

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

Sept 21, 2017

Quest Conference and Business Center

| Agenda Item | Discussion/Recommendations | Next Steps |
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| Call to Order | Tony Cochren, Chairperson, called the meeting to order. New SAPEC members were introduced. | |
| Roll Call | Absent: Bonnie Brown, Cynthia Burger, Marbella Caceres, Cathy Flory, Beth Harrison, Kathy Hall, Kimberly Hauck, Dana Hollis, Cheryl Kleist, Valerie Leach, Judith Sgambati, Jennifer Westbrook. | |
| Panel Business Approval of May 11, 2017 SAPEC Minutes | A motion was called to approve the May 11, 2017 meeting minutes. Bill Bauer motioned to approve and Tom Ash seconded. There was no discussion. Minutes were approved. | Meeting minutes will be posted to the ODE website. |
| Public Comment | No public comments submitted. | |
| Emerging Issues/Unmet Needs³ | <p>There were no emerging issues or unmet needs.</p> <p>Panel members were reminded that Ohio has a continuing shortage of related service personnel to meet the needs of our children with disabilities. House Bill 49 requires the State Superintendent of Public Instruction to form a task force or work group to investigate the issue.</p> <p>Representatives from the Office for Exceptional Children will participate on this workgroup along with representatives from other agencies and statewide associations. The work group's charge is to identify and evaluate causes and solutions for the shortage of related services personnel in the school setting, including evaluating the long-term sustainability of potential solutions. This work group will be in effect until June 30, 2019.</p> | |
| Chairperson's Report | <p>Tony Cochren reminded SAPEC members to review SAPEC's Bylaws to understand their responsibilities and panel member expectations. Input from all members is very important and necessary for SAPEC to function effectively.</p> <p><i>SAPEC Membership 2018-2019 Membership Application</i> <i>– Staci Anderson</i></p> <p>The majority of SAPEC members are parents of a school age child with a disability or persons with a disability. Members are all appointed for a three-year term and after that three-year term is up, members are eligible for a second three-year term. This year SAPEC have seven individuals who are finishing their first three-year term. Four individuals will be finishing their second term. SAPEC will be seeking applications from the public to fill the four openings. The application will be available on the SAPEC website by October 1, 2017 and applications will be accepted through October 31, 2017.</p> | |

ODE Report

ODE Office for Exceptional Children's Update – Kim Monachino, Director

OEC's New Director

Jessica Dawso, Associate Director, introduced OEC's new director, Kim Monachino. Dr. Monachino previously served as Special Education Director with Lorain City Schools. This is her 29th year in public education.

Brief Updates – Jessica Dawso, Associate Director

Ohio's parent notice document has been finalized and became official on August 1, 2017. Districts are using the new parent notice which is available in eleven languages. Anyone can access the document on ODE's website. ODE is working on supplemental resources to accompany the parent notice document. The definitions, found in the previous document, may be revised and updated. We will provide an update during the next meeting.

Ohio's Revised Special Education Forms

Ohio's IEP and ETR forms are under final review with technical writers and ODE Communications. ODE plans to make the final forms available this school year to allow time for districts and software vendors to become familiar with the content, format and incorporate the new forms with their education management systems software. The new forms will be required for use in the 2018-2019 school year.

Every Student Succeeds Act, Kim Monachino, OEC Director

Several changes have been made in the ESSA provisions for calculating graduation rates for students with disabilities. The term "secondary school diploma" was eliminated and replaced with "regular high school diploma", which is defined as the standard high school diploma awarded to the preponderance of students in a state as aligned to the state's standards.

The new definition means that Ohio's calculation of graduation rate will only include students with disabilities who meet the same requirements as their nondisabled peers. This will impact Ohio in several ways. This has implications for IEP teams, how IEPs are developed, implementation and the supports, and services provided to students with disabilities. The new definition also impacts how graduation is calculated and reported on Ohio's Report Card. Students who are excused from the consequences of assessments or course requirements will not be included in the graduation rate. Based on 2015-2016 data, the graduation rate for students with disabilities, which includes all available pathways (i.e. assessments with or without accommodations, meeting IEP requirements, exempt from assessments, or taking an alternate assessment), was 69.6 percent.

When we apply ESSA's new requirements (students meeting the same requirements as their nondisabled peers) to Ohio's 2015-2016 data, the graduation rate for students with disabilities would put the

graduation rate for students with disabilities around 35 percent. We are looking at what kinds of supports and services need to be put in place to enable more students with disabilities to meet the same state requirements as their nondisabled peers and be counted in Ohio's graduation rate.

Alternative pathways to graduation are available for all students in the class for 2018. Students with disabilities who pursue one of the two alternative options will be counted in Ohio's graduation rate. Whether they're considered a graduate at the federal level must be determined.

ODE's ongoing efforts to inform districts, organizations and various constituents include outreach to districts, presentations to a variety of organizations, outreach to SSTs to provide technical assistance to districts and providing information on ODE's website. ODE has identified promising practices that are being implemented in Ohio.

