

**Washington State Special Education Advisory Council
Meeting Minutes for March 18, 2010
Conference Call**

March 18, 2010

Members Present:

Trip Goodall, *Chair*; Mary Alice Heuschel, *Vice Chair*; Ann Waybright, *Executive Committee*; Anne Golden, Heather Hebdon, Steve Nourse, Amy Patterson, Ron Seifert, Anne Shureen Smith

Excused Absences:

LouOma Durand, Cheryl Fernandez, Jeanmarie Moore, Nancy Pack

OSPI Staff:

Doug Gill

Note Taker:

Michelle Milton

Topic	Discussion	Action	Who/When	Completed
Call to Order	<p>Trip called the meeting to order at 9:04 and took roll call. He explained the conference call is in place of the one-day meeting in Yakima due to the lack of emergent agenda items making it unfeasible and not economical for travel purposes. Trip also covered the meeting protocol and the agenda.</p> <p>Minutes were approved with minor edits.</p>	The minutes are to be corrected and resent to the committee.	Michelle	Yes
Director's Update – Doug	<p>Legislative Budget: The legislature is still without a budget at this time, so there are limited items to report on in that area. It is likely that the House and Senate will be reconciling the budget issues in terms of cuts and tax revenue as they still cannot agree on how to balance.</p> <p>As far as special education is concerned, we will see what happens in the reconciliation process</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>because there are differences in both the House and Senate versions. Safety Net appropriations last year were \$73 million in state funds and \$29 million in federal funds. The Senate reduced that state funding for Safety Net by \$29 million. This reduction was based on number of safety net applications and the impact of IDEA/ARRA funding. The House version concurs with a reduction of state funds for safety by \$29 million.</p> <p>The Senate budget also requires the auditor’s office to review and have OSPI recover funds for which the districts were not eligible. For example: if OSPI awards funds in January to a district, and one of those students funded by Safety Net transfers to another district or is otherwise no longer enrolled in the district, OSPI is to recover any remaining funds from that district for that student.</p> <p>The House budget does not include specific recovery language, but asks the Joint Legislative Audit and Review Committee (JLARC) to do a study on the safety net program. The study would likely look at threshold amounts, risk pool process, criteria, number of meetings, etc. by comparing Washington to other states.</p> <p>The Governor’s budget eliminated much Medicaid recovery on behalf of eligible students, but the House and the Senate budgets have reinstated Medicaid recovery efforts. K4 and levy equalization are still on the table. We don’t know which way it’s going to go. There will likely be a Safety Net study and a reduction in Safety Net funding.</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>Annual Performance Review (APR): Michelle sent members a copy of the report and the PowerPoint used with the Committee of Practitioners. The APR is based on 20 compliance indicators set by the federal government. These data are a year behind so the most current data is 2008.</p> <p>The following indicators apply to both state and local determinations:</p> <p><u>Indicator 9 (Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification):</u> The target is 0% for 2008–2009 and the actual is 0%.</p> <p><u>Indicator10 (Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification):</u> Indicator 9 is overall and indicator10 is by disability category. Target is 0% and actual is 0%.</p> <p><u>Indicator 11 (Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe):</u> This is a compliance indicator. Target is 100%. We did not meet the target as we are at 98%, but did meet a 95% threshold. All compliance indicators are set by the feds at either 100% or 0%.</p>			

Topic	Discussion	Action	Who/When	Completed
	<p><u>Indicator 12 (Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays):</u> This is also a compliance indicator. We did not meet the 100% target, but did meet the 95% threshold at 96%.</p> <p><u>Indicator 13 (Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority):</u> For states this is considered to be a non-reportable item in 2008, but is reportable for districts. In FY 2007, we were at 75.2% and we are now at 93%.</p> <p><u>Indicator 15-(General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification):</u> This is a state only indicator. The target is always 100%. We met this standard in both 2007 and 2008.</p>			

