

Indiana State Advisory Council
on the Education of Children with Disabilities (SAC)

May 7, 2010
Carmel Clay Educational Service Center
Carmel, IN

Advisory council members present:

Shirley Amond, Indiana School for the Blind and Visually Impaired
Rich Burden, Director, IN*SOURCE
Dr. Dawn Downer, Director, First Steps
Christina Endres, McKinney-Vento State Coordinator, Indiana Department of Education (IDOE)
Dr. Karol Farrell, SAC Chairperson, Director of Special Education, MSD of Washington Twp.
James Hammond, President/CEO, INARF, Inc.
Becky Kirby, Executive Director, About Special Kids (ASK)
Becky Kirk, Parent Representative
Lisa Kovacs, Program Coordinator, Guide by Your Side
Dr. J. Bret Lewis, Superintendent, South Montgomery Community School Corporation
John Nally, Director of Education, Indiana Department of Correction
Jenny Ridaio, Indiana State Department of Health
Dr. Jane Swiss, Dean, University of St. Francis School of Professional Studies
Kristi Tesmer, Parent Representative

Advisory council members not present:

Dr. David Geeslin
Cathlene Hardy Hansen
Julie Havill
Bessie Henson
Jan Huffman
Marcia Johnson
Kathy Mears
Thelma Wyatt

IDOE Personnel Present

Dr. Tony Bennett, Superintendent of Public Instruction
Ryan Brown, Office of Special Education
Anne Davis, Office of Special Education
Dr. Dawn McGrath, Director of Special Education

Meeting:

Welcome:

Meeting called to order by K. Farrell at 9:20 a.m. at the Carmel-Clay Educational Service Center.

K. Farrell proposed that the members of the Council introduce themselves, their affiliations and roles on the Council. Please see the "Advisory Council Members Present" section above for more information.

Steve Tilden said he was out of the State of Indiana for a prolonged period of time, and was a member of the Council before his departure. He stated that he was unsure of his status on the Council, but would like to continue participating.

Announcements:

D. McGrath said there were no announcements from the IDOE.

Minutes:

K. Farrell opened the floor for any updates or clarifications to be made in the minutes from the March 5, 2010 meeting of the SAC.

K. Tesmer stated that she was listed on the minutes as a school psychologist, but she serves on the Council as a parent representative. The minutes were immediately corrected by R. Brown.

ACTION

J. Hammond moved to have the Council accept the minutes. B. Lewis seconded. The motion carried, Shirley Amond abstained.

FFY 2008 (SY 08-09) Report on Progress and Slippage / Targets of the 20 Federal Indicators, FFY 2008 (SY 08-09) Report on the Correction of Noncompliance and SPP Proposed Revisions:

R. Brown presented to the Council the 20 Federal Indicators that the IDOE reported in the Annual Performance Report (APR) on February 1, 2010. The topics discussed included graduation rate, dropout rate, assessments, disproportionality, Least Restrictive Environment (LRE), parent participation, evaluations, early childhood and postsecondary transitions, correction of noncompliance, due process and timely and accurate data.

J. Nally said a large number of special education students drop-out of special education prior to the 9th grade and are therefore not included in the State's drop-out rate. He asked if the IDOE collected data for those students. R. Brown responded that the information is not regularly utilized in federal reporting, but the IDOE does capture exit data for the students.

J. Hammond asked if the IDOE could provide the Council with the number of students that are receiving a Certificate of Completion each year. R. Brown said he would send the information to the Council before the next meeting.

J. Nally asked if the IDOE could provide Indiana's LRE data in comparison to the LRE data in other states. R. Brown said he would send the information to the Council before the next meeting.

K. Farrell suspended the Council at 11:00 a.m. for a break.

K. Farrell called the meeting back to order at 11:12 a.m.

Status of the Indiana Resource Network (IRN) grants:

K. Farrell introduced Anne Davis from the IDOE to the Council to give the status of the IRN grants.

A. Davis explained the three tiers of interventions capable of being performed by the IRN. She said the first tier was for the most severe and targeted LEAs, with a capacity for about sixteen (16) LEAs. She also said the second tier was for the moderate to mild cases of noncompliance and that the capacity for second tier interventions has not been determined. Lastly, she stated that the third tier was to respond to an LEA requesting assistance and that each LEA in Indiana could access assistance under the third tier of intervention.

A. Davis then referred the Council to the IRN “drill-down” procedural document. She stated that the IRN grants would be using Indicator and other pertinent data to make decisions. The IDOE gathers the information on each Indicator for the IRN and the IRN comes together to select likely LEAs for interventions.

A. Davis said once an LEA is selected for intervention, the IRN Grants will gather data from the entity and create a general hypothesis on how the IRN programs can help the LEA. The most appropriate IRN grant will serve as the lead agency during interventions.

Lastly, A. Davis stated that the IRN grants will then develop an action plan for the LEA and coordinate resources to help deliver the action plan.

L. Kovacs asked about the membership of the IRN Leadership Team. A. Davis explained that the leadership team is comprised of executive members of each IRN Grant and several IDOE employees.

Shirley Amond suggested clarifying the “drill-down” term for LEAs because the term might be found offensive if unclear.

