

State Advisory Committee for the Education of Exceptional Students



2012

ANNUAL REPORT

Florida Department of Education
Division of Public Schools
Bureau of Exceptional Education and Student Services

**State Advisory Committee
for the Education of Exceptional Students**

Judy Owens, Co-Chair
Joyce Wieland, Co-Chair
Thea Cheeseborough, Vice-Chair
Kara Tucker, Parliamentarian

Will Gordillo, Chair, Nominating Subcommittee

Bureau of Exceptional Education and Student Services

Monica Verra-Tirado, Ed.D., Chief
Tonya Milton, Program Planner/Analyst and State Advisory Committee Liaison
Judy White, Program Director and State Advisory Committee Liaison

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State Advisory Committee for the Education of Exceptional Students

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State Advisory Committee for the Education of Exceptional Students

INTRODUCTION

*“to provide policy guidance
with respect to the provision
of exceptional education and
related services for Florida’s
children with disabilities”*

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Introduction

The State Advisory Committee for the Education of Exceptional Students (SAC) is appointed by the commissioner of education, commensurate with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), to provide policy guidance with respect to the provision of exceptional education and related services for Florida's children with disabilities. The SAC operates under the auspices of the Bureau of Exceptional Education and Student Services (BEESS), Florida Department of Education (FDOE).

Membership

In compliance with IDEA, Florida's SAC includes the following representation

- Parents of children with disabilities (ages birth through 26)
- Individuals with disabilities
- Teachers
- Representatives of institutions of higher education that prepare special education and related services personnel
- State and local education officials, including officials who carry out activities under Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act
- Administrators of programs for children with disabilities
- Representatives of other state agencies involved in the financing or delivery of related services to children with disabilities
- Representatives of private schools and public charter schools
- Not less than one representative of a vocational, community or business organization concerned with the provision of transition services to children with disabilities
- A representative from the state child welfare agency responsible for foster care
- Representatives from the state juvenile and adult corrections agencies

The chief of BEESS (or his/her designee) serves as an ex officio member of the SAC.

Additional representatives may be appointed at the sole discretion of the commissioner of education.

(See SAC Membership List, page 7.)

Responsibilities

The SAC has the following responsibilities:

- Advise FDOE of unmet needs within the state in the education of children with disabilities.
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
- Advise FDOE in developing evaluations and reporting on data.
- Advise FDOE in developing corrective action plans to address findings identified in federal monitoring reports under IDEA, Part B.

- Advise FDOE in developing and implementing policies relating to the coordination of services for children with disabilities.

FDOE must transmit to the SAC the findings and decisions of due process hearings conducted pursuant to sections 300.507–300.519 or 300.530–300.534 of Title 34, Code of Federal Regulations (CFR).

The SAC also performs other duties assigned to it by BEESS.

Meeting Schedule and Major Topics

During 2012, the SAC held meetings on July 23–24, 2012, and December 10–11, 2012. Major presentation/discussion topics during the meetings included Florida's State Performance Plan (SPP) and Annual Performance Report (APR), state legislation and State Board of Education (SBE) rules related to exceptional student education (ESE), federal and state funding, restraint and seclusion of students with disabilities (SWDs), graduation requirements and diploma options, secondary transition programs, assessments, Response to Intervention (RtI), general supervision, monitoring and Florida Alternate Assessment (FAA). Each meeting provided an opportunity for committee member updates, discussion of unmet needs and coordination of services for children with disabilities, as well as for a committee business session and public input.

(See Meeting Reports.)

Evaluation

Evaluations conducted as part of each meeting were favorable in terms of meeting preparation, agenda topics and background materials provided. The majority of members who responded rated the bureau chief and other BEESS staff highly in terms of expertise/leadership of Florida's ESE and student services programs, accessibility and responsiveness to program needs and member issues and concerns.

Members were also given the opportunity to comment on to what extent they felt SAC is making a positive difference for SWDs. Those who provided comments consistently noted that SAC was contributing significantly to making a positive difference for SWDs.

(See Evaluation Summary available from BEESS.)

Annual Report

This *Annual Report* represents the organization and work of the SAC during 2012 and includes a list of members, the minutes of all meetings, committee bylaws and federal requirements. For further information, contact any member of the committee, or BEESS.

**State Advisory Committee
for the Education of Exceptional Students**

*STATE ADVISORY
COMMITTEE
MEMBERSHIP LIST*

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**Florida Department of Education
Division of Public Schools
Bureau of Exceptional Education and Student Services**

**State Advisory Committee
for the Education of Exceptional Students**

**Membership List
2012**

| Name | Representation |
|----------------------|---|
| Denise Arnold | Other State Agency Serving Children with Disabilities Agency for Persons with Disabilities |
| Dr. Karen Barber | Local Education Agency – Medium District McKinney-Vento Homeless Assistance Act Santa Rosa County |
| Roxana Beardall | State Vocational Rehabilitation/Transition Services Florida Department of Education |
| Thea Cheeseborough | Parent Leon County |
| Lileana de Moya | Parent Miami-Dade County |
| Kathy Devlin | District ESE Administrator – Large District Sarasota County |
| Jacqueline Egli | Private School Parent Seminole County |
| Hannah Ehrl | Teacher and Parent Orange County |
| Jennifer Evans, LMHL | Other State Agency Serving Children with Disabilities Substance Abuse Mental Health Program Office |
| Carin K. Floyd | Parent Gilchrist County |
| Will Gordillo | District ESE Administrator – Very Large District Palm Beach County |

| Name | Representation |
|--------------------------|--|
| Mark Halpert | Florida Advocacy Coalition on Learning Disabilities Parent Palm Beach County |
| Joni J. Harris | Parent Miami-Dade County |
| Johana Hatcher | State Child Welfare Agency/Foster Care Florida Department of Children and Families |
| Cindy T. Jones | State Juvenile Justice Agency Florida Department of Juvenile Justice |
| Joyce Hildreth | Division of Blind Services Florida Department of Education Individual with a disability |
| John R. Howle | Department of Corrections Individual with a disability |
| Cindy T. Jones | Florida Department of Juvenile Justice |
| Shawn Larkin | District ESE Administrator – Small District Jackson County |
| Michele Mantell | Parent Flagler County |
| Pam Minelli | Public Charter Schools Parent Palm Beach County |
| Judith Owen | Parent Pinellas County |
| Frances Perez | Florida’s Parent Training Initiative Parent Leon County |
| Kelly Rogers | Other State Agency Serving Children with Disabilities Children’s Medical Services, Early Steps Parent Leon County |
| Calley Ronso | Parent Escambia County |
| Catherine “Cat” Rudniski | Individual with a disability |

| | |
|-----------------------------------|--|
| Ann Siegel | Other Agency Serving Children with Disabilities Disability Rights Florida |
| Tracie Snow | Parent and Florida School for the Deaf and the Blind St. Johns County |
| Name | Representation |
| Tracy Stevens | Parent Jackson County |
| Peg Sullivan | State Personnel Development Grant Florida Gulf Coast University |
| Kara Tucker | Individual with a disability |
| Robyn Walker | Parent Volusia County |
| Joyce Wieland | District ESE Administrator – Small District Hillsborough County |
| Monica Verra-Tirado, Ed.D., Chief | State Education Official (ex officio) Bureau of Exceptional Education and Student Services |
| Tonya Milton | SAC Liaison Bureau of Exceptional Education and Student Services |

The SAC is appointed by the commissioner of education in accordance with the Individuals with Disabilities Education Improvement Act (IDEA [20 United States Code (U.S.C.) Chapter 33, as amended by Public Law 108-446]) and state requirements “to provide policy guidance with respect to special education and related services for children with disabilities in the state.” All members are appointed for terms as specified in the Committee Bylaws, pending their continued eligibility and willingness to serve.

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State Advisory Committee
for the Education of Exceptional Students

*STATE ADVISORY
COMMITTEE
MEETING REPORT*

July 23–24, 2012

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Florida Department of Education
Division of Public Schools
Bureau of Exceptional Education and Student Services

**State Advisory Committee for the
Education of Exceptional Students**

Hotel Duval
Tallahassee, Florida
July 23–24, 2012

Meeting Report

MONDAY, JULY 23, 2012

The State Advisory Committee for the Education of Exceptional Students (SAC) met in regular session with the following persons in attendance:

Members

(See SAC Membership List 2012, SAC Designee List and SAC Representation Chart, SAC Member Notebook, Tab 1.)

Denise Arnold
Karen Barber
Kathy Devlin
Jacqueline Egli
Hannah Ehrli
Joni Harris
Johana Hatcher
John Howle
Cindy Jones
Michele Mantell
Pam Minelli
Judith Owen
Frances Perez
Kelly Rogers
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Kara Tucker
Robin Walker
Joyce Wieland

Designees

Kirk Hall (for Roxana Beardall)
Kathy McAllister (for Renee Valletutti)

Representatives from the Florida Department of Education (FDOE)/Division of Public Schools (DPS)/Bureau of Exceptional Education and Student Services (BEESS)

(See BEESS staff list, Tab 10, in the *SAC Member Notebook*.)

Monica Verra-Tirado, BEESS Chief (Ex Officio SAC Member)
Cathy Bishop, Administrator, Instructional Support Services (ISS), BEESS
Karen Denbroeder, Administrator, Program Accountability, Assessment, and Data Systems (PAADS), BEESS
Michele Polland, Educational Policy Analyst, BEESS (SAC Liaison)
Anne Glass, Program Director, Curriculum/Instructional Support Services, BEESS
Lindsey Granger, Program Director, Compliance, BEESS
Patricia Howell, Program Director, Monitoring Systems, BEESS
Jill Snelson, Program Director, Accountability Systems, BEESS
Judy White, Program Director, Bureau Resource and Information Center (BRIC), BEESS
Misty Bradley, Program Specialist, Compliance, BEESS
Jenni Jenkins, Program Specialist, Emotional/Behavioral Disabilities (EBD), BEESS
Helen Lancashire, Guidance Consultant, Student Services Project
Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Aimee Mallini, Division of Blind Services
Bethany Mathers, Program Specialist, Intellectual Disabilities (IND), BEESS
Cynthia Walsh, Program Specialist, Compliance, BEESS
Anne Gordon, Administrative Secretary, BEESS

Guests

Sara Clements
Jennifer Evans, Department of Children and Families (DCF) Mental Health Program Office
Joanna Hassell
Shawn Larkin, Jackson County
Hue Reynolds, Agency for Persons with Disabilities (APD)
Dani Roberts-Dahm, Project 10

Welcome, Roles and Responsibilities, Sunshine Law, Overview of Agenda/Resources

(See *SAC Member Notebook*, Agenda, Tab 1; Individuals with Disabilities Education Act [IDEA] State Advisory Panel Requirements; SAC Way of Work and Ground Rules and Roles and Responsibilities; SAC Membership List 2012; SAC Representation Chart; SAC Designee List 2011; Open Meetings Law, Tab 1; Meeting Report December 1–2, 2011, Committee Action Form, Tab 9.)

Joyce Weiland, co-chair, called the meeting to order and welcomed everyone. She introduced new SAC members in process: Shawn Larkin, ESE director from Jackson, and Jennifer Evans, from DCF Mental Health Program Office. Ms. Weiland then congratulated Hannah Ehrlri for the Teacher of the Year Award from the Council for Exceptional Children. This is an outstanding achievement and well deserved. She reminded everyone to sign in and update their contact information, if required. Ms. Weiland thanked the Council of Administrators of Special Education (CASE) on behalf of the committee for sponsoring the food at the meeting and reminded the committee that minutes would be taken and the session would be recorded for the convenience of the minute taker. Ms. Weiland then asked

everyone to introduce themselves. Each member, BEESS staff member and guest introduced themselves.

Ms. Weiland drew the members' attention to and reviewed the day's agenda. She asked members to review Tab 9 of their notebooks so they would be prepared to discuss the minutes the next day. Judy Owen, co-chair, read over the SAC rules and responsibilities and the way of work and ground rules, noting that these materials were behind Tab 1 in the *SAC Member Notebook*.

Ms. Weiland introduced Michele Polland, SAC Liaison from BEESS, who discussed the Florida Sunshine Law, noting that members are not permitted to discuss SAC business with each other outside of a SAC meeting. Ms. Polland noted that a full description of the law was provided in Tab 1 of the *SAC Member Notebook*. She reiterated that the meeting was being recorded for the minutes.

School Accountability

(See SAC Member Notebook, PowerPoint Presentation, Tab 2.)

