

**State Advisory Panel for Exceptional Children (SAPEC)  
May 6, 2021  
Virtual Meeting**

**Meeting Minutes**

**Call to Order**

The SAPEC virtual meeting was called to order by SAPEC Chair, Ron Rogers. All members were welcomed. Ron went over the virtual meeting protocol and reminded members to complete the evaluation form that is now available through SurveyMonkey.

Sandy Kaufman, Office for Exceptional Children (OEC) conducted roll call. Members absent were Tina Evans, Liesl Gyrko, Antoinette Miranda, Judith Sgambati, Melissa Ann Sowers, and Jennifer Westbrook.

Ron Rogers, SAPEC Chair, welcomed all guests to the meeting and reviewed guest responsibilities. Barb McKenzie, representing Ohio TASH attended as a guest during today's SAPEC meeting.

**Panel Business**

Ron Rogers, SAPEC Chair, asked for a motion to approve the March 25th meeting minutes. Traci Arway made a motion to approve; Shannon McGowan seconded. The meeting minutes were approved unanimously.

The 2021 elections were conducted. Ron Rogers asked for a motion to approve the ballot, Bonnie Brown made a motion, Shannon McGowan seconded the motion. SAPEC members were asked to vote to approve or reject in the chat box for the entire ballot. The 2021 SAPEC nominees were passed unanimously.

No public comment or unmet needs were discussed.

**Graduation Seals**

Amy Szymanski, Office for Exceptional Children and Graham Wood, Office for Graduate Success, presented on Ohio's graduation requirements and updates. Graham Wood began with updates regarding House Bill 67 which provided COVID-19 flexibilities to districts and schools for students during the 2020-2021 school year. Some of these accommodations include allowing schools to substitute a student's final grade in a course for the corresponding end of course exam. Another accommodation within House Bill 67 is to make the American History test optional for the year. The department encourage districts and schools to continue offering the American History test.

Graham Wood provided a brief overview on Ohio's Graduation Requirements for those students in the classes of 2023 and beyond. Students graduating in these classes must meet course requirements, demonstrate competency, and demonstrate readiness in order to meet the requirement of graduation. Course requirements include English Language Arts, Health, Mathematics, Physical Education, Science, Social Studies, and electives. To complete the competency requirement students must complete the required Ohio State Tests. The demonstration of readiness requirement includes the twelve diploma seals that were recently created by state law. Students must earn two diploma seals to qualify for a diploma. There are nine state defined seals and three locally defined seals.

**Ohio Administrative code 3301-30-01**

Niko Demetriou, Education Program Specialist, Office of Integrated Student Supports, presented Ohio Administrative Code (OAC) 3301-30-01, Ohio Department of Youth Services and Ohio Department of Rehabilitation and Correction Schools rule to panel members. Niko provided a brief overview of OAC 3301-30-01. Panel members participated in facilitated breakout groups for a discussion on the rule.

### **Office for Exceptional Children Updates**

Heidi Kleinman, Assistant Director Dispute Resolution, gave an overview of the dispute resolution data for the 2019-2020 year. The number of complaints the office has received for 2020 were significantly lower, which was to be expected since many districts and schools were remote for most of the school year. The office has seen a lot of systemic complaints. This year, complaints received for urban districts are significantly lower; less than half of what dispute resolution traditionally sees. The Office for Exceptional Children has also seen a decline in mediation and facilitation. With many schools being virtual, dispute resolution expected there to be a drop as well. Three new mediators were added to help with the mediation and facilitation process.

Shelley Beard, Assistant Director Supports & Monitoring, gave an update on supports and monitoring for the 2019-2020 year. The supports and monitoring team moved to a more supportive work environment during the covid-19 pandemic. Many of the team's on-site visits were put on hold due to many schools and districts being in a virtual learning environment. The team will do a 20-21 review to evaluate which districts will need on site desk reviews and additional support once schools resume in person learning. Shelley went over record review data findings for the 2019-2020 school year in the areas of Child Find, Delivery of Services, and Least Restrictive Environment. When looking at the average of all areas mentioned, 54% of districts reviewed were compliant and 46% were non-compliant. When looking at the data, there was a decline in districts that were compliant during the 2019-2020 school year compared to the 2017-2018 and 2018-2019 school year. This year, there were also substantive violations of FAPE, which occur when there is evidence that students are actively losing services. During virtual reviews in two districts, the supports and monitoring team confirmed substantive FAPE violations. These possible violations are under review and currently being considered in three additional districts.

### **SAPEC Learning Topic (Restraint & Seclusion Guidance)**

Heidi Kleinman gave a brief update on Ohio Administrative Code 3301-35-15 Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion. The rule has gone through the board process and will go into effect mid-June of this year. As a result of the new revisions to the rule, new guidance will be required. The Office for Exceptional Children shared four documents that will be new for the restraint and seclusion process for SAPEC members to review and provide feedback on. Heidi went over the following documents with panel members; Parent Notification about Restraint and Seclusion and PBIS, Model Debriefing form, Restraint and Seclusion Complaint Information sheet, and the Restraint and Seclusions Complaint form. Heidi asked SAPEC members guided questions in a brief large group discussion to gain feedback on the documents before they move forward in the review process.

### **SAPEC Learning Topic (Indicator 8 Special Education Family Survey and Target Setting)**

Mary Watson, State Liaison, IDEA Data Center, gave a presentation on setting targets for Ohio's new state performance plan. The requirements of IDEA general supervision are comprised of eight components, including Fiscal Management, Integrated Monitoring, Sustaining Compliance & Improvement, Implementation of Policies and Procedures, Technical Assistance & Professional Development, Dispute Resolution, Data, and SPR/APR. Mary focused her discussion on the State

Performance Plan/Annual Performance Report (SPR/APR). The State Performance Plan serves as an accountability mechanism for states and LEAS. There are 17 indicators which have been written to provide a measurable indicator of a states' performance in specific statutory priority areas of IDEA Part B. As part of the SPP/APR requirements, states must set targets for results indicators through 2025-2026 which covers the years of federal fiscal year 2020 through federal fiscal year 2025. The report with new targets for the 17 indicators is due on February 1, 2022. It is a requirement that states must describe the stakeholder input process.

Mary reviewed each of the 17 indicators with panel members. The compliance indicators include indicators 4b, 9, 10, 11, 12, and 13 and the results indicators which include indicators 1, 2, 3, 4a, 5, 6, 7, 8, 14, 15, 16, and 17. Next steps in the process will include the State Advisory Panel being a critical part of the stakeholder process. SAPEC members will drive the work of the process by being assigned clusters of indicators to review data and determine new targets for each indicator. This work will take place over the next SAPEC season. Mary will return next year to facilitate the process along with Kara Waldron and leads from the Office for Exceptional Children.

#### **Closing Remarks & Meeting Adjourn**

Jo Hannah Ward recognized SAPEC panel members whose terms are ending. Bonnie Brown, Cheryl Kleist, Jessica Minor, Susan Moyer, Jennifer Westbrook, and our SAPEC Chairperson Ron Rogers have all completed their terms with SAPEC. Ron Rogers will continue as past president and panel member on the SAPEC executive committee.

Ron thanked everyone for a great two years as chairperson. Ron reminded members to complete the meeting evaluation through SurveyMonkey. A motion was made to adjourn the meeting. The meeting was adjourned.