Topic	Discussion	Action	Who/When	Completed
	<p><u>Indicator 16 (Percent of signed written complaints with reports issued that were resolved within 60 day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State):</u> This is a compliance indicator as well. Target is 100. 2008, we were at 77%. When calculating the 60 day timeline, we would issue the decision on the next business day if it was on a weekend. We were informed during our verification visit from OSEP in September that was not appropriate. If day 60 falls on a holiday or weekend, it is the business day before the 60 day due date. We have taken measures to correct this, and hope the corrective measures will be taken into consideration in the State’s rating.</p> <p><u>Indicator 17 (Percent of adjudicated due process hearing requests that were adjudicated within the 45 day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines):</u> In 2007 our actual was 93% and for 2008 the actual is 100%.</p> <p><u>Indicator 20 (State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate):</u> Target and actual are 100%.</p> <p>District determination indicators are 9, 10, 11, 12, 13, and 20.</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>State determination indicators are 9, 10, 11, 12, 15, 16, 17, and 20.</p> <p>We have the same indicators as a rating, but with a different configuration.</p> <p>We will start the 2010 determinations process in November. District determinations are based on a subset of the indicators. State determinations are based on a different subset of determinations.</p> <p>March Updates, this attachment is what we sent out and posted to our Web site. The Safety Net Community Impact Applications meeting is next week. Seven districts applied this year. The Community Impact Applications address demographics and over misrepresentation by total or disability category. Typically there are five to seven districts that apply each year.</p> <p>Relative to the second page is the final definition of the term “Significantly Cognitively Challenged” The definition is as follows: “For purposes of the Washington Alternate Assessment System (WAAS), students who are significantly cognitively challenged means those students who require intensive or extensive levels of direct support that is not of a temporary or transient nature. Students with significant cognitive challenges also require specially designed individualized instruction to acquire, maintain or generalize skills in multiple settings in order to successfully transfer skills to natural settings including the home, school, workplace, and community. In addition, these students score at least two (2) standard deviations below the mean</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>on standardized, norm-referenced assessments for adaptive behavior and intellectual functioning.”</p> <p>There were ten recommendations from Superintendent Dorn’s taskforce group. One recommendation was to clarify the 1% population being alternately assessed on statewide tests. Each state defines this population.</p> <p>Washington has tried to describe the population, but the descriptions left a lot of gray area in terms of who was eligible for the portfolio assessment. We drafted a definition for comment and made changes based on the comments in February.</p> <p>In consult with Alternate Assessment, we will be drafting guidelines for IEP teams consistent with the definition.</p> <p>Mike Middleton is working on expanding the grade level extensions for this population and will be meeting with SEAC in May, so that will be an opportunity to ask about this process.</p> <p>OSPI assessment will begin this work and define extensions deep enough to connect functional skills with academic content. SEAC will be updated on this process.</p>			
Questions – Group	<p>Questions: Ann Waybright asked about APR Indicator 8 (Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities).</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>Doug responded saying that the indicator is related to parent perceptions on the delivery of special education services in each state. In 2007, we were well above the national average. This is not a compliance outcome, but is for informational purposes. The survey to obtain this data does not come out of OSPI. OSPI contracts with Washington State University (WSU) for the survey and WSU reports the data back to the federal government.</p> <p>Heather asked if Doug knew what is required of the districts for Indicator 1(Percent of youth with IEPs graduating from high school with a regular diploma) and Indicator 2 (Percent of youth with IEPs dropping out of high school). Doug said that indicators 1 and 2 were performance, not compliance indicators and that he was not sure what districts were doing with the data generated at this point in time.</p> <p>Anne Shureen Smith asked if there was a Request for Proposals (RFP) out for a facilitator for the alternate assessment extensions work. Doug indicated that there would not be an RFP, and he does not think it could be someone from the state due to the emotions involved.</p> <p>Mary Alice asked about the next meeting, and said that Mike Middleton would need to have additional staff with expertise on the state work on the development of the alternative assessments. The details of the changes in the portfolio and results/feedback received by the state, updates on the new federal regulations and options that could be considered for assessments for students with</p>			

Topic	Discussion	Action	Who/When	Completed
	<p>disabilities (alternatives to the DAW that we lost) are examples of what is of interest to SEAC.</p> <p>Doug noted that if SEAC members have specific questions to be addressed, to let him know what those questions were and we can find the appropriate person well before the May meeting.</p>			
May Meeting Planning – Group	<p>May meeting will be in Yakima and will be on May 13-14, 2010. Items to discuss so far:</p> <ul style="list-style-type: none"> • APR • Summarize issues discussed this year • Assessment progress (possibly a facilitator) 	Email agenda items for the May meeting.	Committee	