Related Services Personnel Workgroup

House Bill 49 requires establishing a work group to improve the coordination of state, school and provider efforts to address the related services needs of students with disabilities. The group's charge is to:

- Identify and evaluate causes and solutions for the shortage of related services personnel in the school setting including evaluating the long-term sustainability of potential solutions;
- Establish short-term, medium-term and long-term goals to address the shortage of related services personnel and to monitor progress of those goals; and
- Report, as needed, the findings of the work group.

ODE is currently organizing the process and logistics for this work which will be rolled out in the next few weeks.

Ohio's Determination and Districts' Special Education Ratings- Kara Waldron, Program Administrator

Ohio received their annual special education rating from the U.S. Department of Education, Office of Special Education Programs (OSEP) in June 2017. Ohio's special education ratings are intended to evaluate implementation of IDEA requirements. IDEA 2004 identifies four categories of ratings that are required for states and are implemented with districts. The four ratings that states and districts receive are – 1) meets requirements; 2) needs assistance, 3) needs intervention and, 4) needs substantial intervention. IDEA mandates enforcement actions that are tied to consecutive years of ratings other than meets requirements.

Ohio's rating is "needs assistance" for the third consecutive year. Ohio is among 34 states and territories that received this rating. Three primary reasons that Ohio continues to be in the category of needs assistance relates to the following:

- high rates of students with disabilities graduating by meeting modified requirements;

- high rates of students with disabilities dropping out of high school compared to other states; and
- high rates of students with disabilities taking alternate assessments.

Data displayed on the Matrix (handout) shows Ohio’s scores on compliance measures and student outcome measures. Participation in regular assessments is heavily weighted. Also, when Ohio has high alternate assessment rates, this impacts five measures on the matrix. Ohio’s overall percentage, a combined score on results measures and compliance measures, is 77 percent. The score to achieve “meets requirements” rating is 80 percent.

Ohio’s graduation rate, as an example, shows that when we look at graduation with a regular high school diploma, we had a 47 percent graduation rate and now we're down to that 35 percent. This puts Ohio’s rating among the bottom third of states.

ODE has several initiatives in place to address the issues described including various grants, a partnership with Opportunities for Ohioans with Disabilities for improving the quality of secondary transition planning. Ohio’s performance on compliance measures has improved but continues to be at a very high level.

After Ohio receives the state rating, district ratings are calculated. The 2016-2017 ratings were released on September 8, 2017. The same four categories are used to measure district performance on compliance indicators, timely correction of noncompliance, and submission of valid and reliable data in a timely manner. States may include district performance on outcome measures in their annual ratings. Ohio used a phase-in process to give districts an opportunity to adjust to the changing assessment landscape. District performance on student results measures will take effect in 2018.

Similar themes are evident when comparing Ohio’s ratings with district ratings in graduation by standard requirements and participation in regular state assessments in reading and math. ODE will ask SAPEC to provide input on establishing targets for Indicator 7 - preschool outcomes in 2018.

State Systemic Improvement Plan (SSIP) – Early Literacy Plan – Wendy Stoica, Assistant Director

Ohio’s Early Literacy Pilot is in the second year for eight Cohort I pilot districts. Those districts include Canton City, Cincinnati Public, Dayton Public, Garfield Heights Local, Niles City, Perkins Local, Wellston City and Western Local Schools. The project is also starting year one for eight additional Cohort II pilot districts. Cohort II districts include Crestline Exempted Village, Edison Local, Fairfield Local, Lancaster City, Madison Local, Riverside Local, Streetsboro City, and Swanton City Schools.

A variety of district staff, including K-3 teachers, Intervention Specialists, Speech/Language Pathologists and principals, receive

professional development in effective, research-based early literacy practices. This helps teachers understand how children learn to read, how to identify deficits when students aren't learning, and how to provide intervention and support.

The external evaluator for the pilot will submit the first annual report of progress for the first eight districts on October 31, 2017. Some of those results will be shared during the next SAPEC meeting.

State Personnel Development Grant (SPDG) Award

The Ohio Department of Education was awarded the State Personnel Development Grant by the Office of Special Education and Rehabilitative Services (OSERS). This new five-year grant has two specific goals. One goal is focused at the regional level to develop and expand statewide systems of support. This focus will include Regional Early Literacy Specialists who work with partner districts participating in Ohio's Early Literacy pilot, Ohio Improvement Process (OIP) Facilitators, and Early Childhood Consultants. These regional staff will receive training in research-based language and literacy practices to ensure knowledge and understanding among technical assistance providers working with any school district. Another area of focus for the SPDG includes addressing the needs of English Language Learners and developing plans which promote family and community engagement.

1% cap for Alternate Assessment Participation – AD HOC COMMITTEE DISCUSSION

HB 49 Changes affecting preschool special education – Sophie Hubbell, Assistant Director, Early Learning and School Readiness
Several changes in House Bill 49 will affect preschool children with disabilities. The law now requires the caseload for early intervention specialists who serve preschool children with disabilities to be one adult to eight children. With this legislated requirement, ODE can no longer grant districts a caseload waiver.