Jane Fletcher, interim deputy commissioner, Accountability, Research and Measurement, FDOE, presented information on Florida's Assessment and Accountability Systems and the Value Added Model: Working Toward Increased Student Achievement, covering the following topics.

Transition in School Grades System

- Transition to new tests occurring over next three years
- Designing system to accommodate changes
- Know what to expect throughout transition
- Multi-year model
 - Implement statutory changes
 - Include new tests as available
- Work closely with stakeholders

Basic Elements of School Grades (800 points)

- Performance
 - Reading, mathematics, science and writing
 - Percentage of students scoring satisfactory or higher
- Learning gains
 - Reading and mathematics:
 - Percentage of students
 - Increasing an achievement level
 - Maintaining a satisfactory achievement level
 - Remaining at achievement levels below satisfactory who increased performance enough to exceed expected growth (plus extra weighting for students who move up to Level 4 or 5 on the Florida Comprehensive Assessment Test [FCAT 2.0] or end-of-course assessments [EOCs], and for previous year's low performers who make greater-than-expected gains)

Note: Students who decrease a level are not counted as making gains.

- Learning gains of lowest 25%
 - Reading and mathematics:

- Percentage of students in lowest 25% who meet learning gains criteria (with extra weighting for students moving to the highest levels or making greater-than-expected gains)

Additional Elements in Middle School Model

- Acceleration – 100 points
 - Participation in high school courses with EOCs
 - Percentage of students who score at Achievement Level 3 or higher who participate in high school courses with EOCs
 - Performance in high school courses with EOCs
 - Percentage of students who participate in EOC courses and score at Achievement Level 3 or higher

“Other” Elements of High School Grades

- Acceleration
 - Participation in accelerated courses
 - Percentage of students in advanced placement, International Baccalaureate, Advance International Certificate of Education, Industry Certifications and Dual Enrollment
 - Performance in accelerated courses
 - Percentage of students eligible to earn college credit
- Graduation rate
 - Federal uniform graduation rate
 - Percentage of students graduating within four years with standard diploma
 - Five-year modified federal graduation rate
 - Percentage of students graduating within five years with standard or special diploma
 - At-risk graduation rate
 - Percentage of at-risk students graduating using both rates above
- College readiness
 - Reading
 - Percentage of on-time graduates scoring college ready
 - Mathematics
 - Percentage of on-time graduates scoring college ready

Grading Scale, Basic Model (800 points)

Elementary Schools

A = 65.6% of points
 B = 61.9% of points
 C = 54.4% of points
 D = 49.4% of points
 F = less than 49.4% of points

Same percentages apply to school grading scales for other school types, adjusted to different points totals:

Middle Schools = 900 possible points
 High Schools = 1,600 possible points

Combination Schools (K–12, 6–12) = 1,700 possible points

School Grades Changes

- FDOE: input from advisory groups at multiple meetings
 - Leadership Policy Advisory Committee – superintendents
 - Assessment and Accountability Advisory Committee – assessment and accountability directors
- FDOE: three public workshops
- SBE: public workshop
- SBE adopted changes to school grades rule 2/28/12
- SBE established taskforce to make recommendations on including students with disabilities (SWDs), English language learners (ELLs) and exceptional student education (ESE) center schools
- SBE adopted more changes to school grades rule based on taskforce recommendations (May 10, 2012)
- SBE adopted emergency rule changing school grades writing standard (May 15, 2012)

Four Main Reasons for Changes to School Grades

- Statutory requirements
- Elementary and Secondary Education Act (ESEA) flexibility waiver requirements
- Changes already in rule
- Policy decisions

Changes Related to SWDs

- ESEA waiver – SWDs must be treated the same for accountability as all other students
- Included in all performance components
- Weighted performance for students at Levels 1 and 2 who make more than expected gains
- ESE centers – can choose to receive school improvement rating rather than school grade

School Grades Changes by School Type for 2011–2012

Origin of Change: S = statutory; E = ESEA waiver; R = already in rule; P = policy based

Changes for All Schools (including Elementary)

- New assessments and achievement levels (S)
- SWDs and ELLs in performance measures (E)
- Learning gains: measuring increases for low performers on FCAT 2.0 and FAA; criteria for extra weighting; adjustment to lowest performing 25% (Level 3 excluded) (P, P, S)
- Adequate progress requirement for low 25% waived (2012 only) (P)
- Limit grade drops in 2012 to one-letter-grade drop (P)
- FCAT Writing criterion changed to 3.0 for 2011–12 only (P)

Middle Schools

- Acceleration (participation in and performance on high-school-level EOCs) (S)
- Use of Algebra 1 EOC in performance and learning gains in place of FCAT 2.0, if applicable (E, P, S)

- New grading scale (900 points) (P/S)

High Schools

- Incorporate EOCs in gains and performance; bank EOC passing scores (S, E)
- Graduation rates: new rate calculations; at-risk grad-rate target (E/P, P)
- Points for annual growth/decline adjusted (P)
- Adjustment for science (P)
- Acceleration: participation and performance equally weighted; FAA test-takers removed from denominator (R, P)
- Postsecondary readiness based on results for all on-time graduates instead of only those scoring at Level 3 or higher on grade 10 FCAT (R)

Combination K–12 and 6–12 Schools

- New grading scale (1,700 points) (P/S)

ESE Center Schools

- ESE center schools treated as alternative schools for accountability purposes
- Each school chooses whether to receive school improvement rating or school grade
- If ESE center school chooses school improvement rating, performance and learning gains of students at center are also included in school grade of home school
- SBE directed the department to work toward legislation for 2013 regarding students with severe cognitive disabilities and whether their scores would be attributed to their home school

Discussion: Should scores be counted at center schools or home school?

Karen Denbroeder noted that some students have never been served by the home school, and the home school does not have the resources to do so, so it is better to have students at a common site where needs can be met. On the other side of the argument is the concern that schools might try to push students into center schools so their scores would not count. This is the dilemma.

Monica Verra-Tirado added that, prior to making firm recommendations, we must look at data, cluster programs and try to get a sense of impact, where are the positives and where are the negatives.

School Improvement Ratings

- Improving
 - Five points or more **increase** in points earned learning gains in both reading and mathematics
- Maintaining
 - Fewer than five points increase or decrease in points earned for learning gains in reading and mathematics
- Declining
 - Five points or more **decrease** in points earned for learning gains in reading and mathematics

Karen Denbroeder noted that, with regard to FCAT scores, we are getting a truer picture and she attributed this to the push for inclusion. Increased inclusion and increased FCAT scores run a parallel path.

School Grades Resources

- Information on school grades at district and state level
<http://schoolgrades.fldoe.org/default.asp>
- Background on revisions to school grades
<http://www.fldoe.org/arm/rsg.asp>
- Guides to new school grades calculations will be posted at
<http://schoolgrades.fldoe.org/default.asp>

Commissioner's Taskforce on Inclusion and Accountability

Monica Verra-Tirado, BEESS Chief, and Anne Siegel, Education Team Manager with Disability Rights Florida, guided the committee through an activity. Ms. Verra-Tirado announced the committee would work in groups and go deeply into the taskforce recommendations. Each group was instructed to go through their assigned section to identify points of agreement, questions and suggestions.

Before the group work began, Anne Siegel, who was a taskforce member, thanked the committee for the opportunity to give her perspective. She stated she was grateful to be on the taskforce and noted that, in her work, she generally hears only the negative things that are happening. Her concern on the committee was looking at the unintended consequences of not counting students' test scores at their home schools. She noted that Karen Denbroeder was very helpful in providing data to the taskforce.

Ms. Siegel worked on the committee that looked at ESE center schools. She noted her concerns.

- Having all students included in the accountability system
- It is important to have high expectations for all students
- Keep inclusion at the forefront
- Keep focus on the student's progress, not the numbers (although the numbers must be examined, of course)
- Segregating students so their scores would not count "against" the home school

A committee member asked for an explanation of FAA. Dr. Verra-Tirado explained it stands for Florida Alternate Assessment and that it is for students who participate in the modified curriculum.

A committee member reminded everyone that not every student is going to go to college, and that this is ok. She expressed concern that Universal Design for Learning (UDL) has not been mentioned and that FCAT still has no text-to-speech access.

Dr. Verra-Tirado mentioned that the center school conversation at the taskforce focused primarily on students who take the FAA. However, not every student at a center school is a student with a cognitive disability – some take the FCAT/EOC. For example, a student with emotional issues might be temporarily in the center school but will return to the home school. She also asked members to keep in mind that the majority of students in ESE take FCAT or EOC, not the FAA.

Members were asked to assign a recorder and a reporter and deal with the section of the report assigned to their table. Teams were given 30 minutes. Two groups would discuss each subject, recording agreement or disagreement with issues discussed and also providing additional suggestions.

The first group to report represented ESE center schools, covering pages 20–27 and page 59 in the report. They compromised and decided the home school had to be involved as well as the center school. They suggested unified training and bridges to get everyone on the same page. The ideal would be accountability for both home and center schools, or dual accountability.

The second group to report covered pages 6–12 and 28. They noted that they looked at the summary and also the table. In the summary, they got stuck on a few items. They looked at Goal 1 and noted that the sentence “teachers must work harder for students with disabilities” could be phrased better – “work more creatively to address unique needs.” On page 8, they wanted clarification on what it meant to establish a minimum level of hours of training. Does this look like the ELL endorsement or certification? What is the minimum level? What would be the collaborative process with state colleges and universities in developing this? They discussed a possible tiered system, depending on the role of the teacher. On page 11, there was a question about looking at only one test, because IDEA is clear that more than one assessment must be considered. They looked at all paper and pencil tests and wondered if there were other testing methods possible.

The next group discussed ESE center schools. They concur with the first group about dual accountability with home and center school. They also discussed clearly defining ESE cluster and center schools, and they agree it is critical to treat schools the same. It was noted that a small number of students can greatly affect the school grade in a small school. It was suggested that training be done with center schools and home schools together.

ELLs (summarized, as agreed with most of the report)

Goal 1 – Identify best practices (looked at what districts should do)

1. Meaningful participation that leads to accurate and fair measurement of ELL achievement.
2. Account for ELL diversity.
 - a. Program entry U.S. Department of Education uses entry into country, **NOT** program.
 - b. Refugee or migrant may impact performance.
 - c. Break in services (e.g., when migrant children move from one place to another).
3. Use weighted measure of FCAT performance **until** English proficient.
4. Talked about multiple measures, including the Comprehensive English Language Learner Assessment. Provide incentives to focus on English language proficiency as well as content.

Goal 2 – Identify unintended consequences – no recommendations as they did not get into this

Goal 3 – Modify school grade calculations – reward for FCAT proficiency before English proficiency

Taskforce recommended professional development and resources.

Next group

Agreements with Report:

- Best practices should be identified.
- Teachers should be rewarded for teaching and efforts, but be careful with measure.

- SWDs should be counted, but how they are counted might not be the best method.
- Training for teachers.
- Parent consent for placement, FAA, diploma type.
- Unified individual educational plan (IEP).

Concerns:

- The manner in which we are identifying learning growth is too narrowly focused.
- Personal/professional “reputations,” school ratings and politics trumping the needs of SWDs.
- Look beyond FCAT for “incentivizing” current or “prospective” teachers.
- Whether “best practices” that are identified are being delivered as effectively as they could be.
- Are proper interventions being applied before making determinations that special diploma classes or center schools are appropriate?

Suggestions:

- Look beyond FCAT and EOC to show learning gains. Not everyone is “wired” for geometry.
- Best practice – give intensive support to educators so best practices **work** in the classroom (inclusion classroom, co-teaching, ESE support, etc.).
- Dream: Find a way to provide best program for student (inclusion or center) regardless of who owns the “score.”
- Goal 1-2/C – ensure that parents understand everything (implications of special diploma – post secondary, vocational, job options, etc.). Parents must be honest and realistic about their child to help them reach their full potential.
- IEPs – standard forms, but must have individualized goals.

The next group had pages 20–24 and page 59. They noted that they had a very lively debate on some of the issues. They looked at center schools and accountability. Any system must be fair and equitable. Some schools use different rating systems, so that needs to be considered. The group questioned if there is any method for accountability of students who have been in more than one program or school.

The next group discussed SWDs. Question on taskforce report – the idea of state going above and beyond IDEA – only four people on taskforce agreed out of 22, so that did not seem to be consensus.

The group looked at districts with center schools. Need to ferret out the most severely medically and cognitively impaired as they need to be looked at differently when grading schools. Students who take the FCAT, even with accommodations, should always be counted, but the others perhaps should have a different measure. A teacher should not be penalized for working with this group of students. They discussed differences between large and small districts and the FAA.

