

**STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN**

**May 19, 2016**

**Quest Conference and Business Center**

Agenda Item	Discussion/Recommendations	Next Steps
<b>Call to Order</b>	Bill Bauer, Chairperson, called the meeting to order.	
<b>Roll Call</b>	Absent: Reba Allen, Stephanie Barber-Maynard, Diana Betts, Lisa Bruening, Cynthia Burger, Jamie Davis, Valerie Leach, Michelle McCollister, Susan Moyer, Terri Woods.	
<b>Introduction of Guests, Visitors and New Members</b>	Visitor: Emily Hayes.	
<b>Panel Business Approval of March 17, 2016 SAPEC Minutes</b>	A motion was called to approve the March 17, 2016 minutes. Tom Ash motioned to approve, Jed Morison seconded. There was no discussion. Minutes were approved.	Meeting minutes will be posted to the ODE website.
<b>Public Comment</b>	Written public comment was submitted to ODE by Brandi Noll on May 16, 2016. Panel members were asked to review the copy.	
<b>Chairperson's Report</b>	<p>The Chairperson referenced the handout that summarized SAPEC's accomplishments through March 2016. The Chairperson will develop SAPEC's Annual report to submit to ODE in June. The Annual Report will be available on ODE's website once finalized.</p> <p><i>Executive Committee recommendations regarding unmet needs presented to SAPEC during 2015-2016</i></p> <p>SAPEC is aware of the various challenges expressed through reports from parents and others concerning students with dyslexia. As a result, panel members were informed about the evaluation findings from ODE's Dyslexia Pilot Project and efforts toward implementing Ohio's Early Literacy Plan. The executive committee's recommendation is to receive ongoing updates from ODE on their efforts to address this issue. SAPEC will continue to monitor this throughout 2016-2017.</p> <p>A second unmet need focused on perceived personnel shortages, specific to school psychologists and intervention specialists; some university programs have been unable to maximize enrollment in the programs offered. Solutions for this issue are being offered, although none are attainable at the moment. The executive committee's recommendation is for ODE to continue providing updates to SAPEC on their efforts to address this issue.</p> <p><i>Membership Committee Vote</i></p> <p>Staci Anderson, Membership Committee Co-Chairperson, reviewed the SAPEC ballot. The ballot represented three panel members (Staci Anderson, Vicki Palur, and Myrrha Satow) applying for their second three-year term and two SAPEC members (Jessica Minor and Ron Rogers) applying for member-at-large positions on the executive committee. Staci Anderson called for a motion to accept the ballot, as is. Tom Ash motioned for the Panel to cast a unanimous ballot on behalf of all candidates. The motion was seconded and carried unanimously.</p>	<p>Jessica Minor and Ron Rodgers begin their term for Members-at-Large on July 1, 2016.</p>

	<p><i>2016-2017 SAPEC Meeting Schedule</i> The meeting tentatively scheduled for May 25 was changed to May 11 to avoid conflicts with district end of year activities.</p>	<p>2016-2017 SAPEC Meeting dates will be posted to the ODE website.</p>
<p><b>ODE Report</b></p>	<p><i>ODE Office for Exceptional Children’s Update</i> Dr. Zake thanked SAPEC members for attending and introduced OEC staff reporting on various topics listed on the agenda.</p> <p><i>Dispute Resolution Findings – Monica Drvota</i> Ohio’s Dispute Resolution findings for 2015-2016 were reviewed and several important points were highlighted:</p> <ul style="list-style-type: none"> <li>• Mediations increased from 63 to 71; ODE currently has 20 mediations pending.</li> <li>• Facilitations decreased from 172 during the previous year to 155 last school year.</li> <li>• From May 2015 – May 1, 2016 228 formal state complaints were filed. Formal complaints increased from 157 to 228. Two of the most frequently identified topics addressed were Individualized Educational Programs (IEPs) and Evaluation Procedures.</li> </ul> <p>ODE is soliciting applications for mediators and facilitators through an RFP process. The application can be found on the DAS website.</p> <p><i>Monitoring Data and Findings – Olivia Schmidt</i> <b>Strategic Improvement Self Reviews (SISR)</b></p> <ul style="list-style-type: none"> <li>• In 2014-2015, 10 districts were selected to complete ODE’s SISR</li> <li>• Districts were guided to review specific areas such as Early Literacy, the achievement gap and Positive Behavioral Interventions and Supports (PBIS).</li> <li>• 4 districts have completed their data analysis and developed a Strategic Improvement Plan (SIP).</li> <li>• In 2015-2016, ODE selected 6 districts to complete the SISR process.</li> </ul> <p><b>Selective Review</b></p> <ul style="list-style-type: none"> <li>• In 2014-2015, ODE selected 10 districts to participate in Selective Reviews.</li> <li>• 8 of 10 districts addressed all compliance findings and were cleared. Areas of concern identified in 2014-2015 included Part C to Part B transition, IEP concerns -present levels of performance, measurable goals, specially designed instruction, LRE, procedural issues with manifestation determinations, functional behavior assessment and behavior intervention plans.</li> <li>• In 2015-2016, 14 districts participated in Selective Reviews.</li> </ul> <p>ODE is working toward establishing an urban monitoring team. The team will begin working with Ohio’s 8 largest urban schools. The team will provide technical assistance and support building district capacity. ODE’s general monitoring team will monitor community schools located in these areas.</p> <p><i>Restraint and Seclusion: Status and Guidance – Jessica Dawso</i> ODE plans to disseminate a survey to local districts in June to collect 2015-2016 Restraint and Seclusion data. ODE’s review of data found a wide</p>	