Early Childhood IDEA Funding – changes to calculations this year
Federal fiscal monitoring which occurred last fall changed the way that ODE distributes preschool special education or early childhood special education funds. This change had a negative impact for County Boards of Developmental Disabilities. Today more children are receiving services in their local district, so County Boards of Developmental Disabilities receive fewer funds. When a child moves from one district to another district, the funds follow the child.

Proposed rule changes affecting preschool
Since last fall when SAPEC's Ad Hoc committee provided input on Rule 11, ODE finalized the proposed rule revisions and they are going through the review process. The next step is State Board approval then the Joint Committee on Agency Rule Review (JCARR). An opportunity for public comment will occur before the rules become final.

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| | <p>OCALICON is coming up on November 15-17, 2017. This year they are offering three free sessions targeting families with children with disabilities as well as educators who work with children with disabilities. Copies of the brochure were available and ODE will send panel members a link to OCALI's website.</p> <p>The Panel worked in Ad Hoc Committee groups to discuss several topics. Ad Hoc Committee topics: Group I: Dispute Resolution - Due Process Group II: Alternate Assessment Participation</p> | <p>Send Panel members the link to OCALICON</p> |
| <p>Ad Hoc Committee Reports</p> | <p>Ad Hoc Committee Reports Panel members reported their small group discussion, recommendations and provided their completed feedback documents to ODE for further consideration.</p> <p>Due Process Form and Instructions The Ad Hoc committee reviewed Ohio's Due Process form and instructions and provided feedback regarding the forms clarity and ease of use. The following suggestions were made:</p> <ul style="list-style-type: none"> • Numbering used on the form should align with numbers on the instructions. • Consider making the form available online and print copies. • Combine the form and instruction into one document. • Consider adding a flow chart to show how some items are moving along. <p>Alternate Assessment Participation The guidance in ESSA regarding students taking alternate assessments directs states to stay within 1 percent of the tested population. Districts no longer have a 1% cap. If districts plan to assess more than 1 percent of students using alternate assessments, they must submit a justification to ODE explaining why. The Ad Hoc committee reviewed a draft justification template that districts may be required to use for this process.</p> <p>The Ad Hoc committee reviewed the new rubric and suggested some changes to the wording on the template. Other suggestions included:</p> <ul style="list-style-type: none"> • Language used should help the IEP team and parents be on the same page and have the same understanding. • Parents, teachers and staff should review everything together as a whole rather than individual parts. | |
| <p>Learning Item</p> | <p>Equity in IDEA: Disproportionality – Virginia Ressa The purpose of today's discussion is to review new disproportionality requirements and to share input received on two key decision points from Ohio's Equity in IDEA Stakeholder group on August 9, 2017. This fall Ohio's districts will be able to preview their disproportionality data on the district profile. This will give districts an idea about their performance before being held accountable. In 2018-2019, the data</p> | |

will be used for accountability purposes. By the fall of 2020, preschool children will be included in district calculations.

Ohio calculates significant disproportionality in three areas – identification, placement and discipline. Significant disproportionality references the likelihood that certain students or racial groups may be identified in one of those areas. OSEP identifies seven racial/ethnic groups that must be included in the analysis for each category. States are required to define when identification becomes significant and to identify the threshold that will be used for the state to intervene or require districts to change their practices.

The new regulations require states to use a risk ratio and alternate risk ratio. States must define the following elements to ensure accurate identification:

- reasonable minimum cell size and n-size;
- reasonable risk ratio threshold;
- option for consecutive years; and
- option for reasonable progress.

The department must determine the cell size and n size or the number of students for comparison used for the calculation. OSEP recommended a minimum cell size of 10 and a minimum n size of 30. ODE will share those recommendations with the state superintendent. If a school has a homogeneous population, OSEP recommends using an alternate risk ratio. In this case, the district calculation is compared to the likelihood across the state as an average.

ODE’s current threshold is 3.5. When a district’s risk ratio is 3.5, the district is required to intervene and change policies and practices.

To meet the new requirements, ODE is considering reviewing district data for patterns over three consecutive years. This approach will identify systemic patterns, account for anomalies in the data and prevent false positives. It will contribute to having a more accurate look at what is happening in a district. If a district’s trajectory shows improvement over three years, the district can be exempt from the consequences based on reasonable progress.

ODE received input from the stakeholder group on the threshold number and what constitutes as reasonable progress. The stakeholder group recommended a risk ratio of 2.5 and .25 percent improvement per year over three years for reasonable progress. Districts identified as having disproportionality in identification, placement or behavior would be required to use 15 percent of their special education funds to provide early intervening services that address the disproportionality issue(s). Early intervening services include professional development, educational and behavioral evaluations, and other services and supports including Positive Behavioral Interventions and Supports (PBIS). These services can address the needs of students with disabilities and their nondisabled

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| | <p>peers. Districts must revise or improve their policies, procedures and practices that contribute to the significant disproportionality.</p> <p>ODE is working with the stakeholder group recommendations and will elaborate on other stakeholder recommendations during future SAPEC meetings.</p> | |
| Agency Reports and Member Announcements | There were no agency reports. | |
| Adjourn | A motion to adjourn was called by Chairperson, Tony Cochren. Meeting adjourned. | The next meeting is tentatively scheduled for December 7, 2017. |