYP for SWDs**: What are the names of the 34.4% of districts making AYP for SWDs? What were the standard, MAS and Checklist results for Indicators 3A, 3B (CAPT Participation Rate) and 3C (CMT/CAPT Proficiency Rate)?
- **LRE Placements in Separate Settings**: How were the targets developed? The target was 6.0% in separate settings and the annual report result for 2009-10 was 7.2% in separate settings.
- **Disproportionate Representation by Disability**: What were the names of the three districts with disproportionality?

After the discussion at the April 20, 2011, SAC meeting, Mr. Rivera will review the questions with the Bureau for a response in May 2011.

C. Draft SAC 2010-11 Priority Areas / Charge of Proposed SAC Ad Hoc Committees

The SEC developed and discussed its proposal for 2010-11 Priority Areas and the charge and composition of each proposed SAC Ad Hoc Committee as described below:

SAC Ad Hoc Committees

- The Chair, with the consent of the Council, may establish such ad hoc committees as deemed necessary. The responsibilities and duties of such ad hoc committees shall be defined by the Council.

- An Ad Hoc Committee may be established to work on any individual task or project that can be best addressed by utilizing special knowledge and expertise of other state or private agencies or individuals. The ad hoc committee shall be chaired by a member of the Council appointed by the Chair with the consent of the Council.
- Members of an Ad Hoc Committee shall be appointed by the Ad Hoc Committee Chair with the consent of the Chair of the Council. Ad Hoc Committee members may be members of the Council and individuals with expertise. There shall be a minimum of three members, including a Chair, on any Ad Hoc Committee with actual numbers determined by the requirements of the task undertaken.
- An Ad Hoc Committee shall continue in operation until the task undertaken has been completed unless it is disbanded sooner by: a) a vote of the ad hoc committee members, or b) by a vote of the Council. When an Ad Hoc Committee completes its work, issues its reports and makes its recommendations, if any, to the Council it is automatically disbanded, unless continued by a vote of the Council.

Ad Hoc Committee 1

Name: Complaint Resolution/Due Process

Charge: Review and Update Recommendations concerning the following areas:

- Comprehensible Process and Filing
- Hearing Officer Authority and Parent Training
- Protections when Testifying (Legislative Amendment)
- Ensuring Settlement Outcomes

Chair and Committee members (at least three):

- Brenda Sullivan, Chair
- Catherine Foley Geib
- Ana Acevedo.

Ad Hoc Committee 2

Name: SRBI

Charge: Review and Update Recommendations concerning the following areas:

- SRBI Tenets, Implementation and Referral to Special Education

Chair and Committee members (at least three):

- Stephanie Johnson, Chair
- Julie Swanson
- Ron Tamura.

Ad Hoc Committee 3**Name: Accountability in Approved Private Special Education Programs (APSEP)**

Charge: Examine to what extent APSEPs are held to the same standards as public schools, from a programmatic unit perspective.

Primary Questions:

- How are data collected on academic and social outcomes for students with disabilities in private programs receiving special education funding?
- Are the data indicators and collections comparable to public school data collections? To the state performance indicators?
- Are the data aggregated by private school as the unit of analysis?
- What are the results when compared to public school students with disabilities?
- Are there indicators that show achievement in academic areas, social/emotional domains, and progress on IEP goals?
- How have these results helped to improve support and accountability?

Chair and Committee members (at least three):

- John Burke, Chair
- Anne Marie Cullinan
- Rep. Dan Carter
- Michelle Bidwell.

Ad Hoc Committee 4**Name: Suspensions and Expulsions**

Charge: Examine current unmet needs for students with disabilities who are suspended and/or expelled.

Primary Questions:

- Are districts using suspension/expulsion as a means of avoiding root cause of behavioral issues for students with disabilities?
- Are Functional Behavioral Assessments conducted by trained individuals?
- Are school administrators using their local police department to address behavioral issues with students with disabilities versus reviewing core behavioral problems with emergency mental health teams?

Chair and Committee members (at least three):

- James McGaughey, Chair
- Charlyne Olko
- Rich Douglas
- Donna Cambria.