variation in the type and appropriateness of training selected by districts. ODE will provide new guidance to assist districts with selecting training programs and provide additional clarification of definitions to assist districts with reporting data.

The State Board of Education is scheduled to review, revise and adopt Ohio's restraint and seclusion rule by August 1, 2018. During that time, ODE will solicit public comment and stakeholders will have an opportunity to provide feedback on the rule.

There has been some concern regarding "noxious electrical stimulus" or the use of electronic devices to interrupt a behavior, signal or attempt to stop aggressive, self-injurious behavior. The Food and Drug Administration is proposing to ban these devices used to treat aggressive/self-injurious behavior. They are seeking feedback on proposed rule language. For more information go to <https://www.regulations.gov/#!documentDetail;D=FDA-2016-N-1111-0001>. Click on "Open Docket Folder" to comment by May 25<sup>th</sup>.

*Special Education Profiles – Sue Zake*

The special education profiles go out to district superintendents on May 20, 2016.

*Annual Performance Report (APR) results – Kara Waldron*

IDEA requires states to submit an annual report on their performance on 17 indicators that measure both compliance as well as outcomes for students with disabilities. 2015-2016 was a unique data-reporting year due to legislative and infrastructure changes. As a result, Ohio missed the timelines for reporting on several indicators and other reports required under IDEA. ODE expects that not submitting accurate data in a timely manner will have an impact on Ohio's annual rating.

ODE demonstrated progress on several indicators for the period from 2013-2014 to 2014-2015.

- Indicator 11 Initial Evaluations - 99.1 % of initial evaluations were completed in the required timelines which is the highest completion rate Ohio has achieved.
- Indicator 5A Least Restrictive Environment (LRE) - steady improvement from 58.5% in 2010-2011 to 63.9% in 2014-2015.
- Indicator 6 Preschool LRE - improvement on all LRE indicators with an increase in the percentage of students served in regular early childhood programs from 50.6% in 2011-2012 to 61.7% in 2014-2015. Also, there was a decrease in children served in separate special education class or facility from 39.6% in 2011-2012 to 29.6% in 2014-2015. This data should reflect the percentage of children receiving services in the LRE; however, some children who receive pullout services may be reflected in this data.
- Indicator 2 Dropout - nearly 5% decrease from 21.8% in 2011-2012 to 16.7% in 2013-2014. Disaggregated data by disability shows a clear concern for students with emotional disturbance with a dropout rate of 44.6%.

Areas that demonstrated slippage or areas where the state failed to meet the target include the following:

- Indicator 3C – Reading and math proficiency – the 2014-2015 data reflect new state assessments which cannot be compared to previous year. 2015-2016 data will also reflect new assessments.
- Indicator 4A – discrepancy in rates of suspension and expulsions –The discrepancy rate rose from .03% in 2010-2011 to 4.4% in 2013-2014.
- Indicator 14 – Post –school outcomes – There was slippage in the percentage of students enrolled in higher education from 33.8% in 2011-2012 to 29.4% in 2014-2015. Enrollment in higher education or employed slipped from a high of 70.6% in 2012-2013 to 66.6% in 2014-2015.