Some members of the group felt that there should be additional services above and beyond IDEA, others that it was hard to keep up with the current federal and state regulations and more would not be useful.

A parent member noted that parents needed to have more impact on the decisions made for their child because they have the children for life, the school system for only 22 years. There must be a system that accounts for all children.

Diploma Options

(See SAC Member Notebook, PowerPoint Presentations; *Graduation Requirements; Transition to Next Generation and Computer-Based tests in Florida; Common Core State Standards; Graduation Requirements for Florida's Statewide Assessments; Diploma Options, Graduation Requirement and Exit Exams for Youth with Disabilities: 2011 National Study, Tab 3.*)

Cathy Bishop, Administrator, ISS, BEESS
Helen Lancashire, Consultant, School Guidance, Student Support Services Project,
University of South Florida

Jenni Jenkins, Program Director, ISS, BEESS
Zoe Mahoney, Program Specialist, ISS, BEESS
Bethany Mathers, Program Specialist, ISS, BEESS

Cathy Bishop noted that everything is in a state of change. For at least three years, SAC has had a lot of conversation about special vs. standard diploma. Information will be presented today, and tomorrow the group will discuss the issue further.

Helen Lancashire covered the following topics:

Florida's Student Achievement Goals

- Double the percentage of incoming high school freshmen who:
 - Graduate from high school
 - Go to college
 - Earn a year's worth of college credit
- Cut the achievement gap in half by 2015
- Increase the percentage of students scoring at or above proficient on the National Assessment of Educational Progress (NAEP) by 2015, to or beyond the performance levels of the highest-performing states

A Strong Foundation: The Common Core State Standards (CCSS)

- Nearly every state in the nation is working individually and collectively to improve its academic standards and assessments to ensure students graduate with the knowledge and skills most demanded by college and careers.
- Educators around the nation created the CCSS in English language arts/literacy and mathematics.

What Are the CCSS?

- Aligned with college and work expectations
- Focused and coherent
- Include rigorous content and application of knowledge through high-order skills
- Build upon strengths and lessons of current state standards
- Internationally benchmarked so that all students are prepared to succeed in our global economy and society
- Based on evidence and research

How Are Common Core Standards (CCS) Different from Florida's Current Standards?

- The CCS are described as "fewer, higher and clearer"
- Kindergarten students must be able to:
 - Previous Sunshine State Standards

- Count 1 to 36
- Next Generation Sunshine State Standards
 - Count to 20
 - Out loud
 - In writing
 - Using objects (baseballs, blocks, etc.)
- CCSS
 - Count up to 100 starting at any number
 - Count backward starting at 10

College and Career Ready

- Students are considered college and career ready when they have the knowledge, skills and academic preparation needed to enroll and succeed in introductory college credit-bearing courses within an associate or baccalaureate degree program without the need for remediation.
- These same attributes and levels of achievement are needed for entry into and success in postsecondary workforce education or directly into a job that offers gainful employment and career advancement.

What Is P.E.R.T.?

- The Postsecondary Education Readiness Test (P.E.R.T.) is Florida's common placement test.
- All 28 Florida colleges use P.E.R.T. to determine if a student is ready for college-credit courses in reading, writing and math.
- The P.E.R.T. has been aligned with the Postsecondary Readiness Competencies that Florida's faculty identified as necessary for success in entry-level college credit coursework.
- P.E.R.T. website: <http://www.fldoe.org/cc/pert.asp>.

Which Students Will Need to Take the P.E.R.T.?

- College readiness evaluation is required for students who score:
 - Grade 10 FCAT 2.0 Reading (Levels 2 or 3)
 - Algebra 1 EOC Assessment (Levels 2, 3 or 4)
- A student who has met the college-ready cut scores does not need to take the P.E.R.T.
- Special diploma students for whom the IEP specifies that the FCAT is an appropriate assessment
- Department of Juvenile Justice students
- Charter school students
- Full-time public virtual school students
- SBE Rule 6A-10.0315, Florida Administrative Code (F.A.C.)

Postsecondary Preparatory Instruction

- Purpose: to prepare students for entry into college-level credit courses as well as gainful employment
- High schools are required to offer postsecondary preparatory instruction
- Students must complete postsecondary preparatory instruction prior to graduation
- Students do not have to pass the course(s) for high school graduation

Postsecondary Preparatory Instruction Courses

- Districts/high schools may choose which postsecondary preparatory instruction courses to offer from the following approved courses:
 - Math for College Success (1200410) – 0.5 credit
 - Reading for College Success (1008350) – 0.5 credit
 - Writing for College Success (1009370) – 0.5 credit
 - English 4: College Prep (1001405) – 1.0 credit
 - Math for College Readiness (1200700) – 1.0 credit

Standard Diploma Graduation Options

- Successful completion of:
 - A four-year, minimum of 24-credits standard program;
 - An International Baccalaureate curriculum;
 - An Advanced International Certificate of Education curriculum;
 - A three-year, 18-credit standard college preparatory program; and
 - A three-year, 18-credit career preparatory program.

Early High School Graduation, Section 1003.4281, Florida Statutes (F.S.)

- “Early graduation” means graduation in fewer than eight semesters
- Applies only to the 24 minimum requirements option
- School board must adopt a policy
- School district may not prohibit a student
- Eligible students who graduate mid-term receive Bright Futures Scholarship award during spring term

High School Graduation Requirements

- Entering 9th grade
 - 2010: Algebra and geometry
 - 2011: Biology and Algebra EOC
 - 2012: Biology EOC, Geometry EOC and Algebra II
 - 2013: Chemistry or physics and an equally rigorous science course

Florida Course Code Directory (<http://www.fldoe.org/articulation/CCD/>)

- Course levels
 - Level 1 = Fundamental or basic courses
 - Basic Mathematics Skills (1200300)
 - Level 2 = Regular, mainstreamed courses
 - Algebra 1 (1200310)
 - Level 3 = Honors, International Baccalaureate, Advanced Placement and other courses containing rigorous academic curriculum and performance standards
 - Algebra 1 Honors

Level 1 Courses

- Students with an IEP entering 9th grade in 2012–2013 and prior
 - May take Level 1 courses and they will count toward a standard diploma
 - IEP team determines appropriateness of level of course for student
- Students with an IEP entering 9th grade in 2013–2014 and thereafter
 - No Level 1 courses will count for credit toward a standard diploma
 - SWDs pursuing a special diploma will receive credit for Level 1 courses

EOC Assessments Results Waiver

- What requirements must a student meet to be considered for an EOC assessment results waiver?
 - To be considered for an EOC assessment waiver, the student must meet all of the following criteria:
 - Be identified as a student with a disability, as defined in s. 1007.02(2), F.S.
 - Have an active IEP
 - Have taken the EOC assessment with appropriate allowable accommodations at least once
 - Have demonstrated, as determined by the IEP team, achievement of the course standards

Zoe Mahoney, Program Specialist, ISS, BEESS, and Bethany Mathers, Program Specialist, ISS, BEESS, continued the diploma presentation and covered the following topics:

Level 1 Courses

- Beginning with the 9th grade cohort of 2013–2014, students will not be able to take Level 1 courses to earn credit toward a standard diploma.
- Level 1 courses will be available to enable students to earn credits toward a special diploma.
- In a recent statewide BEESS survey, 26 districts throughout Florida responded regarding Level 1 courses.
- Of the 26 respondents, 12 districts surveyed plan to award credit toward a standard diploma for Level 1 courses for the cohort of students entering 9th grade in 2012–2013.

Level 1 Courses: 2011–2012 Data

Level 1 Changes: District Plans (2012 Survey)

- Flexible scheduling
- Reduced class size
- Dually certified teachers
- Increased learning strategies classes to support academic areas
- Professional development in differentiated instruction (DI)
- Hiring behavior support personnel to help regular classroom teachers deal with disruptive behaviors
- Hiring paraprofessionals to assist in mainstreaming opportunities

Special Diploma Considerations

Special Diploma: Data

- How many students are earning a special diploma?
 - 2008–2009: 5,536
 - 2009–2010: 5,227
 - 2010–2011: 5,519

Special Diploma Option 1

- Award based on completion of prescribed academic and course credit requirements
- Pros
 - Is a high school diploma

- Student remains eligible to receive free appropriate public education (FAPE)

Special Diploma Option 2

- Award based on mastery of employment and community competencies
- Pros
 - Is a high school diploma
 - Student may continue employment obtained for completion of Option 2 after graduation
 - Student remains eligible to receive FAPE

Special Diploma Options 1 and 2

- Cons
 - Not accepted by four-year colleges
 - Not usually accepted by community colleges (may allow provisional enrollment or enrollment in non-degree-seeking or technical certificate programs)
 - May not be accepted by technical centers
 - Is not currently accepted by the military
 - Impacts eligibility for federal financial aid

Special Diploma: Overview

- At this time, local school boards determine the requirements for a special diploma
- After extensive rule development workshops, the rule was proposed for revision to establish consistent requirements for a special diploma throughout Florida
- Proposed rule was withdrawn from consideration by State Board for further review

Special Diploma Option 1: Rule 6A-1.09961(12), F.A.C.

- Current requirements, Option 1
 - Demonstration of proficiency as determined through IEP process
 - Completion of minimum number of course credits as prescribed by school board

Special Diploma Option 2: Rule 6A-1.09961(14), F.A.C.

- Current requirements, Option 2
 - The student has achieved all the annual goals and short-term objectives specified on the IEP related to employment and community competencies.
 - The student is employed in a community-based job, for the number of hours per week specified in the student's training plan, for the equivalent of one semester, and paid a minimum wage in compliance with the requirements of the Fair Labor Standards Act.
 - The student has mastered the employment and community competencies specified in a training plan.

Proposed Credit Requirements: Special Diploma Option 1

- 24 credits with a 2.0 GPA in the following:
 - 4 credits in reading/language arts
 - 4 credits in mathematics
 - 3 credits in science
 - 2 credits in social studies
 - .5 credit in health and .5 credit in physical education, or 1 credit in physical education to include the integration of health

- 4 credits in career and technical education for SWDs or general career and technical education
- 6 credits in electives

Proposed Credit Requirements: Special Diploma Option 2

- 8 credits with a 2.0 GPA in the following:
 - 2 credits in reading/language arts
 - 2 credits in mathematics
 - 4 credits in career and technical education for SWDs, general career and technical education or special skills courses with an emphasis on community competencies

Proposed Employment Requirements: Special Diploma Option 2

- In addition to the academic credits required, the other requirements are:
 - Mastery of annual IEP goals and competencies in training plan;
 - One semester or at least 18 weeks of successful, paid employment at minimum wage or higher; and
 - All districts must offer Option 2.

Special Diploma Option 1: 2010 District Requirements

- Information gathered in 2010 found that 40 districts specified additional requirements for a special diploma in their Student Progression Plan
 - Credit requirements ranged from 11–29 credits
 - Some districts required a 2.0 GPA

2012 Survey: Current District Credit Requirements for Special Diploma Option 1

- More recently, 27 districts replied to a statewide BEESS survey regarding their special diploma requirements (2012)
 - 20 districts currently require 24 credits (1 district allows for a waiver of required credits)
 - 4 districts indicated 22 credits are required
 - 1 district requires as few as 11 credits, 1 district requires 18 credits and 1 requires 26 credits

Special Diploma Option 2: Spring 2010 Survey of Districts

- In 2010, 47 districts responded to a BEESS survey pertaining to Special Diploma Option 2
 - 43 districts stated that they offered Option 2
 - 4 districts stated that they did not offer Option 2
 - 27 districts required a certain number of course credits or type of courses
 - 16 districts did not require a certain number of course credits or type of courses

2012 Survey: Total Credit Requirements Special Diploma Option 2

- Credit requirements out of 15 respondents:
 - No credits: 2
 - 8–12 credits: 7
 - 12–22 credits: 4
 - 24 credits: 2

2012 Survey: Current Required Credits Special Diploma Option 2

- Average required credits for 12 respondents:
 - Electives: 2
 - Career and technical education: 3
 - Math: 2
 - Reading: 2

2012 Survey: Required Hours Worked Special Diploma Option 2

- Hours per week (16 respondents)
 - 10 or fewer: 1
 - 10–19: 1
 - 20–29: 8
 - 30 or more: 2
 - Determined by Training Plan: 4

Special Diploma: Future Plans

- As an interim step, we anticipate “cleaning up” and removing obsolete language from rule.
- We will continue to consider rule changes.