Ad Hoc Committee 5**Name: Bullying and Students with Disabilities**

Charge: Examine current concerns and needs of students with disabilities with regard to bullying and school climate.

Primary Issues:

- Review current state and national data to determine if this is an unmet need for students with disabilities.
- Coordinate with the SAC Legislative Committee to review bullying legislative proposals and data received by legislative committees on increased violence in schools.

Chair and Committee members (at least three):

- John Burke, Chair
- Beth Hart
- Julie Swanson
- Catherine Foley Geib
- Uswah Khan
- Joanna Cooper.

D. SAC Appointments to Committees

Based on the development of the SAC priorities and committees, the following summary of SAC appointments was discussed for review at the April 20, 2011 meeting:

SAC Member	SAC Committee/Org Assignments as of 4/20/11
Acevedo, Ana	Complaint Resolution/Due Process Ad-Hoc,
Bidwell, Michelle	Nominations Chair, Membership Chair, CSPD Alternate, Transition/Post Grad Data Indicators Alternate, Removal from Class indicator, Parent involvement Indicator,
Burke, John	SAC Chair, Executive Committee, CSPD, APSEP Ad-Hoc Chair, Bullying Chair
Cambria, Donna	Graduation/Dropouts Indicators,
Carter, Rep. Daniel	APSEP Ad-Hoc
Cooper, Joanna	Focused Monitoring Steering Comm., Preschool Indicators
Crocker, Sheila	Membership Committee
Cullinan, Ann Marie	APSEP Ad-Hoc
Douglas, Richard	Suspension/Expulsion Ad-Hoc
Foley Geib, Catherine	Graduation/Dropouts Indicators, Executive Committee, Complaint Resolution/Due Process Ad-Hoc, Bullying Ad-Hoc
Hart, Beth	SAC Vice Chair, Executive Committee, Bullying Ad-Hoc
Johnson, Stephanie	Legislative Committee, Statewide Assessments & Disproportionality Indicators,

	SRBI Ad-Hoc Chair,
Khan, Uswah A.	Legislative Committee, Bullying Ad-Hoc
McGaughey, James	Suspension/Expulsion Ad-Hoc Chair
Murphy, Christine	Graduation/Dropouts Indicators,
Musto, Katherine	Legislative Committee, Transition Task Force, Transition/Post Grad Data Indicators Lead, Executive Committee
Neyra, Kelly	Nominations Committee, Due Process Indicators Alternate, Legislative Committee
Olko, Charlyne	CPAC Liaison, Suspensions and Expulsions Ad-Hoc
Prescott, Nancy	Legislative Committee
Rivera, Marcus	Executive Committee
Strong, Benjamin	Legislative Committee
Sullivan, Brenda	Executive Committee, Leg. Comm. Chair, BESB, Due Process Indicators Lead, Complaint Resolution/Due Process Ad-Hoc Chair
Swanson, Julie	Bullying Ad-Hoc, SRBI Ad-Hoc
Tamura, Ronald	SRBI Ad-Hoc
Taylor, Nancy L	Membership Committee, General Supervision Indicator,
Tiago, Fernando	Membership Committee

E. Annual Calendar of SAC Activities (DRAFT) and Agenda for SAC April 20, 2011, Regular Meeting

The following draft calendar was reviewed and revised for presentation at the April 20, 2011, SAC meeting. It may be amended as needed. The draft SAC April 20 agenda was proposed based on this annual template.

State Advisory Council on Special Education Calendar of SAC Activities and Advisory Areas: March-December 2011 Draft 4/20/11

March 16

- SPP and APR 2009-10 (Mike T./Anne Louise)
- 2010 Annual Report Findings/Recommendations (Brenda and Anne Louise/Marcus)
- 2009 Retreat Outcomes (John and Brenda)
- IEP Task Force Recommendations (Michelle and Anne Louise/Gail)
- Draft 2011 Priorities (review State Indicators and reports)
- Committee/Org Updates: Legislative

April 20

- IDEA Part B Application Review (Terri) 10 min.
- Procedural Safeguards Review (Terri) 10 min.