*ODE’s Annual Special Education Rating/Special Education Determinations - Kara Waldron*

The USDOE provides each state an annual rating and states give special education ratings to local districts. OSEP will use additional data, such as state performance on the National Assessment of Educational Progress (NAEP) that factors into Ohio’s overall score. Ohio’s biggest decline will be for timely and accurate state-reported data for reasons discussed earlier. Once received, ODE’s Special Education Determinations will be posted on ODE’s website. OEC will provide an update during the first SAPEC meeting in September.

*Early Childhood Updates – Sophie Hubbell, Assistant Director, Office of Early Learning and School Readiness*

During the January and March 2016 meetings, a SAPEC Ad Hoc committee discussed the feasibility of using a result measure that would compare the performance of typically developing preschool children with that of children with disabilities. The following recommendations were made:

- Postpone implementing that result measure until at least two years of data were available;
- Have teacher reliability measures in place before attempting to set targets for the assessment;
- Reconvene three meetings in 2016-2017 to review the data in order to set targets.

The Early Childhood Conference space has been expanded to allow more participants to attend. The conference will focus on social, emotional learning and development of early childhood.

Panel members asked additional questions about requirements for Step Up To Quality, Ohio’s Learning Assessment data and various reports developed by the Office of Early Learning that describe how children with disabilities receive services.

*Ohio Longitudinal Transition Study (OLTS) – Sue Zake*

Members were provided with the OLTS, an annual report based on data reported for Indicator 14, post-school outcomes. The report shows disability categories, types of employment, background and training for students with disabilities who participated in the survey. This information along with some of ODE’s partnership work with Opportunities for Ohioans with Disabilities is key to reaching students age 14 to assist with transition planning and transition implementation. In preparation for the next biennium budget, ODE is hopeful the state legislature will continue to

provide funding which is then matched three times that amount with federal funding to support the work with adolescent students.

*Positive Behavioral Interventions and Supports (PBIS) Annual Report – Wendy Stoica*

Positive Behavioral Interventions and Supports (PBIS) refers to proactive ways and the positive culture within school districts for addressing the needs of children with behavior challenges. For the past year, each of the 16 SSTs employed a dedicated staff member who works with districts in their region to support PBIS. During 2015-2016, the SSTs offered numerous trainings and coaching opportunities to local districts. Some examples are -

- Forty-four introductory training and coaching sessions were provided to 1,836 participants representing 212 school districts statewide. These districts are adopting a three to five year process and embedding PBIS in the district culture.
- Advanced training and coaching which included classroom management was provided to 174 participants representing 63 districts.
- Tier 2 and Tier 3 coaching supports were provided to 145 districts and buildings.
- 582 train-the-trainer school sessions were conducted with district staff. Having a district staff person who is trained as a trainer allows the knowledge to be transferred throughout the district.
- Coaching to support fidelity of implementation and help ensure the training is integrated into what staff are doing.
- Entering data in the database held at the federal technical assistance center to assist in showing impact and problem areas. In 2015-2016, 263 schools completed assessment tools on their implementation of PBIS.

Ohio's School Climate Transition Grant made additional tools available that will be posted on ODE's website including a PBIS coaching guide and a Tier 2 and Tier 3 workbook that addresses challenging district issues. It also supported train-the-trainer sessions for staff of Educational Service Centers (ESC) and community agencies to enable them to support PBIS in their respective regions.

ODE will be implementing the Ohio Fidelity Implementation and Recognition Guide. The purpose of this process is to validate the accuracy of district self-reported data. SST and PBIS network teams will review district programs and conduct interviews with those who are part of the district's culture to validate data reported by districts. In December 2016, ODE will convene the second PBIS Showcase to recognize invited schools who are successfully implementing PBIS.

*Universal Special Education Forms Project – Sue Zake*

ODE launched an exploratory project to review the feasibility and infrastructure needed to support universal special education forms or a common database to avoid losing students who move from one educational system to another. One challenge in Ohio is there are multiple vendors statewide who provide information management systems that allow districts to manage their special education student data and reporting. ODE expects recommendations from the contracted vendor by fall 2016 which will help ODE decide whether to issue an RFP to pursue a