Diploma Options in Other States: A National Perspective

- As of 2011–2012, 22 states offered only one diploma option for all students, including those with disabilities.
- In April of 2012, the National Center on Educational Outcomes released a national study, *Diploma Options, Graduation Requirements, and Exit Exams for Youth with Disabilities: 2011 National Study*.

Florida vs. Other Large States

- The largest states (by population) are California, Texas, New York, Florida, Illinois, Pennsylvania and Ohio.
- Florida is 4th on the list of largest states, with a population of 19,057,542 (July 2011).
- Florida
 - Florida currently offers a standard diploma, a special diploma and a Certificate of Completion.
 - In 2009, 48.7% of SWDs graduated from high school with a standard diploma.
 - Students with disabilities must complete the same required coursework to earn a standard diploma as other students, with the appropriate supports and services.
- Florida – State assessment
 - To earn a standard diploma, SWDs are eligible for waivers of the FCAT Reading and EOC results in algebra, biology, geometry and U.S. history.
 - If the IEP team determines a student is able to show proficiency of the course standards, they are eligible for a waiver of the test results.
- California
 - California offers a standard diploma, and students with significant cognitive disabilities (on a modified curriculum) work toward a Document of Completion.
 - In 2009–2010, 74.4% of SWDs graduated with a standard diploma.

- Certificate of Achievement/Attendance
 - Students with disabilities in California must meet the same requirements for a standard diploma as all other students.
 - Some exceptions are made:
 - Students with disabilities may obtain a waiver of the requirement to pass a course in algebra from the SBE if their transcript demonstrates that they have been on track to receive a regular diploma, have taken algebra and the appropriate pre-courses or math courses and, because of the nature of their disability, cannot pass the algebra course.
- California – State assessment
 - Students in California must pass an exit exam called the California High School Exit Examination (CAHSEE).
 - SWDs may be exempt from meeting the CAHSEE requirement as a condition of graduation or receiving a standard diploma.
 - California's state assessment system also includes:
 - California Standards Test (CST) – for all students grades 2–11;
 - California Modified Assessment – for students who are unable to meet grade-level expectations measured by the CST; and
 - California Alternate Performance Assessment – for students with significant cognitive disabilities who work on a modified curriculum.
- Texas
 - In 2009–2010, the graduation rate of SWDs with a standard diploma was 72%.
 - Texas only offers a standard diploma, with several different paths through which SWDs can graduate.
 - If the student satisfactorily completed the state's or district's required standards applicable to students in general education, including participation in required state assessments, the student's admission, review and dismissal (ARD) committee will determine whether satisfactory performance on the required state assessments is necessary for graduation.
 - A student can earn a diploma when he/she no longer meets age eligibility requirements and has completed the requirements specified in the IEP.
 - A student can earn a standard diploma by completing the state's or district's required standards through aligned, modified courses and participating in required state assessments. The student's ARD committee will determine whether satisfactory performance on the required state assessments is necessary for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions, consistent with the IEP:
 - Full-time employment, based on the student's abilities and local employment opportunities, in addition to sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;

- Demonstrated mastery of specific employability skills and self-help skills which do not require direct ongoing educational support of the local school district; or
 - Access to services which are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.
- Texas – State assessment
 - Texas Assessment of Knowledge and Skills (TAKS)
 - TAKS
 - TAKS Accommodated (accommodations)
 - TAKS Modified (changes to content)
 - TAKS Alternate (for students with significant cognitive disabilities)
- New York
 - In 2009–2010, 44% of SWDs earned a diploma.
 - New York offers three types of standard diplomas to all students.
 - Advanced Designation Regents (honors)
 - Regents Diploma (earned passing score on Regents examinations)
 - Local Diploma (SWDs can earn a Local Diploma through modifications to curriculum, as determined by the IEP team)
 - Students with significant cognitive disabilities do not earn a diploma.
 - These students are eligible to earn a Skills and Achievement Commencement Credential.
 - These students take the New York State Alternate Assessment.
- New York – State assessment
 - Students must take Regents examinations (much like an EOC).
 - Students with disabilities can achieve a lower proficiency score on the Regents examination.
- Illinois
 - 78.2% of SWDs graduated with a standard diploma in 2009–2010.
 - The only diploma offered in Illinois is the standard diploma.
 - Requirements for a standard diploma do not apply to SWDs whose course of study is determined by an IEP. Decisions regarding the issuance of a diploma for SWDs whose course of study is determined by an IEP are made at the local educational agency (LEA) level.
 - Course requirements are the same for SWDs as they are for students without disabilities, with the exception of those determined by the IEP team to be inappropriate.
- Illinois – State assessment
 - Students take the Prairie State Achievement Examination, which measures the achievement of grade 11 students in reading, math and science – but a passing score is not required for graduation.
 - The state uses the Illinois Alternate Assessment to measure the learning of students with the most significant cognitive disabilities.

- Pennsylvania
 - 87.27% of SWDs graduated with a standard diploma in 2009–2010.
 - In addition to the regular diploma, individual school districts may choose to provide a Recognition of Achievement in recognition of a student’s advanced proficiency.
 - Students with disabilities can graduate with a standard high school diploma either by meeting the general education requirements or by satisfactorily completing a special education program developed by the IEP team.

- Pennsylvania – State assessment
 - The Pennsylvania System of School Assessment measures student proficiency in reading, mathematics, writing and science per the No Child Left Behind Act, but it is not required for graduation.
 - Pennsylvania administers the Pennsylvania Alternate System of Assessment to students with significant cognitive impairments.
 - Keystone Exams are end-of-course exams in Algebra 1, literature and biology that will be required for graduation with a standard diploma beginning in 2015.

- Ohio
 - 82.9% of SWDs graduated with a standard diploma in 2009–2010.
 - The only diploma offered in Ohio is the standard diploma.
 - Students with disabilities can receive modifications to the curriculum to earn the standard diploma.

- Ohio – State assessment
 - Ohio requires students to pass all five sections of the Ohio Graduation Test to receive a high school diploma.
 - Students with disabilities may be excused from the consequences of this exam by their IEP teams and, therefore, may receive a high school diploma without passing the exam.

- Georgia
 - 41.4% of SWDs graduated with a standard diploma in 2009–2010.
 - Georgia offers a standard diploma and a special education diploma.
 - Each LEA determines the name of the diploma (it isn’t called “special education diploma,” but it is not a standard diploma).

- Georgia – State assessment
 - To earn a standard diploma, students may receive a waiver of the state assessment test results (much like Florida’s FCAT/EOC waiver).
 - Students with significant cognitive impairments take the Georgia Alternate Assessment.

- Other states with one diploma option: Requirements for SWDs
 - Michigan: Personal curriculum option.
 - Montana: Students take same courses but have modified grading. IEPs and/or local school districts may reduce course requirements, if necessary.
 - New Jersey: IEP teams may reduce course requirements, if necessary.

- Other states with one diploma option for all students

- Arizona
- Arkansas
- Connecticut
- Maine
- Maryland
- Massachusetts
- Minnesota
- North Carolina
- North Dakota
- Oklahoma
- South Carolina
- South Dakota
- Utah
- Vermont
- Washington
- Wisconsin

A member asked if data were available on outcomes for SWDs who graduated in those states with one diploma. Ms. Denbroeder noted that this information would be available in their APRs under Indicator 14, but also noted a challenge – it is very difficult to compare data between states as they collect data differently. For example, Florida is the only data-driven system; others rely on surveys.

Members discussed the drop-out rate of SWDs, which is Indicator 2 in the APR. Ms. Denbroeder noted that, in Florida, the rate for SWDs is about 4% in a given year of students in grades 9 through 12, which is higher than the rate for students without disabilities.

Members thanked staff for supplying the guide and for their research, noting that the information was more than they expected and the effort was very much appreciated. Ms. Mahoney cautioned that the information may have inconsistencies because it was only as good as the people she and Ms. Mathers spoke with at the various states, and also things change quickly.

Ms. Owen echoed the thanks and asked members to complete the cards on the tables and note which areas concerning the diploma options they want to discuss the next day.

TUESDAY, JULY 24, 2012

The SAC met in regular session with the following persons in attendance:

Members

(See SAC Membership List 2012, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 1.)

Karen Barber
Kathy Devlin
Jacqueline Egli
Hannah Ehrli
Joni Harris
Johana Hatcher
John Howle
Cindy Jones
Michele Mantell
Pam Minelli
Judith Owen
Frances Perez
Kelly Rogers
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Kara Tucker
Robin Walker
Joyce Wieland

Designees

Kirk Hall (for Roxana Beardall)
Rene Johnson (for Denise Arnold)
Kathy McAllister (for Renee Valletutti)

FDOE/DPS/BEESS Representatives

(See BEESS staff list, Tab 10, in the *SAC Member Notebook*.)

Monica Verra-Tirado, BEESS Chief (Ex Officio SAC Member)
Cathy Bishop, Administrator, ISS, BEESS
Karen Denbroeder, Administrator, PAADS, BEESS
Michele Polland, Educational Policy Analyst, BEESS (SAC Liaison)
Lindsey Granger, Program Director, Compliance, BEESS
Patricia Howell, Program Director, Monitoring Systems, BEESS
Jill Snelson, Program Director, Accountability Systems, BEESS
Judy White, Program Director, BRIC, BEESS
Misty Bradley, Program Specialist, Compliance, BEESS
Heather Diamond, Multi-tiered Systems of Support (MTSS) Liaison, BEESS

Jenni Jenkins, Program Specialist, EBD, BEESS
Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Aimee Mallini, Division of Blind Services
Bethany Mathers, Program Specialist, IND, BEESS
Jackie Roumou, Program Specialist, Compliance, BEESS
Anne Gordon, Administrative Secretary, BEESS

Guests

Jennifer Evans, DCF Mental Health Program Office
Shawn Larkin, Jackson County
Hue Reynolds, Agency for Persons with Disabilities
Dani Roberts-Dahm, Project 10
Sylvia Smith, Disability Rights Florida
Bob Whitney, Disability Rights Florida

Accessing the Common Core

(See *SAC Member Notebook*, PowerPoint Presentation, Tab 5.)

Karen Denbroeder, Administrator, PAADS, BEESS, covered the following topics:

Least Dangerous Assumption

- “...**in the absence of conclusive data**, educational decisions ought to be based on **assumptions which, if incorrect**, will have the **least dangerous effect** on the likelihood that students will be able to function independently as adults. Furthermore, we should assume that poor performance is due to instructional inadequacy rather than to student deficits.”

(Anne Donnellan, 1984, as quoted by Cheryl Jorgensen, 2005)

National Center and State Collaborative (NCSC) Partners

Goal

- Develop a system of assessments supported by curriculum, instruction and professional development to ensure students with a significant cognitive disability achieve increasingly higher academic outcomes and leave high school ready for postsecondary options.

Purpose

- Development of a comprehensive model of curriculum, instruction, assessment and supportive professional development based on a research-to-practice approach.

Output

- Common Alternate Assessment
- Item bank for interim/formative assessment
- Curriculum guides and model lesson planning
- Communication triage
- Professional development modules

NCSC work group structure

- Management Team
- Assessment Design

- Curriculum & Instruction
- Professional Development
- Evaluation

Mission

- Implement statewide professional development to provide evidence-based strategies, tools and resources that actively engage students with a significant cognitive disability in the learning of academic content aligned to the CCSS.

Communities of Practice (CoPs)

- Three components:
 - Domain
 - Community
 - Practice
- NCSC CoPs
 - Teachers and Florida Inclusion Network (FIN) staff = 60
- Florida CoPs
 - ACCESS/FIN collaboration
 - Sixteen CoP = 250 teachers and therapists
 - Face-to-face workshops

CoP Outcomes for 2012–2013

- Know:
 - CCSS essentials
 - NCSC essentials
 - NCSC model of access to the CCSS for students with a significant cognitive disability (SwSCDs)
- Understand:
 - All SwSCDs are presumed to be competent learners of core content
 - Communication is the foundation for access to the CCSS for SwSCDs
 - Postsecondary options for SwSCDs
- Do:
 - Implement research- and evidence-based best practices for access to the CCSS for SwSCDs
 - Develop communicative competence for all students
 - Provide constructive feedback to product developers/researchers
 - Problem solve with a network of teachers throughout the state

Developing Communicative Competency, Strategies for Understanding and Enhancing the Communicative Competency in Children with Severe and Multiple Disabilities

- Strategies for Accessing Communication
- Planning for Instruction
- Intervention Strategies: Pre-symbolic
- Intervention Strategies: Symbolic Communication
- Monitoring Instructions and the Learning Environment
- Action Plans

Lesson Study

- School-based collaborative lesson-planning process
 - Supports professional development
 - Builds validated lesson plan bank
 - Keeps student learning a focal point
- ESE center schools
 - Training and support
 - Share site for lesson plans
- Cluster sites
 - Districts active with lesson study
 - Models for extending lessons

Reflections and Discussion: Diploma Options

Monica Verra-Tirado stated that the next activity would be to reflect on and discuss diploma options.