- OSEP Briefing: Overview of General Supervision System (Sarah H.) 20 min.
- 2011 Priorities
- Committee/Org Updates: Executive Legislative, Membership, Parent Indicator, BESB, CSPD, TTF
- By-Laws and Operating Guidelines Revisions

May 18

- SRBI (Perri)
- OSEP Briefing: Critical Elements Analysis Guide (CrEAG) overview and OSEP Visit (Sarah H.) 30 min.
- Committee/Org Updates: Legislative, Membership, Ad-Hoc, Regular Class Indicator, FMSC, CSPD

June 15

- Committee/Org Updates: Legislative, Membership, Ad-Hoc, CSPD, Early Childhood Indicators, TTF

September 21

- OSEP Interview
- Committee/Org Updates: Legislative, Membership, Ad-Hoc, CSPD

October 19

- Committee/Org Updates: Legislative, Membership, Ad-Hoc, FMSC, CSPD

November 16

- Retreat and Draft Priorities for 2012?
- Review Draft 2011 Annual Report
- Slate of Officers –Nominations Committee
- Committee/Org Updates: Legislative, Membership, Ad-Hoc, CSPD

December 14

- Election of Officers
- Committee/Org Updates: Legislative, Membership, Ad-Hoc, CSPD.

F. Draft Revisions to SAC By-Laws and Operating Guidelines: Other Appointments

As part of the review of the SAC By-Laws, it seems that the amendments to CGS, Section 10-76i found in JSS, PA 10-1, Section 41, only permit appointing authorities and the Commissioner of Education to appoint members to the full SAC. Given the SAC interest in appointing a member of CPAC, OPA and BRS to ensure that statewide unmet needs are presented and reviewed, the SAC approved the additional appointments of nonvoting “members-at-large” to fill current SAC vacancies and/or offer members-at-large, in accordance with its by-laws.

The Bureau of Special Education and the Department’s Division of Legal and Governmental Affairs have recommended that the SAC either:

- (1) inform the appointing authorities that these interim appointments have been made, that these individuals will represent the vacancy codified in statute (e.g., public school teacher) and what portion of the statutory length of term they will serve (in accordance with Section 10-76i and its amendments); or
- (2) request new, additional membership from the Commissioner of Education in accordance with JSS, PA 10-1, Section 41(a)(14): “such other members as

required by the Individuals with Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time, appointed by the Commissioner of Education.” The request may include that these current “members-at-large” fill these new proposed SAC seats from CPAC, OPA and BRS.

The issue was discussed and Dr. Burke, Ms. Hart and Ms. Sullivan requested a written opinion from the Department and the Office of the Attorney General. Mr. Rivera will follow up with the Department and also recommend a way to proceed with the Office of the Attorney General. The SAC may also choose to request that the General Assembly amend CGS Section 10-76i to include SAC membership from CPAC, OPA and BRS.

G. SAC Website

The following recommendations were made for SAC review, as the website is migrating to SERC:

- Make clear the SAC purpose and functional areas
- Public communication:
 - List the SAC Meetings and explain Public Participation at these meetings
 - List the SAC Committee meetings and explain Public Attendance at these meetings
 - Share Bureau of Special Education process for receiving general calls (include district call list by consultant?)
 - Share Complaint Resolution options and who to contact at the Bureau.
- Layout: Professional but friendly.
- Post SAC Annual Report, Priorities, SAC Member Names and Appointing Authority, Minutes and Agendas, By-Laws and Operating Guidelines.

IV. Action Items

A. Consideration of Minutes of February 28, 2011, SAC Executive Committee Meeting

B. Consideration of Minutes of March 23, 2011, SAC Executive Committee Meeting

C. SAC Regular Meeting, Dec. 14, 2011, 2:30-5:00PM, Room 307A, State Office Building, Hartford

- **Ms. Sullivan moved and Dr. Burke seconded to approve items IV. A, B, and C with the friendly amendment from Ms. Hart to state the following at the end of III.B. in the March 23, 2011, SEC Draft Minutes: “The SEC will consider other priority areas, for full SAC review, at its next meeting. “ The motion passed by unanimous consent.**

V. Adjournment

By unanimous consent, the meeting was adjourned at 7:03 pm.

Prepared by: Marcus Rivera, SAC Secretary