	<p>more in-depth project.</p> <p><i>Ad Hoc Committee Groups</i>  The Panel worked in Ad Hoc Committee groups to discuss several topics.  Group I – Due Process and Complaint information sheet  Group II – Ohio’s Graduation requirements  Group II –Special Education Urban Support Team</p>	
<b>Committee Reports</b>	<p><i>Ad Hoc Group Reports</i>  Panel members reported their small group discussion/recommendations and provided their completed feedback documents to ODE for further consideration.</p> <p><i>Due Process and Complaint Information sheet</i></p> <ul style="list-style-type: none"> <li>• Define/explain mediation and facilitation and include them as possible remedies.</li> <li>• Add a clarification that everything is an “allegation” until the investigation has been completed and the complaint is resolved.</li> <li>• Specify that a complaint investigation is neutral, independent and that ODE doesn’t side with either party.</li> <li>• Add event timelines such as the 60-day timeline, letter of acknowledgment, etc.</li> </ul> <p><i>Graduation Requirements</i></p> <ul style="list-style-type: none"> <li>• Provide guidance for IEP teams on topics related to <ul style="list-style-type: none"> <li>○ Talking with families about graduation requirements prior to 11<sup>th</sup> grade, including issues related to options for taking advantage of the new graduation pathways.</li> <li>○ When to exempt students with disabilities from course exams and how that differs from graduating by IEP goals.</li> <li>○ Making decisions addressing intensive student needs.</li> </ul> </li> <li>• Create a visual representation/graphic that explains the different pathways toward graduation.</li> </ul> <p><i>ODE’s Urban Monitoring Team</i>  In response to eight questions presented by OEC staff, the group shared their insight on challenges faced by urban school districts and factors that impact educating children with disabilities in urban settings:</p> <ul style="list-style-type: none"> <li>• Instructional factors <ul style="list-style-type: none"> <li>○ Lack of access to consistent, high quality instruction because students are transient.</li> <li>○ The need for training in culturally responsive practices to address the needs of students.</li> </ul> </li> <li>• Environmental factors <ul style="list-style-type: none"> <li>○ Impact of poverty on identification of students with special needs.</li> <li>○ Exposure to violence and safety concerns.</li> <li>○ The impact of limited access to health care on the development of students living in urban settings.</li> </ul> </li> </ul>	
<b>Learning Item</b>	<p><i>Ohio’s Early Literacy Project - LETRS Professional Development</i>  Molly Fender, Elizabeth Hess, Michelle Elia  ODE began working on Ohio’s State Systemic Improvement Plan in 2015. During SAPEC’s March meeting, members reviewed and provided feedback on Ohio’s Early Literacy Plan before it was submitted to the US Department of Education. Building teacher capacity is one large</p>	

	<p>component that will lay the foundation for implementing evidence-based early literacy practices. It is important for teachers to understand quality core instruction, what tiered instruction looks like and appropriate interventions that can be applied within a multi-tiered system of support, also known as RTI.</p> <p>The first cohort of Regional Early Literacy Specialists are learning about evidence-based reading instruction and will be partnering with 8 selected local districts on implementing early literacy core instruction and interventions. Language Essentials for Teachers of Reading and Spelling (LETRS) is a professional development series which is aligned with Ohio's common core standards. LETRS was chosen because it is based in research, the science of reading and it enhances teachers' ability to diagnose reading problems and use evidence based practices in their classroom. It does not replace any reading program or materials that districts currently use but will help teachers use their resources more effectively. LETRS training will have a significant impact on two areas – building teacher knowledge of literacy development - understanding how the brain learns to read and how children develop; and teacher knowledge of language – the significance of oral language and modeling complex language for children. ODE demonstrated LETRS activities that illustrate portions of the content being learned.</p>	
<b>Emerging Issues/Unmet Needs</b>	A proposed unmet need was submitted by Beth Hess in writing regarding lack of understanding of special education policies and procedures by administration and the need for training. This will be shared with SAPEC's Executive Committee for review and consideration.	
<b>Agency Reports</b>	<p><i>Jed Morrison – Ohio Association of County Boards of Developmental Disabilities</i></p> <p>The Association is waiting for final passage of legislation that will transfer administration of Help Me Grow from the Department of Health to the Department of Developmental Disabilities.</p> <p>Disability Rights Ohio filed a class action lawsuit against the Ohio Department of Developmental Disabilities, Opportunities for Ohioans with Disabilities and the Ohio Department of Medicaid. The lawsuit has two components - efforts to move people with disabilities, from Intermediate Care Facilities (ICFs) into more integrated community-based settings and efforts to encourage more Medicaid waivers for individuals on waiting lists.</p>	
<b>Member Announcements</b>	Certificates of appreciation were presented to Mary Murray and Sandee Winkelman who served for 7 years on the panel.	
<b>Future Agenda Considerations</b>	No items were recommended.	
<b>Adjourn</b>	A motion to adjourn was call by Tom Ash and seconded by Laryssa Beatty. Meeting adjourned.	Next meeting is tentatively scheduled for September 29, 2016.