Judy White displayed and read the items committee members submitted, noting that the majority centered around the special diploma issue. Hard copies were distributed to members.

- Recommendation for action: To allow one diploma with different paths to achieve it without stigmatizing SWDs.
- Reflection on diploma option: I agree with having one diploma, **but** different requirements (IEP, modified curriculum, waivers, etc. based on student). In the general scheme of things, does it matter? Do students in other states become as or more successful than Florida students?
- Changing the name of “special diploma” to Standard Diploma Option 1 and 2 or Alternative Diploma.
- Recommend that the changes to the requirements to obtain a diploma via what is now known as the “special diploma” track be put back before the SBE for consideration in an effort to achieve greater consistency across the state of Florida, with time frame established.
- Recommend that SAC forward a recommendation that the state of Florida issue one diploma/credential but maintain the varied paths/options to achieve said diploma to include students who successfully complete their IEP goals. This shall not bar districts from indicating special recognition for achievements, such as graduating with honors.
- Has Florida ever considered a standard diploma for **all** and using **multi-leveled** assessments to show level of proficiency?
- What would it take for Florida to move to a standard diploma for all but the most significantly cognitively delayed? Are you up to it?

- Recommendation: The FDOE should reconsider the move to NOT having Level 1 courses count toward a diploma to avoid the consequence of creating a barrier to SWDs – as well as students without disabilities – achieving their diploma.
- SWDs who successfully complete Level 1 courses within their IEPs should not be treated as second-class citizens.
- How will CCSS impact diploma options? Diploma standards all over? Will common standards across states drive toward more consistent diploma options?
- Really do want to know about outcomes for SWD in states where the percentage of SWDs is high for standard diploma.
- Diploma options: Find outcomes for those states with only one diploma option – what data do they have on postsecondary employment? What is their drop-out rate?
- The Florida House, Senate and FDOE need input from plumbers. (Not everyone is going to college – look also at technical centers.)
- Center vs. home school: How are specialists included in the **overall** learning gains of SWDs, who are more complex learners? Example: speech-language pathologists – use CELF, TOLD or other evaluation for a severely language-impaired student who is **unable** to generalize to the FAA or FCAT.

Example: Behavior specialist at center school – growth on Functional Behavior Assessment rather than FCAT– not able, behaviorally, to participate in testing, so how do you measure that child's success when the **learning** gains (behavioral) are **not** measured on FCAT??

- Do these assessments ever get compiled and entered into a school's performance?
 1. What is the attrition rate of ESE teachers annually – how many years do they stay in public school?
 2. Where do they go when they leave (to what field of work)?
 3. How does that impact gains for students (substitute vs. ESE teacher)?
 4. Is this factored into the school rating?

Dr. Verra-Tirado asked the groups to discuss the diploma options recommendations.

Supporting Documentation: See recommendations from taskforce on Special Diploma Options; see the *National Center on Educational Outcomes Technical Report 62 (Diploma Options, Graduation Requirements, and Exit Exams for Youth with Disabilities: 2011 National Study)*.

The groups had the following comments:

- They are concerned about unintended consequences of having one diploma. For example, with increased graduation requirements, parents will want their child to have an IEP to get around the new standards.

- Want more effective teaching; will a standard diploma help us achieve that?
- Many states make allowance for addressing IEPs; we need functional IEPs, written appropriately. We are missing these elements currently.
- Need multiple ways to get to one diploma.
- Need to re-look at Level 1 courses.
- Changing the word “special” to “alternate” on a diploma does not address the issue.
- If students receive a standard diploma based on their IEP goals, then the parents must know their rights and more IEP training must be provided to all. There must be a true path to standard diploma, not just writing in any goals and then giving them a standard diploma for reaching them.
- Must be consistent across all districts.
- In agreement with one diploma and multiple ways to get there, but outcomes must be studied.
- Re-consider the P.E.R.T. requirement for students on vocational track. If they do not score well enough, they are required to take remedial courses for P.E.R.T. when they really don’t need to pass P.E.R.T.
- Special diploma creates a barrier before the student gets an opportunity.
- FDOE must make sure students have opportunities once they graduate.
- Would FAPE end with receipt of a standard diploma? Ms. Mahoney said that many states she spoke with mentioned that was a concern, so they did not actually award the diploma to continue FAPE. Some might “walk” with their class but maintain eligibility. Would need to be careful about this and delay diploma so they could continue with transition goals.
- Legislators seem to be against vocational and pro college.
- Do need to have a standard diploma, unsure how to get there and how to deal with the political implications.
- One diploma option with different tracks for vocational, career, college, etc.
- More and better career and technical tracks are needed. Some progress has been made with academies, etc., and they are not just for those who “can’t make it.”
- Quote presented about least dangerous assumption is appropriate to this discussion. Why limit anyone? Remove “special” diploma and have one standard diploma.
- Balance between graduation requirements or diploma via individual needs on IEP. We need a combination of assessments to determine if a student meets

requirements. Integrate common core.

- Transition needs to be a huge piece and it needs to be done well. Outcome data from other states should not deter us from having one diploma.
- Two options – the way to get there is different, but only one diploma. Must change legislation – how extensive is this? Staff responded that it would be a statutory change and would require legislative action.
- Exit exams – looking in material provided – provide more than one path.
- Parent training should be site based, cannot expect them to go to regional trainings. Teacher training as well.

Cathy Bishop summed up that the consensus seemed to be that there be one diploma with multiple pathways to achieve it. A member noted that the groups also all mentioned the need for functional, meaningful IEPs. Ms. Bishop suggested the group discuss action steps during the business meeting. Ms. Owen suggested members complete action forms so this topic would come up in business meeting.

Dr. Verra-Tirado asked for clarification from the group who discussed diploma Options 1 and 2, asking if that was what they meant for the multiple pathways to one diploma. A member clarified that what they wanted was to remove the stigma of a special diploma. They do not want to remove the individualized paths. Options 1 and 2 are paths, but not the only paths available. Standardization among districts was also stressed. A member also noted that more than a change in semantics is required – a true change is needed. It was further noted that implementing the IEP process with fidelity needs to be brought into the diploma discussion. The child, not the program, needs to be at the center.

Bureau Update

(See *SAC Member Notebook*, PowerPoint Presentation, Tab 6.)

Monica Verra-Tirado, BEESS Chief covered the following topics:

FDOE Vision

- The FDOE is committed to changing the culture of our schools from pre-kindergarten (Pre-K) to postsecondary by raising the ceiling and raising the floor to better enable our students for success in the 21st century.

FDOE Mission

- Increase the proficiency of all students within one seamless, efficient system by providing them with the opportunity to expand their knowledge and skills through learning opportunities and research valued by students, parents and communities and to maintain an accountability system that measures student progress toward the following goals:

Highest student achievement
Seamless articulation and maximum access
Skilled workforce and economic development
Quality efficient services

BEESS Mission

- The mission of exceptional student education in Florida, a committed alliance for the development of the unique gifts of each exceptional person, is to ensure the achievement of each and every individual's extraordinary purpose by expanding opportunities through collaboration of families, professionals and communities who guarantee highest expectations and individual success.

SWDs as 21st Century Learners

- What does "exceptional" mean?
 - Being an exception; uncommon
 - Well above average; extraordinary
 - Deviating widely from a norm
 - Not ordinary or average
 - Needing special attention

Office of Special Education Programs (OSEP)

- Nationally, educational outcomes for SWDs have not improved as much as expected.
- SWDs are part of, not separate from, the general education population; special education accountability should strengthen and align other accountability (i.e., ESEA).
- An emphasis on compliance over results fails to properly acknowledge achievements in this area.
- The accountability system should provide meaningful information to the public regarding the effectiveness of state and local educational agencies in educating children with disabilities.

OSEP and ESEA

- OSEP's Results-Driven Accountability in Special Education will be aligned with ESEA
 - The goal is to reform accountability to improve educational outcomes for infants, toddlers, children and youth with disabilities
 - Focus on results NOT on procedures
 - Embrace a model of prevention NOT a model of failure
 - Consider children with disabilities as general education children first
- Students with disabilities as 21st century learners
 - CCSS: a focus on results, not means
 - The CCSS has the intention of improving outcomes for all students, including SWDs, by raising expectations
 - The standards do not define the following:
 - The intervention methods or materials necessary to support students who are well below grade-level expectations
 - The full range of supports appropriate for students with special needs, though the standards stress that all students must have the opportunity to learn and meet the same high standards

How the standards are taught is of the utmost importance, particularly the following:

- Instructional support for learning, including UDL, DI and RtI within an MTSS
- Prepared and highly effective teachers
- Supports and related services to enable access to the general curriculum

- Individualized education plans that include annual goals aligned with and chosen to facilitate attainment of grade-level academic standards
- Instructional accommodations
- Assistive technology device

CCSS

- Rich with literacy, numeracy and cross-disciplinary skills (e.g., communication, collaboration, critical thinking and use of technology)
- Embedded throughout is clear evidence that the CCSS should allow for the broadest range of students to participate fully from the outset, along with the appropriate accommodations to ensure maximum participation for students with special needs

The standards note the following:

- Instruction in reading for SWDs should allow for braille, screen-reader technology or other assistive devices
- Instruction in writing should include the use of a scribe, computer or speech-to-text technology
- Speaking and listening should include the use of sign language

Instructional shifts implementation of the CCSS

- Shift 1
 - K–5, Balancing Informational & Literary Texts.
 - Students read a true balance of informational and literary texts. Elementary school classrooms are, therefore, places where students access the world – science, social studies, the arts and literature – through text. At least 50% of what students read is informational. A focus on the foundational skills.
- Shift 2
 - 6–12, Knowledge in the Disciplines
 - Content area teachers outside of the English language arts classroom emphasize literacy experiences in their planning and instruction. Students learn through domain-specific texts in science and social studies classrooms – rather than referring to the text, they are expected to learn from what they read.
- Shift 3
 - Staircase of Complexity
 - To prepare students for the complexity of college- and career-ready texts, each grade level requires a “step” of growth on the “staircase.” Students read the central, grade-appropriate text around which instruction is centered. Teachers are patient, create more time and space in the curriculum for this close and careful reading, and provide appropriate and necessary scaffolding and supports so that it is possible for students reading below grade level.
- Shift 4
 - Text-Based Answers
 - Students have rich and rigorous conversations that are dependent on a common text. Teachers insist that classroom experiences stay deeply connected to the text on the page and that students develop habits for making evidentiary arguments, both in conversation as well as in writing, to assess comprehension of a text.

- Shift 5
 - Writing from Sources
 - Writing needs to emphasize use of evidence to inform or make an argument rather than the personal narrative and other forms of decontextualized prompts. Although the narrative still has an important role, students develop skills through written arguments that respond to the ideas, events, facts and arguments presented in the texts they read.

- Shift 6
 - Academic Vocabulary
 - Students constantly build the vocabulary they need to access grade-level complex texts. By focusing strategically on comprehension of pivotal and commonly found words (such as “discourse,” “generation,” “theory” and “principled”) and less on esoteric literary terms (such as “onomatopoeia” or “homonym”), teachers constantly build students’ ability to access more complex texts across the content areas.

- Why DI?
 - “When a teacher tries to teach something to the whole class at the same time, chances are that...
 - ...one third of the kids already know it,
 - ...one third will get it, and
 - ... the remaining third won’t.
 - So two-thirds of the kids are wasting their time.”

(Scott Willis, ASCD Curriculum Update, November 1993)

- UDL
 - “Consider the needs of the broadest possible range of users from the beginning.”

(Ron Mace, Architect)
 - Universal design
 - Not one size fits all
 - Alternatives are designed from the beginning, not added on later
 - Increases access opportunities for everyone
 - Examples: ramps, curb cuts, electric doors, captions on television, easy-grip tools
 - Origins of UDL
 - Definition:
 - UDL is an educational approach to teaching, learning and assessment drawing on new brain research and new media technologies to respond to individual learner differences.
 - Drawbacks of retrofitting
 - Each retrofit solves only one local problem.
 - Retrofitting can be costly.
 - Many retrofits are UGLY!

