



## Department of Education & Workforce

State Advisory Panel for  
Exceptional Children

# State Advisory Panel for Exceptional Children (SAPEC) Meeting

**September 12, 2024**

## Call to Order

- The SAPEC meeting was called to order by SAPEC Chairperson, Tammie Sebastian. All members were welcomed to the meeting.
- Tammie welcomed any guests attending the meeting today and reviewed the guest responsibilities. There were two guests in attendance – Cynthia Walker and Delilah Wooten.
- Karen Johnson, Office for Exceptional Children (OEC) conducted roll call. Members absent were Brittany Bear, Tom Capretta, Amy Biggs (substitute Richard Fendrick), Taylor DiDonato, Meredith Evans, Mathhew Grube, Lisa Hickman (substitute Marbella Carceres), Christina Matthey, Monica McCain, Kim Moritz, Tess Rivero, Lori Robinson, Melissa Ann Sowers, & Allison Wischer.

## Panel Business

- Tammie Sebastian, SAPEC Chairperson, asked for a motion to approve the May 9, 2024, meeting minutes. First motion by Michelle Christman and second by Katelyn Merzke. Meeting Minutes were approved unanimously.
- Tammie Sebastian, SAPEC Chairperson, asked members to review the revised Bylaws for the next meeting.
- Rachel Banhart – Election and Membership Committee repot –
  - This is her last year on the panel
  - Kathy Hall will take over the committee
  - Member-at-large opening for the executive committee
  - Policy and Procedure Committee Chair opening
- Tammie reminded SAPEC members to state their names when speaking and to utilize the microphones at each side of the room when making any comments or asking questions.
- No public comment or unmet needs.
- Constituency Reports: This is an opportunity for SAPEC members to report on relevant activities planned by the organization/ constituency they represent.

- Contact information update reminder, send any changes to [SAPEC@education.ohio.gov](mailto:SAPEC@education.ohio.gov)
- Complete the meeting evaluation
- Binders for members to organize handouts into the U.S. Department of Education, Office of Special Education Programs (OSEP) General Supervision Components
- Members were reminded of the travel reimbursement procedures

## Welcome and Office for Exceptional Children structure overview

Jo Hannah Ward, OEC Administrator

## State Systemic Improvement Plan (SSIP) – Each Child On Track

Amy Szymanski, Secondary Transition and Workforce Development Consultant, OEC

- Members were provided background information on State Systemic Improvement Plan (SSIP) requirement and timeframe.
- Ohio's focus is to increase the percentage of students with disabilities graduating with a diploma (Ohio has one diploma).
- This year, the focus is supporting districts to build an intervention period for literacy at high school level because data indicated this was an area of need.
- Note that graduation data lags one year behind reporting data. We reported on students who graduated in the 2021-2022 school year in the report submitted on February 1, 2024.
- There are a couple schools in Cincinnati for English Learners subgroups
- The participating schools are: Euclid, Madison, Centerburg, Brown Local, Franklin City, Washington Local, Ohio Virtual Academy, Oberlin, Lorain Prep, Flex HS, Ashtabula Career, Woodridge, Buckeye Online School for Success, Celina City, Urbana, Massillon, Early College Academy, Buckeye Local, Columbia City Schools, Cambridge, Monroe, Winton Woods, Marshall HS, Eastern Local, Meigs, Portsmouth, Garfield Heights, Washington Courthouse, Waverly, and Whitehall.
- Targets are for all exiting students with disabilities in the given school year. Each Child On Track reports the percentage (%) of students with disabilities (SWD) graduating with a diploma for the schools in the project for that given year. The target has been met for the first two years of project.
  - Targets and results for the Federal Fiscal Year (FFY):
  - FFY 21 – target 62%, Actual 68.88% MET
  - FFY 22 – target 64%, actual 68.45% MET
  - FFY 23 – FFY 25 – The target percentage will go up 2% annually
- Participation:
  - Cohort 1 – 6 schools (4624 students, 888 students with disabilities (SWD))
  - Cohort 2 – 13 schools (10,251 students, 1689 SWD)
  - Cohort 3 – 15 schools (waiting on final counts – anticipates a larger amount. Represents a more diverse group, including community schools – in person, virtual, dropout recovery, potential a career tech)
- The rubric self-rating is completed quarterly. The rubric ratings were coded as follows: Quality = 2, In-Progress = 1, Needs Improvement = 0. The rubric is not released to the public currently.
- Cohorts 1 & 2, Expectation and Implementation Rubric Data:

- Districts participating in Each Child On Track complete the expectation and implementation rubric each quarter.
- The rubric indicators are designed to help district leadership team (DLT) members reflect on the implementation of key program components.
- DLT and State Support Team (SST) implementation team members collaboratively determine a rating (Needs Improvement, In-Progress, or Quality) on each rubric indicator.
- The teams (district leadership, building leadership, teacher teams, etc) are determined by the schools to ensure data can be reviewed. Sometimes, a district's team may not be sufficiently efficient as a total system, so improvements were needed. Another rubric activity includes looking at a communication system for communication among teams.
- Six Cohort 1 districts and 14 Cohort 2 districts completed the rubric after the end of quarter 4 of the 2023–24 school year.
- Cohort 1 showed 100% of school making progress. Cohort 2 showed 84% of schools making progress.
- The average rating for each of the 20 rubric indicators in quarter 4 of the 2023–24 school year, showed:
- Cohort 1 districts had slightly higher ratings on average than did Cohort 2 districts.
- The overall average for Cohort 1 was 1.22 and the overall average rating for Cohort 2 was 1.07.
- All Cohort 1 districts reported gains on the rubric between quarters 2 of the 2022–23 school year and quarter 4 of the 2023–24 school year.
- 12 of 14 Cohort 2 districts (86%) reported gains on the rubric indicators between quarter 1 and quarter 4 of the 2023–24 school year.
- Two school reported lower rubric scores in quarter 4 than in quarter 1. This decrease in average scores may be due to having different team members participating in the rating activity or having greater knowledge of the requirements included in the rubric.
- In the beginning, districts were approached based on special education profile (especially Indicators 1 & 2) and feedback from SSTs. Now, districts are asking to be involved. There are no districts with more than one high school at this point. If there was more than one high school in a participating district, all the high schools would be a part of it.
- Cohort 1 & 2 Early Warning Data:
  - Course performance, attendance, behavior are the 3 indicators – nationally validated
  - Note: 1 cohort 1 school missed putting in data for 4<sup>th</sup> quarter, impacted overall data
  - Graph showing percentage of students off track from 4<sup>th</sup> quarter, broken down across 2 cohorts, 3 indicators (performance, attendance, behavior), all versus students with disabilities.
  - Data collection criteria, particularly for discipline, vary quite a bit. Schools have “aha” moments about how to improve this.

- For Cohort 2 districts, the percentage of students with disabilities who were off track in behavior remained relatively stable during the 2023–24 school year at about 12%.
- For Cohort 1 districts, there was a significant increase in the percentage of students with disabilities who were off track in behavior quarter 4. This increase was due to the comparatively high percentage of students with disabilities who were suspended or expelled in quarter 4 (19%).
- For Cohort 1 districts, there was a significant increase in the percentage of students with disabilities who were off track in course performance in quarter 4 of the 2023–24 school year. This increase was due to the comparatively high percentage of students with disabilities who failed a course in quarter 4 of the 2023–24 school year (64%).
- Note that quarter 4 of the 2023–24 school year was the first quarter in which the data a large school were included due to previous data quality concerns. Therefore, quarter 4 data for Cohort 1 represents a larger group of students than previous quarters.
- One failure automatically puts a student at risk. As teams consider students at risk, they can then notice students who may have multiple failures. Schools may also need to consider new universal interventions if they have a lot of students at risk in one of the areas.
- Percentage of students with disabilities off track in attendance across quarters is still a concern. This is the biggest concern for students with disabilities at this point.
- Attendance is tracked daily, not cumulative. Suspensions are counted in attendance.
- Percentage of students with disabilities off track in behavior across quarters showed progress is being made overall.
- Percentage of students with disabilities off track in course performance
- In reviewing the data, schools found students were sometimes failing “easy” electives. Districts consider future curriculum based on the data gathered.
- There are success stories that highlight the work of several Each Child On Track schools. We hope these stories offer practical examples of strategies helping students with disabilities stay on track for graduation that can be replicated statewide. The stories can be found at [Keeping Students with Disabilities On Track for Graduation | Ohio Department of Education and Workforce](#). Four to six Success Stories will be added to this page each year of the project.
- Members were asked to provide feedback and were given a QR code to check out the success stories.

## Legislative Updates

*Autism and Jon Peterson Special Needs Scholarships (House Bill (HB) 147)*

- Continuation of virtual services in accordance with DEW’s standards for homeschool students only.
- Expanded list of credentialed providers:
  - Behavior analysts and registered behavior technicians under the supervision of a behavior analyst
  - Psychologists and school psychologists

- Occupational therapists and physical therapists
- Speech-language pathologists
- Intervention specialists licensed by the State Board of Education
- Literacy intervention specialists certified through pathways recognized by the Ohio Dyslexia Committee

#### *Automated External Defibrillators (AED) in Schools*

- All public and chartered nonpublic schools must have an AED in each building
- Must have an emergency action plan for use of AED
- Department of Health to develop model plan
  - Must train staff on use of AED
- DEW to develop procedure for individuals to report violations of AED requirements