L. Kovacs asked if the Council might review the data the IRN Leadership Team used for the “drill-down” process. R. Brown said the information was available and he would send it to the Council members.

Impromptu Agenda Item, the Indiana Part B Grant Application

D. McGrath said the Indiana Part B Grant Application had been out for public comment for sixty (60) days.

D. McGrath said that a change had been made to the application; it was modified to include a state set-aside to support LEAs around the state that are losing funding due to the division of student funding with charter schools.

S. Tilden asked if there would be consequences arise due to moving funding to the state set-aside dollars. D. McGrath answered that the Part B Grant Application is a fluid budget and can be changed. She also said the focus of the State’s grants have changed and that obligations are more controlled, so additional funding has been freed.

Comprehensive Plans

K. Farrell explained that the submission of Comprehensive Plans for Cooperatives and LEAs to the IDOE were formerly required by Article 7, but the rule has been removed.

K. Farrell said the Council acts in the advisory role and can take no specific action in requiring entities to submit plans, but it would be good to know how they are addressing the needs of students with special needs.

B. Kirk said having another body interested in what the entities are doing would be another useful layer of oversight.

B. Lewis suggested having entities work with the Council when breaking away from a cooperative format, which would encourage them to have well-defined plans.

D. Downer suggested the Council and the IDOE review complaint and due process data for entities that undergo structural changes to look for systemic problems.

J. Nally suggested that the group could advise charter schools on the provision of special services, and that the schools should find the expertise very helpful.

K. Farrell suggested the Council make patterns and themes from complaints and due process a standing line item for the Council's agenda.

D. McGrath stated that LEAs that fail to provide sufficient services to students with special needs receive a layer of oversight through complaints and due process. She said that each entity provides assurances that a Free Appropriate Public Education (FAPE) will be provided to students.

K. Farrell stated that the State relies on information from twenty (20) indicators and from due process and complaints for oversight.

D. McGrath said the IDOE also checks Early Intervening Services (EIS) spending through the application process to ensure the money is being spent correctly.

K. Tesmer said without the submission of comprehensive plans, many of the checks and balances for students with special needs have been removed from the LEAs.

C. Endres said that each charter school also receives separate oversight. She said each charter has to have a sponsor and write a charter that will include a plan that addresses how they will provide services to all students before receiving funding. Charters are therefore accountable to both their sponsor and the IDOE.

K. Tesmer said that the main problem is when a large LEA is in a cooperative and providing a majority of support for the cooperative and pulls out, leaving the smaller schools to fill the gap.

D. Downer suggested when major changes are made to Part B grant applications, the Council might be useful in reviewing them.

K. Farrell asked the Council if anyone would like to make a motion on the topic. No motions proposed.

D. Downer said the Council should be notified when there are changes to entity structures, to give the Council an accurate picture of how the State is operating.

ACTION

Dawn Downer proposed a motion that the IDOE, for informational purposes only, present the Council significant changes and general information about how special education programs operate around the State. Seconded by R. Burden. Motion carried.

Status of Proposed Changes to the Board of Special Education Appeals (BSEA):

D. McGrath said the elimination of the BSEA needed to be approved by the Indiana Attorney General. She said the change moved forward because about 4 of 5 public comments supported the removal of the BSEA. She said the changes would not be made until after July 1, 2010.

Draft of the By-Laws for the SAC:

Postponed until August 13, 2010 meeting of the SAC due to the impending departure of several SAC members in the afternoon.

Special Guest – Dr. Tony Bennett, Superintendent of Public Instruction:

Each Council member present introduced themselves to T. Bennett upon his arrival. K. Farrell then opened the floor up for questions.

K. Farrell asked how the IDOE ensured children in every geographic region gets services and that Indiana has very high standards for all students. T. Bennett answered that the IDOE has developed an achievement level system that accurately measures student growth for all students.

L. Kovacs stated that she works with hearing impaired children and is concerned with the way the system is set up in Indiana today and is not prepared to meet the of children today. Many choose to go the spoken services route, L. Kovacs stated that she feels Indiana is not prepared to meet those needs.

J. Swiss asked if it would make sense to prepare teachers with licensure in both special education areas and content areas. Making the classroom would be more inclusive. T. Bennett responded that there were four main aspects of education that Indiana needs to improve; classroom management, using data to drive instruction, teaching to diverse populations and parent engagement.

D. Downer said she applauds looking at individual student growth, but her worry for general and special education students is that budget issues might hurt students with special needs, when LEAs are struggling to survive. T. Bennett said that a way to add school flexibility was by ending collective bargaining with teachers unions. He also said he aims to put school management back in the hands of the school managers by eliminating unnecessarily burdensome paperwork and federal reporting.

Other Business:

The Council set upcoming meeting dates for:

August 13, 2010
November 5, 2010
February 4, 2011
May 6, 2011

All meetings will be held at the H. Dean Evans Community and Education Center, 8550 Woodfield Crossing Blvd., Indianapolis, IN 46240 from 9:00 a.m. to 3:00 p.m.

Adjournment:

The meeting was adjourned by K. Farrell at 1:37 p.m.