Special Diploma

| Year | Special Diploma | Completers | Non-Completers | Exiters | Rate |
|-----------|-----------------|------------|----------------|---------|-------|
| 2006–2007 | 6,160 | 16,661 | 7,906 | 24,567 | 25.1% |
| 2007–2008 | 6,039 | 17,526 | 6,352 | 23,878 | 25.3% |
| 2008–2009 | 5,536 | 17,670 | 5,605 | 23,275 | 23.8% |
| 2009–2010 | 5,227 | 17,713 | 4,973 | 22,686 | 23% |
| 2010–2011 | 5,519 | 18,407 | 4,612 | 23,019 | 24% |

New Assumptions: UDL

- Students with disabilities fall along multiple continua
- Typical classes are highly diverse
- Teacher adjustments benefit all learners
- Curriculum needs fixing, not the students
- Curriculum materials must be flexible, varied and diverse
- General education and special education teachers plan curriculum

Principles of UDL

- Provide multiple, flexible methods of presentation
- Provide multiple, flexible methods of expression and apprenticeship
- Provide multiple, flexible options for engagement

DI

- “A differentiated classroom will have a combination of teacher directed, teacher selected activities, and learner centered, learner selected activities; whole class instruction, small group instruction, and individual instruction.”

(Carol Ann Tomlinson)

The Differentiated Classroom

- A working definition of differentiation:
 - Differentiation has come to mean “consistently using a variety of instructional approaches to modify content, process, and/or products in response to learning readiness and interest of academically diverse students.”

(Carol Ann Tomlinson, *The Differentiated Classroom*)

UDL and DI

- Similarities between UDL and DI
 - Recognize the reality of classroom diversity
 - Dignify the learner and learning while valuing equity and excellence
 - Identify and articulate clear learning goals before developing methods, materials and assessments
 - Support multiple means of representation, expression and engagement for all
- Benefits of least restrictive environment (LRE) for SWDs
 - Access to the core curriculum
 - Opportunities to participate in the life of the school community
 - Increase in communication and social interaction opportunities
 - Access to age-appropriate models of behavior and skills
 - Opportunities to build a network of friends
- Essential questions
 - What is the student’s academic level? Areas of strength? Areas needing additional support?

- What intervention, support or enrichment does the student need to be successful?
- Who can provide these services?
- Where can these services be provided?
- Points to Remember
 - An MTSS should assist schools with developing academic independence as the student strives toward graduation and postsecondary options
 - Base students' schedules on need, not label
 - Base teachers' schedules on student need
 - Interventions, services and supports should be assessed regularly to determine impact on student performance

The Vision – One System!

- A system in which instruction and learning is based upon common standards, sound research, collaboration and problem solving driven by multiple sources of student data and culminating in increased student achievement.

A Collaborative Culture Involving Parents

- We need to work with parents as partners.
- Involving parents versus informing parents.
- They have valuable information that we need to help us identify the best ways to support their children.
- Our work is best when we are able to build strong, collaborative partnerships with our parents with a focus on points of agreement.

Professional Growth

- “The growth of any craft depends on shared practice and honest dialogue among the people who do it. We grow by private trial and error, to be sure - but our willingness to try, and fail, as individuals is severely limited when we are not supported by a community that encourages such risks.”

(The Courage to Teach; Palmer, 1998, p. 144)

Creating Results Orientation

- School-, district- and statewide MTSS require a collaborative culture focused on results.
- Members of school-based learning communities continually assess their effectiveness on the basis of results: tangible evidence their students are acquiring the knowledge, skills and dispositions essential to their future success.
- Essential elements: clarify priorities, establish indicators of progress to be monitored carefully, embed continuous improvement throughout the organization.

Florida's SWDs

- IND: 8%
- Speech impaired: 14%
- Language impaired: 11%
- EBD: 6%
- Specific learning disabled: 40%
- Other: 21%

SWDs as Percentage of Total Population

- 2007–2008: 14.45%

- 2008–2009: 14.3%
- 2009–2010: 14.1%
- 2010–2011: 13.7%
- 2011–2012: 13.2%

Exceptional Times

- “The gem cannot be polished without friction, nor man perfected without trials.”
(Chinese proverb)
- “Out of difficulties we grow miracles.”
(Jean De La Bruyere)

Regular Class Placement

- 2004–2005: 49.5%
- 2005–2006: 55.3%
- 2006–2007: 58.5%
- 2007–2008: 62.2%
- 2008–2009: 64.3%
- 2009–2010: 67.4%
- 2010–2011: 69.2%
- 2011–2012: 67.8%

2011 FCAT Reading SWDs Grades 3–10

- Achievement Level 3 and above (on grade level and above)
 - 2001: 19%
 - 2002: 19%
 - 2003: 21%
 - 2004: 23%
 - 2005: 25%
 - 2006: 28%
 - 2007: 29%
 - 2008: 31%
 - 2009: 33%
 - 2010: 33%
 - 2011: 32%
- Achievement Level 1
 - 2001: 66%
 - 2002: 66%
 - 2003: 62%
 - 2004: 60%
 - 2005: 57%
 - 2006: 52%
 - 2007: 50%
 - 2008: 48%
 - 2009: 45%
 - 2010: 45%
 - 2011: 46%

2011 FCAT Math SWDs Grades 3–8

- Achievement Level 3 and above (on grade level and above)
 - 2001: 20%
 - 2002: 21%

- 2003: 23%
- 2004: 26%
- 2005: 29%
- 2006: 32%
- 2007: 35%
- 2008: 37%
- 2009: 39%
- 2010: 40%
- 2011: 39%

- Achievement Level 1

- 2001: 62%
- 2002: 60%
- 2003: 56%
- 2004: 54%
- 2005: 49%
- 2006: 45%
- 2007: 42%
- 2008: 40%
- 2009: 38%
- 2010: 37%
- 2011: 38%

FAA Reading

- Levels 1–3

- 2008–2009: 33%
- 2009–2010: 30%
- 2010–2011: 30%

- Level 4+:

- 2008–2009: 67%
- 2009–2010: 70%
- 2010–2011: 70%

FAA Math

- Levels 1–3

- 2008–2009: 34%
- 2009–2010: 31%
- 2010–2011: 32%

- Level 4+:

- 2008–2009: 66%
- 2009–2010: 69%
- 2010–2011: 68%

Graduation Rate

- Federal uniform – All students

- 2003–2004: 59.20%
- 2004–2005: 59.28%
- 2005–2006: 58.80%
- 2006–2007: 59.80%

- 2007–2008: 62.69%
- 2008–2009: 65.48%
- 2009–2010: 69.02%
- 2010–2011: 70.56%
- Federal uniform – SWDs
 - 2003–2004: 37.43%
 - 2004–2005: 38.10%
 - 2005–2006: 38.63%
 - 2006–2007: 38.96%
 - 2007–2008: 35.58%
 - 2008–2009: 37.30%
 - 2009–2010: 40.05%
 - 2010–2011: 44.37%
- Standard Diploma Rate
 - 2003–2004: 40.77%
 - 2004–2005: 41.64%
 - 2005–2006: 39.31%
 - 2006–2007: 39.93%
 - 2007–2008: 45.17%
 - 2008–2009: 49.83%
 - 2009–2010: 52.72%
 - 2010–2011: 54.26%

Dropout Rate

- All students
 - 2004–2005: 3%
 - 2005–2006: 3.5%
 - 2006–2007: 3.3%
 - 2007–2008: 2.6%
 - 2008–2009: 2.3%
 - 2009–2010: 2%
 - 2010–2011: 1.9%
- SWDs
 - 2004–2005: 4.6%
 - 2005–2006: 5.5%
 - 2006–2007: 5.4%
 - 2007–2008: 4.4%
 - 2008–2009: 4.4%
 - 2009–2010: 4%
 - 2010–2011: 3.7%

Post-School Outcomes

- Continuing education and/or employment
 - 2003–2004: 54%
 - 2004–2005: 56.6%
 - 2005–2006: 55.2%
 - 2006–2007: 55%
 - 2007–2008: 50.4%

- 2008–2009: 45.9%
- 2009–2010: 47.4%

Post-School Outcomes

- Employed
 - 2003–2004: 47.9%
 - 2004–2005: 48.9%
 - 2005–2006: 48.1%
 - 2006–2007: 44.3%
 - 2007–2008: 37.7%
 - 2008–2009: 29.9%
 - 2009–2010: 30.7%

- Continuing education
 - 2003–2004: 19.5%
 - 2004–2005: 19.9%
 - 2005–2006: 18.9%
 - 2006–2007: 21.9%
 - 2007–2008: 24.5%
 - 2008–2009: 26.9%
 - 2009–2010: 27.5%

Transition IEP Compliance

- 2007–2008: 23.65%
- 2008–2009: 61.23%
- 2009–2010: 82.28%
- 2010–2011: 89.29%

Sponsored Lunch

Restraint and Seclusion Incidents

(See SAC Member Notebook, PowerPoint Presentation; 2011–12 Incidents of Restraint and Seclusion, August 2011 through June 2012; Restraint Incidents by District, August 2011 through June 2012; Restraint and Seclusion: Resource Document, Tab 7.)

Karen Denbroeder, Administrator, PAADS, BEESS, covered the following topics:

Changes from 2010–2011 to 2011–2012

- Number of both restraints and seclusions has declined
- Number of students both restrained and secluded has increased

Number of Restraints and Number of Students Restrained

- 2010–2011
 - Incidents: 10,604
 - Students: 3,576

- 2011–2012
 - Incidents: 9,712
 - Students: 4,347

Number of Seclusions and Number of Students Secluded

- 2010–2011
 - Incidents: 4,593
 - Students: 1,306

- 2011–2012
 - Incidents: 4,193
 - Students: 1,435

Restraint by Grade Level

- 2010–2011
 - Grades PK–3: 44%
 - Grades 4–8: 39%
 - Grades 9–12: 17%

- 2011–2012
 - Grades PK–3: 46%
 - Grades 4–8: 39%
 - Grades 9–12: 14%

Seclusion by Grade Level

- 2010–2011
 - Grades PK–3: 34%
 - Grades 4–8: 47%
 - Grades 9–12: 19%

- 2011–2012
 - Grades PK–3: 42%
 - Grades 4–8: 43%
 - Grades 9–12: 15%

Restraint by Exceptionality

- 2010–2011
 - EBD: 46%
 - ASD: 22% (autism spectrum disorder)
 - IND: 10%
 - SLD: 6% (specific learning disability)
 - Other: 16%

- 2011–2012
 - EBD: 46%
 - ASD: 25%
 - IND: 10%
 - SLD: 4%
 - Other: 15%

Seclusion by Exceptionality

- 2010–2011
 - EBD: 68%
 - ASD: 11%
 - IND: 10%

- SLD: 2%
- Other: 8%
- 2011–2012
 - EBD: 64%
 - ASD: 13%
 - IND: 11%
 - SLD: 2%
 - Other: 10%

Percentage of SWD Restrained or Secluded

- 2010–2011
 - Restrained: 1.23%
 - Secluded: 0.99%
- 2011–2012
 - Restrained: 0.36%
 - Secluded: 0.41%

District Changes in Restraint Use 2010–2011 to 2011–2012

- Reduced use: 5 4%
- Increased use: 34%
- Not used wither year: 6%
- No change: 6%

District Changes in Seclusion Use 2010–2011 to 2011–2012

- Reduced use: 54%
- Increased use: 34%
- Not used wither year: 6%
- No change: 6%

Additional Data

- After the 2011–2012 school year had begun, the incident form was changed to collect the type of restraint and the crisis management strategy used with drop down (rather than open-ended) so data could be aggregated.