#### *Student Data Privacy (Senate Bill (SB) 29)*

- School districts and technology providers generally prohibited from electronically accessing or monitoring student interactions with school-issued devices, including web-browsing activity, location-tracking, or audio and visual communications
- Educational records maintained by a technology provider are solely the property of the district
- Contract between district and technology provider must include security safeguards for student records
- The student data privacy bill was in part a reaction to the increase in integration of technology in schools

#### *Cell Phones in Schools (HB 250)*

- Requires all schools to adopt a policy governing the use of cell phones by students during school hours by July 1, 2025
- Requires schools and districts to adopt local policies that:
  - Emphasize that student cell phone use be as limited as possible during school hours
  - Reduce cell phone-related distractions in classroom settings
  - May permit students to use cell phones or other technological devices for student learning or to monitor or address a health concern
- DEW has created an online toolkit to assist schools in implementing the new requirements

#### *Pending legislation*

- SB 162 – Require academic interventions for students scoring “Limited” in ELA and/or mathematics
- HB 312 – Regional education partnerships
- HB 572 – Audit of mental health training curriculum in educator preparation program audits
- HB 164 – Foster to college scholarships

The Governor and Lieutenant Governor made it a priority for DEW to develop guidance for the field on artificial intelligence (AI) use. DEW has an AI toolkit on website on how to incorporate AI into schools.

Health and wellness funds are integrated into current budget in how DEW funds schools.

## Preschool and Early Learning Updates

Jody Vice Beall, 619 Coordinator and Kathy Muehlbauer, Project Manager, Department of Children and Youth

### Annual Preschool Annual Report

- Reported annually to the General Assembly on the first day of July.
- Number of preschool children who received state-funded special education services in an Ohio public school during the 2022-2023 school year.
- Reports always covers the previous school year data.
- Data are disaggregated according to each identified disability category as defined in Ohio Administrative Code Rule 3301-51-01 and the Individuals with Disabilities Education Act (IDEA).

### Preschool Disability Category Data

- Most common disabilities: speech language impairment (9,778), developmental delay (7,627), and autism (4,800)
- Recent legislation re: developmental delay category. Now expanded up until age 10.
- 10.6% increase in identification over 22-23 year

Ohio has one disability category, and the evaluation team report (ETR) team must choose a category.

### Preschool IDEA Part B Monitoring Update

- 2023-2024 school year was a pilot year for the tiered monitoring system
- 83 school districts and 1 community school participated
  - 79 school districts and 1 community school – Tier 2: Self-Review
  - 3 school districts – Tier 3: Desk Review
  - 1 school district – Tier 4: Onsite Review
- Districts in Tiers 2 and 3 completed the pilot on June 30, 2024
- Tier 4 will continue into the 2024-2025 school year since it is the most intensive of the three types of reviews
- A feedback survey will be disseminated to participating districts and the SSTs in September
- Planning for the 2024-2025 school year is underway to select a new cohort for each tier
- Information will be posted on the [Preschool IDEA Monitoring Process | Ohio Department of Education and Workforce](#) webpage.
- Documents being updated to reflect change to new state agency.

The risk analysis completed determines the cohorts.

## State Performance Plan and State Goals with Measurable Targets Review - Annual Performance Report (APR)

Special Education Methodology Updates & Target Setting Overview of those being reviewed.

The state is seeking stakeholder input on the indicators 1, 2, 4, 9 & 10.

The change to these exiting indicators is due to a change in how a dropout is counted.

Up until this year, the dropout rate calculation was a dropout event count. This means that any student with a relevant withdrawal code during the reporting period counted as a dropout regardless of subsequent events. So, even if a student reenrolled within the reporting period, the dropout rate calculation did not account for that. This is changing for the profile releasing later this year.

The 2024-2025 profile will consider reenrollment within the reporting period:

- Students who exited **and** reenrolled between 7/1/22 and 6/30/23 will **not** count as dropouts for 22-23.
- Students who exited between 7/1/22 and 6/30/23 and reenrolled **after** 6/30/23 **will count** as dropouts for 22-23.

There are fewer students counted as dropouts across the state, and thus, fewer students included in the denominator for both indicators 1 and 2. This change more accurately represents dropout across the state.

While there are no direct changes to indicator 1, updating how dropout is measured impacts indicator 1 as we just saw, because these two indicators share a denominator.

The stakeholder engagement process for indicators 1 and 2 will address target setting for the next two years (24-25 and 25-26).

The urgency of decreasing the dropout rate for students with disabilities is essential to promoting lifelong success and positive outcomes for adulthood.

Indicators 2 (Dropout) graph showed the dropout rate at 18.36%. Seeking SAPEC feedback for indicator 2's proposed new targets.

These are the target options proposed to stakeholders for indicator 2. Because this indicator lags one year behind other indicators for district and state reporting purposes, the data year for the new baseline is the 22-23SY. These data will be reported alongside the 23-24SY data for other indicators in the upcoming 24-25profile.