Types of Restraint

- Seated: 11%
- Standing: 28%
- Prone: 29%
- Supine: 2%
- Immobilization while in transport: 10%
- Mechanical: 3%
- Other: 17%

Crisis Management Strategies Used

- CPI: 34%
- PCM: 23%
- T.E.A.M.: 14%
- TEACH: 10%
- SCM: 4%

- HWC: 0.3%
- VITAL: 0.4%
- Other 15%

Location of Restraint

- ESE class: 51.18%
- Bus/bus zone: 1.73%
- Cafeteria: 2.17%
- Playground: 1.79%
- Other: 27.98%
- General education: 2.55%
- Bathroom: 0.05%
- Hallway/breezeway: 11.86%
- Off campus: 0.69%

Training Issue

- For “type of restraint,” “crisis management strategy used” and “location of restraint,” users are selecting “other” when one of the existing choices applies.
- What was happening before restraint/seclusion?
 - Given a direction: 32.60%
 - Interacting with peers: 6.78%
 - Presented work: 11.31%
 - Given a consequence: 13.42%
 - Unexpected change: 1.77%
 - Transitioning to another activity: 11.94%
 - Seeking attention: 8.97%
 - Other: 13.22%
- Prevention strategies used
 - Offered choices: 17.60%
 - Praised/encouraged: 8.79%
 - Verbally promoted: 29.93%
 - Environment used: 7.905
 - Visually promoted: 11%
 - Blocked behavior: 14.59%
 - Given reinforcement: 4.92%
 - Other: 5.26%
- Behavior warranting restraint/seclusion
 - Verbal threat/aggression: 4.25%
 - Self-injurious behavior: 6.40%
 - Physical aggression: 68.59%
 - Unsafe behavior: 7.64%
 - Running away: 8.26%
 - Property destruction: 1.91%
 - Other: 2.93%
- What happened after?
 - Debriefing/problem solving: 31.91%
 - Environment change: 20.10%

- Return to activity/situation: 29.46%
- Removal by parent: 8.58%
- Behavior escalated: 7.39%
- Removal by law enforcement: 2.56%
- Improvement plans
 - Districts must develop a plan within their ESE policies and Procedures (SP&P) that includes a goal for the reduction of restraint and seclusion (s. 1003.573(a), F.S.).
- Restraint goals
 - Total SP&Ps: 70
 - 9 districts with multi-year or goals beginning with 2012–2013
 - 4 districts with goals not readily measurable
 - 57 districts with clear, measurable goals
 - Met goal: 68% (39/57)
 - Did not meet goal: 32% (18/57)

Seclusion goals

- Total SP&Ps: 70
 - 30 districts where seclusion was not used in 2010–2011 or 2011–2012
 - 4 districts where seclusion was used in 2011–2012 but had no goal
 - 8 districts discontinued using seclusion in 2011–2012
 - 2 districts used seclusion in 2011—2012 but not in 2010–2011
 - 3 districts had multi-year goals or goals beginning with 2012–2013
 - 3 districts with goals not readily measurable
 - 23 districts with clear, measurable goals
 - Goal met: 48% (11/23)
 - Goal not met: 52% (12/23)

Agency for Persons with Disabilities

(See *SAC Member Notebook*, PowerPoint, Tab 8.)

Hue Reynolds, Agency for Persons with Disabilities, covered the following topics:

- Mission: The Agency supports persons with developmental disabilities in living, learning and working in their community.
- Vision: Working together with families and communities to ensure the health and safety of persons with disabilities and to support them in maximizing their independence using innovative, effective, efficient and sustainable solutions.
- Strategic plan and goals
- Community outreach
- Information on individuals served
 - 70% – age 23–59
- Services for individuals on waiting list
 - Online resource directory

- Social media
- Community partnerships
- Calendar of events
- Recreation
- Community outreach plan
 - Family care councils
 - Training and information sharing
 - Community project
- Employment opportunities

SAC Business Meeting

(See *SAC Member Notebook*, SAC By-Laws, Meeting Report [Draft, July 2011], SAC Committee Action Form, SAC Designee Form, Tab 9.)

Co-chairs Judy Owen and Joyce Wieland called the meeting to order. Ms. Owen asked for and received a motion and a second to approve the minutes. The motion carried.

Ms. Owen asked about follow-up items from the December 2011 meeting. Michelle Polland noted that there were several action items covered, such as researching the diploma options in other states, Level 1 courses and restraint and seclusion, but a few of the items were not completed. Ms. Polland said she would discuss with Karen Denbroeder for follow up at a future meeting.

Hannah Ehrli presented information she gathered regarding homeland security. She is currently working on a research project and has identified a contractor with the Department of Homeland Security who is piloting a project in West Virginia. She is discussing with them taking the curriculum and morphing it using UDL principles for early childhood to see if that would work in the early childhood setting. Then she would coordinate with local emergency responders to see if the language is appropriate and move forward from there.

Ms. Polland noted that the data requested on Pre-K environments by district are not available. However, broad data are available under Indicator 6 in the APR.

Ms. Ehrli followed up on the action item regarding exploring ESE endorsements for general education teachers. She noted that it was a much larger issue than she originally expected. She reported that she did not find any states requiring general education teachers to get a special education endorsement, but many encourage it. There is some concern that services to our students would be watered down if every teacher were dually certified.

Ms. Owen then noted that there were a few action items. The first was for information on Rtl. Ms. Owen suggested having an Rtl presentation at the December meeting. A motion was made, seconded and passed.

The next item suggested changing the word “children” to “students” in the Roles and Responsibilities of SAC. Ms. Polland noted that it would be an easy change. A motion was made, seconded and passed to do so.

Ms. Owen noted that the next two items are in reference to diploma options. These were displayed and read to the group.

1) Proposed Action: Issue one diploma with different paths to achieve the diploma – without stigmatizing SWDs. This shall not bar districts from making special recognition for achievements, such as graduating with honors. It is recommended that Florida’s current diploma options be used as available tracks once statewide minimums are established (i.e., all districts should offer a vocational/career track as well as a college prep track).

Authority: IDEA and Rule 6A-1.09961, F.A.C.

Background/Rationale: Given that states across the nation vary widely in the manner in which diplomas are awarded; and given that states with higher ranking in education (K–12) offer one standard diploma with various modifications and allowances for SWDs to obtain them; and to avoid erecting barriers to possible employment and other opportunities, the credential/diploma awarded should not reflect verbiage that generates questions about its value or the student’s accomplishments. See Rule 6A-1.09961, F.A.C.

Supporting Documentation: See recommendations from taskforce on Special Diploma Options; see the National Center on Educational Outcomes Technical Report 62 (*Diploma Options, Graduation Requirements, and Exit Exams for Youth with Disabilities: 2011 National Study*).

2) Proposed Action: Consider moving to one standard diploma for ALL students.

Background/Rationale: Only 11 states offer a special diploma for SWDs. The overwhelming majority of states offer a “regular” diploma. Give all students the same postsecondary opportunities that students have in the majority of other states.

Supporting Documentation: Tech Report 62 Diploma Options. National Center on Educational Outcomes – OSEP.

Ms. Polland asked for clarification on the action. Members clarified that they wanted a letter to the commissioner from SAC stating the desire for one diploma. It was noted that many discussions have occurred on this topic and that it was time for action. A motion was made to do so. Ms. Polland stated that this would need legislative action. Cathy Bishop explained that the FDOE has an approved platform, which is generally limited, but that there are other groups that bring legislation forward. She noted that the platform for 2013 was already determined so it would need to be for 2014. The motion was amended to reflect that the letter would ask that the FDOE present one diploma option in their 2014 legislative platform.

Members discussed the issue, noting that the issue was very complicated, and that all the details of phasing in one diploma would need to be worked out.

Ms. Owen stopped the discussion for public comment and turned the floor over to Sylvia Smith and Bob Whitney from Disability Rights Florida to discuss state restraint and seclusion data. Ms. Smith covered the following topics:

- Role of Disability Rights Florida is to advise policy makers on issues and legislative improvements when needed
- Examined district-level restraint and seclusion data
- Breakdown by county, by type and training curricula was extremely meaningful

- The choice of curricula is currently up to local school board. There is no state law that directs kind of training they have to buy, and they are buying a variety of products. Some districts use more than one.
- Six districts used PCM.
- Some counties used many different curricula; not sure why.
- Examined most dangerous practices, which include prone and mechanical restraint
 - Districts using PCM have a much greater chance that prone restraint will be used.
 - Assume that behavior the same in all children, so the PCM must be the reason. PCM example – In Broward, 94% of all restraints reported were prone. Two counties used a method called SCM and had 0 prone and 0 mechanical restraints.
 - Perhaps SAC might ask the department to evaluate and compare curricula.
 - A couple of methods seem to correlate to low use of prone restraint.
 - All is dependent on quality of the data.
- Want to compare and contrast all SP&P documents
 - Look at more provisions.
 - Some districts had strict standards on training, others did not. Work could be done on this.
 - Concerned about the percentage of children with EBD and concentration of restraint in segregated settings.
 - Do policies and procedures address traumatic behavior?
 - If some districts lag behind in procedures, maybe legislation can force them to do better.
- Office for Civil Rights data on restraint and seclusion
 - State does not drill down to building level, by school name.
 - As it becomes populated with Florida data, it will help goal setting and trend analysis.

Ms. Owen thanked Ms. Smith and asked that perhaps Anne Siegel could bring back further information from Disability Rights Florida on this topic as it becomes available.

The single diploma discussion continued. Issues/concerns/suggestions noted included the following:

- Don't make the letter too broad
 - Don't replace one alternative language with another
 - Multiple paths to the one diploma
- List certain things in letter now, but work on other aspects for later, if this moves forward.
- Be cautious about contacting individual legislators – need to talk more about this.

A subcommittee was formed to draft the letter, and it was determined that the full committee would approve the letter before it went out.

Ms. Owen called for a vote on the motion to draft a letter to the commissioner, which carried.

Ms. Wieland reminded members to complete their designee form.

Judy White announced a meeting of parent services stakeholders will be held August 2 as the beginning of Dr. Verra-Tirado's new emphasis on parent services. It was suggested that someone from Early Steps participate, which Ms. White agreed to do.

Ms. Wieland asked the group if Monday and Tuesday were still good days for the SAC to meet in first or second week of December, and if a half day Monday and full day Tuesday was the preference. A vote was taken and this was approved. She then thanked CASE for lunches and snacks. She noted that it was very productive to meet in Tallahassee and asked if that should continue. The group concurred.

Michele Polland told the group that she would be retiring in September. She noted that she had a passion for her work in ESE and that working with SAC was one of her favorite duties. She then thanked the group. Ms. Wieland thanked Michele on behalf of SAC.

Dr. Verra-Tirado also thanked Michele for her 40 years in the field. She then noted that it was her honor to work with SAC in the last few days and that she is thrilled to be part of the group and that her door was open to members if they had questions or concerns.

Members expressed thanks for the meeting and the amount of follow up that was provided by staff and also for the opportunity to contribute significantly.

Note: All materials referenced in this report are available, on request, through BEESS, 614 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

**State Advisory Committee
for the Education of Exceptional Students**

*STATE ADVISORY
COMMITTEE
MEETING REPORT*

December 10–11, 2012

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Florida Department of Education
Division of Public Schools
Bureau of Exceptional Education and Student Services

**State Advisory Committee for the
Education of Exceptional Students**

**Hotel Duval
Tallahassee, Florida
December 10–11, 2012**

Meeting Report

MONDAY, December 10, 2012

The SAC met in regular session with the following persons in attendance:

Members

(See SAC Membership List 2012, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Denise Arnold
Karen Barber
Thea Cheeseborough
Kathy Devlin
Hannah Ehrli
Jenifer Evans
Carin Floyd
Mark Halpert
Joni Harris
Cindy Jones
Shawn Larkin
Pam Minelli
Judith Owen
Kelly Rogers
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Peg Sullivan
Kara Tucker

Designees

Kirk Hall (for Roxana Beardall)

FDOE/DPS/BEESS Representatives

Monica Verra-Tirado, BEESS Chief (Ex Officio SAC Member)
Cathy Bishop, Administrator, ISS, BEESS
Karen Denbroeder, Administrator, PAADS, BEESS
Sue Summers, Administrator, BEESS
Patricia Howell, Program Director, Monitoring Systems, BEESS
Jenni Jenkins, Program Specialist, Emotional/Behavioral Disabilities, BEESS
Tonya Milton, Program Planner/Analyst (SAC Liaison)
Jill Snelson, Program Director, Accountability Systems, BEESS
Judy White, Program Director, BRIC, BEESS (SAC Liaison)
Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Aimee Mallini, Program Specialist, Parent Services, BEESS
Bethany Mathers, Program Specialist, IND, BEESS
Misty Bradley, Program Specialist, Compliance, BEESS
Jackie Roumou, Program Specialist, Compliance, BEESS
David Wheeler, School Psychology Consultant, Student Support Services Project, BEESS
Brent McNeal, Assistant General Counsel, FDOE

Guests

Anne Chartrand, Southeast Regional Resource Center
Rachel Clark, Project STINGRAY

Welcome, Roles and Responsibilities, Sunshine Law, Overview of Agenda/Resources

(See *SAC Member Notebook*, Agenda, Tab 1; Individuals with Disabilities Education Act [IDEA] SAC Way of Work and Ground Rules and Roles and Responsibilities; SAC Membership List 2012; SAC Designee List 2012; 2012 Membership Term List; Open Meetings Law, Tab 2; Meeting Report July 23–24, 2012, Committee Interest Form; Committee Action Form, Tab 8.)