### ***The new proposed targets for indicator 2 are as follows:***

Rationale for Option A:

- In comparison to Ohio's 2022-2023 performance, meeting the final target of 17.75 percent by 2025-2026 will require 124 fewer students with disabilities across Ohio to drop out.

Rationale for Option B:

- In comparison to Ohio's 2022-2023 performance, meeting the final target of 15 percent by 2025-2026 will require 677 fewer students with disabilities across Ohio to drop out.
- Rigorous targets reflect high expectations to encourage change and strengthen supports.

Indicator 1 – graduating with diploma 66.61%

***The new proposed targets for indicator 1 are as follows:***

Rationale for Option A:

- In comparison to Ohio's 2022-2023 performance, meeting the final target of 70 percent by 2025-2026 will require 684 more students with disabilities across Ohio to graduate with a regular high school diploma.

Rationale for Option B:

- In comparison to Ohio's 2022-2023 performance, meeting the final target of 74 percent by 2025-2026 will require 1,489 more students with disabilities across Ohio to graduate with a regular high school diploma.
- Rigorous targets reflect high expectations to encourage change and strengthen supports.

Members had questions about deferred graduation and the types of diplomas. It was suggested to have the graduation specialist present at the next meeting.

**Indicator 4a (Significant Discipline Discrepancy):**

In Ohio, a discipline discrepancy is significant when the rate difference exceeds 1.00 percentage point for three consecutive years.

- Asking for stakeholder's input on methodology, specifically the number of years to consider for this calculation.
- Though this indicator has a compliance component, it is still a results indicator for which targets must be set, though that cannot be done until there is final methodology.
- In the Spring of 2025, will reengage stakeholders to set targets for this indicator based on the new baseline obtain from the new methodology.

**Indicator 4b (Significant Discipline Discrepancy by Race):**

In Ohio, a discipline discrepancy by race is significant when the rate ratio exceeds 2.50 for three consecutive years.

- Asking for stakeholder's input on methodology, specifically the number of years to be considered for this calculation.
- This is a compliance indicator and will not need to reengage stakeholders to define a new target.

**Disproportionate Representation (Indicators 9 & 10):**



- **Indicator 9** measures disproportionate representation of racial and ethnic groups in special education and related services across all disability categories.
- **Indicator 10** measures disproportionate representation of racial and ethnic groups in the following disability categories:

In January we discuss the removal of preschool students from this calculation, as federally required. Now, let's revisit the methodology, specifically regarding the number of years to consider for these indicators.

Methodology remains the same as discussed in January, with minimum group sizes of 10 and 30 and a risk ratio threshold of 2.50.

Ohio is currently making progress with a risk ratio threshold of 2.50. The number of districts and community schools with disproportionate representation has been decreasing since the 2020-2021 school year.

Starting with the 2022-2023 data (20-21, 21-22, and 22-23 school years), preschool students are no longer included in this calculation.

Both options would allow for effective monitoring of districts and community schools with disproportionate representation.

#### Rationale for Option A

- Option A is very close to the state's current methodology, minus one year.
- Option A allows the state to use this indicator as an early warning system to significant disproportionality, which has a similar methodology but has more wide-ranging implications that includes redirection of IDEA funds.

#### Rationale for Option B

- This is Ohio's current methodology, provided the one exception that preschool students are no longer included. Option B provides the fewest possible changes to the indicator.

#### The projected timeline:

- August 2024 – Public comment
- August to September 2024 – Virtual stakeholder groups
- October 2024 – Final internal review
- December 2024 – Special education profile phase 1 release
- February 2025 – Annual performance report due to OSEP
- Spring 2025 – Public comment/virtual stakeholder group for Indicator 4a

SAPEC members encouraged to provide feedback on the options and any other feedback on indicators.

## Implementing Effective Policies and Procedures

### Ohio Administrative Code 3301-51-05 Procedural Safeguards

- Updates include regulatory name, change agency name, change from superintendent to director, from school district to educational agency

### Ohio Administrative Code 3301-13-04

- “Establishing provisions for a waiver” - waivers for proficiency exams – changes in red on provided document. Mostly minor word changes to reflect new DEW name, role of “director”

### Ohio Administrative Code 3301-13-09

- Provisions for an excuse from taking any assessment necessary for graduation for an adult with disabilities or for providing accommodations on any assessment necessary for graduation for an adult with disabilities, 22 or more years of age, and enrolled in adult high school continuation program

### Ohio Administrative Code 3301-13-10

- Standard to develop a plan for any accommodation for or an excuse from statewide tests for students with disabilities in chartered nonpublic schools

## Public Comments and/or Agency Representatives Updates

## Adjourn

- Toni Brenner motion to adjourn, seconded by Michelle Motil