Judy Owen, co-chair, called the meeting to order and welcomed everyone. She introduced new SAC member Mark Halpert. Ms. Owen drew the members' attention to and reviewed the day's agenda. She asked members to review Tab 8 of their notebooks so they would be prepared to discuss the minutes the next day.

Ms. Owen then introduced FDOE Assistant General Counsel, Brent McNeal, who discussed the Florida Sunshine Law. Mr. McNeal noted that the right to attend public meetings is not just in the provided Open Meetings Law, but also in the state constitution. Mr. McNeal summarized the law, covering the following:

- Whether in person, by email or telephone, members are not to discuss issues related to SAC unless at a formal SAC meeting
- Even at a SAC meeting, there can be no lunchtime or side conversations regarding SAC issues
- Members can meet socially, but cannot discuss SAC
- Reasonable notice of the meeting must be given
- Minutes must be taken and provided to public, if requested
- Meeting must be held in a location that the public can attend

- Government in Sunshine Guide, which is updated each year – the website is provided in the handout
- Case law and legislative updates

Ms. Owen thanked Mr. McNeal.

Monica Verra-Tirado thanked the group for taking the time to attend the meeting. She stated that BEESS was privileged to have been invited to conduct a workshop on ESE for the State Board, giving a broad overview of ESE, including successes and challenges. Many of the SAC members attended or spoke at the meeting. The State Board was very engaged in the workshop, allowing a time extension so all speakers could be heard. SAC members were given a link to the video recording of the workshop.

Dr. Verra-Tirado summarized some of the big issues discussed at the board meeting, including the following:

- Increasing parent involvement, engagement and empowerment in the entire ESE process
- Improving coordination among existing agencies/resources and how to communicate the available resources to parents
- Improving communication to help districts and parents come to consensus to keep focus on the child
- Maintaining and protecting parent rights

The board had some initial ideas (e.g., videos for parents). However, a parent then spoke up and said videos already existed – what she wanted was the districts to keep an open mind. At the end, the board sent it back to the SAC to help inform them of what was needed.

Dr. Verra-Tirado noted that BEESS has recently hosted a meeting of all organizations who work with families to ensure that all are familiar with each other's resources and opportunities for collaboration.

A SAC member cautioned that parental involvement needs to be imbedded in all areas of ESE, not dealt with as a separate issue. Dr. Verra-Tirado noted that this was a point well taken and likened it to technology, which is also something that should not be separate but intertwined into all areas.

Judy White showed the video of the summary provided to the State Board by Deputy Chancellor Mary Jane Tappen after the ESE workshop. This is available at http://www.fldoe.org/board/meetings/2012_11_06/meetingArchive.asp. In the video, State Board members asked BEESS to provide a follow up and gave several specific areas on which they wanted more information.

Parent Services

(See *SAC Member Notebook*, PowerPoint, Tab 2 and Parent Services Planning Meeting attendance list and meeting notes; ESE Parent Survey Focus Group Report, Tab 3; and Resources, Tab 10.)

Ms. White gave a quick overview of what BEESS already has in place for parents, covering the following topics:

There are three main areas:

Information

- Publications, moving from basic to complex, and covering all ESE areas (samples were shown and copies of the new pub)
- Website

Communication and Support

- Email, written and telephone communications
- Additional information and support

Formal Dispute Resolution Process

- Complaints
- Mediation
- Due process hearings

Top Dispute Resolution Issues

- Provision of FAPE
- Appropriateness of student's evaluation
- Appropriateness of student's IEP or placement

New Initiatives for Parent Services

- Parent Service Meeting, August 2, 2012
 - Participants included representatives from SAC, advocates, districts, parent centers, projects, BEESS staff
- Facilitated IEP meetings (FIEP)
- New parent website will be launched in 2013
 - Multi-media, interactive, easy access to information
 - Received input from New Director's Academy
- New technical assistance to districts
 - LRP audio conferences
 - Facilitated IEP meeting training

Members noted there are many intangible things districts need to learn about communicating to and truly involving parents, especially at IEP meetings, which are meant to be discussions, not presentations of what will be done. Ms. White noted that the most recent LRP audio conference was on that very topic. A SAC member noted that LRP is sometimes skewed to the district and what will keep the district out of legal trouble. Dr. Verra-Tirado stated that she is looking at offering both districts and parents access to LRP's Special Ed Connections.

Ms. White introduced Sue Summers, a new BEESS administrator, and Aimee Mallini, the new parent services program specialist. Dr. Summers and Ms. Mallini provided instruction and assigned each group a discussion question.

Group Reports/Suggestions

1. The bureau has many useful publications and resources for parents. What are your suggestions regarding the most effective ways to increase the awareness of these resources to parents, the community and agencies?

- Require districts to develop and submit a communication plan that includes specific activities, responsible parties and timelines of outreach to:
 - Parents
 - Community
 - Agencies

Have FDOE review the plan.

- Require parent liaisons to develop an annual action plan for outreach to families. Have FDOE develop best practices for consideration in the plans together with the parent services group.
- Make information on website more user-friendly.
- Use agency partners, community organizations, parent groups transitioning programs (entry and exit).
- Promote Parent Liaisons more – let them into schools and grassroots efforts.
- When FDOE sends out materials, make it clear what the expectations are for dissemination.
- “Walk the line” a little better of accountability vs. family student supports.
- Ensure IEP meeting participants have materials at IEP meetings and actually know what they say.
- Have parent liaisons’ info (contact info, roles, etc.) on a standardized form used by the district (IEP, procedural safeguards).

2. What ways can the bureau facilitate improved coordination of services to families, including community and other agencies?

- Buddy system for parents.
- Require parents checklist to help prepare before the meeting.
- Leverage community resources more consistently in districts. Free services: disability awareness training, Center for Autism and Related Disorders, FIN, Family Network on Disabilities. Example: Require districts to facilitate at least one presentation to parents (educators, stakeholders) per quarter.
- Facilitate process from day one (when parent asks for an evaluation or when student is identified).

- Review and standardize school advisory council requiring specific parent involvement.
- Districts must be held accountable for achievement of SWDs' proficiency levels.
- Proficiency-driven IEP.
- Child care at any parent training held to facilitate parent attendance.
- Stagger meeting times for a parent orientation.
- Straight-forward answers.
- Compile list of state and local agencies, how they can support SWDs and district to support SWDs.
- Address systemic problems.
- Address staffing levels to allow them to have manageable caseloads. Implement IEPs with fidelity – achieve state goals.
- ESE advisory groups should have the same access to parent data/contact information and who does what.
- Data and evaluation for discussion meeting.
- Community agencies invited to meetings early on.
- Ongoing resources for parents, info on who does what.
- Invest in mission-critical items with parent input on what mission critical is.
- Key persons in agencies to facilitate collaboration between agencies – getting bang for buck.
- Problem resolution – make more effective by also identifying systemic issues.
- Tying customer service from parent perspective to accountability.
- Penalties for retribution against parents trying to get needs of SWDs met.
- Maintain progress of SWDs and determine feedback on whether IEP is being met with fidelity.
- Who's who in schools and district contact information.

3. The bureau is in the process of creating a new website specifically for parents. Please provide suggestions on a more user-friendly lay out and information that would be useful.

- Keep it simple.
- Contact person at school to assist and computer available.
- Helpline – live person, clear directions.
- Make sure info gets into the hands of local agencies.
- Home page search.
- Home page option for language.
- Career and tech info available on site, including links.
- Parent training for assistance with website.
- Ensure collaboration between ESE, title 1 and English for Speakers of Other Languages for parent training and meetings.
- Printable information, no scrolling.
- Accessible for everyone.
- Overcome parent fear of access.

4. How can the bureau better support parental engagement in the IEP process? What are some suggested ways to strengthen and protect parental rights?

- Parent IEP Mentor Teams – assigned to new parents to help them through first IEP meeting.
- Students need to attend/engage early on and lead/participate at age 18.
- Develop metrics/accountability measurements.
- Parent attendance and parent-involvement training.
- Create a mandatory invitation from student to parent to attend IEP meeting, in addition to invitation from school.
- Professional learning communities required to include parent involvement component.
- Preparation/training for document for IEP translators.

5. How can the bureau facilitate collaboration with family, school and community?

- Professional development opportunity developed and provided by FDOE to parent liaisons across the state (train the trainer).

- Secondary requirement for teacher prep programs – include parent involvement.
- Ensure all districts/schools have identified who their district/school liaisons are on their websites.
- FDOE partner with the Department of Children and Families in “System of Care.”
- Highlight/feature parent liaisons “best program models” in the BEESS Weekly.
- Data element for districts to report frequency and number of parents attending parent meetings.

Each SAC member then indicated on the written suggestions (via colored stickers) which were most important to them and should receive first priority. Ms. Mallini noted that she would put all suggestions together in priority order and provide the information to the members.

Single Diploma Review and Discussion

(See Draft Letter, Primary Types of Diplomas/Certificates, Florida Department of Education, and excerpt from National Center on Educational Outcomes [NCEO] report, and Diploma Option Follow up PowerPoint, in *SAC Member Notebook*, Tab 4.)

Zoe Mahoney and Bethany Mathers, BEESS program specialists, covered the following topics:

- Indicator Data Comparisons
 - Collection of the most relevant indicator data for Florida and those states that offer one diploma is provided in the handouts. The data represent Indicators 1, 2, 3, 5 and 14 of the SPP.
 - The information presented here is based on many different variables, such as inconsistent diploma options, different state standards and state assessments and a high degree of variability in the way post-school outcome data is collected.
 - In comparing data across states, it is important to remember the high degree of variability in what the data is based on and how the data is reported.
- Indicators 1 and 2
 - Indicator 1: Graduation. The percentage of students with IEPs graduating with a regular diploma.
 - Indicator 2: Dropouts. The percentage of students with IEPs who drop out of school.
- Indicators 3C and 5A
 - 3C: Proficiency for SWDs on statewide assessment.
 - 5A: LRE – Percentage of students with IEPs being educated with nondisabled peers more than 80% of the day.
- Indicator 14
 - 14A: SWDs enrolled in higher education.

- 14B: SWDs enrolled in higher education OR competitively employed (x hours per week at minimum wage or higher).
- 14C: SWDs enrolled in higher education OR some other postsecondary program, competitively employed OR just employed (perhaps below minimum wage, for fewer hours).
- BEESS research on one diploma states (an *overview* of other states' policies and procedures related to diploma options, based on the 2011 national study completed by NCEO)
- Other considerations
 - Department staff in other states have various interpretations of their own policies.
 - Many states have strong local control, where districts make their own policies.
 - Much like Florida, many states are in flux with national and local priorities and are currently in the process of making changes to state policy that may affect this information.
 - Statutory language from states with one diploma option

Similarities between states:

 - Many states allow alternate courses to be used, and some allow performance criteria to be lowered.
 - Most of the time, these modifications are documented in the IEP.
- Examples
 - New Jersey

6A:14-4.11 Graduation

The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. The student shall meet the high school graduation requirements according to N.J.A.C. 6A:8-5.1(c), except as specified in the student's IEP. The IEP shall specify which requirements would qualify the students with a disability for the State endorsed diploma issued by the school district responsible for his or her education.

- Michigan and Personal Curriculum

380.1278b(6)

(6) If a pupil receives special education services, the pupil's individualized education program, in accordance with the individuals with disabilities education act, title VI of Public Law 91-230, shall identify the appropriate course or courses of study and identify the supports, accommodations, and modifications necessary to allow the pupil to progress in the curriculum requirements of this section and section 1278a, or in a personal curriculum as provided under subsection (5), and meet the requirements for a high school diploma.

- Personal Curriculum

Developed in conjunction with the student, one parent, a teacher and a high school counselor.

English and science requirements cannot be modified, but Algebra II can be waived if they meet the content in another area (like in career or tech training program).

Other modifications are allowed, but are conditional.

- North Carolina

Offers two options: Future-Ready Core and Future-Ready Occupational

Eligible students entering 9th grade for the first time in 2000–2001 and beyond may follow the Occupational Course of Study (OCS). Students following the OCS must pass the following 22 credits plus any local requirements: 4 OCS English courses; 3 OCS mathematics courses; 2 OCS science courses; 2 social studies courses, including self-advocacy/problem solving and U.S. government/U.S. history; 1 physical education course; and 6 credits in occupational therapy.

- Vermont's "Multi-year Plan"

2120.8.7 Graduation Requirements

(b) Multi-year Plans. A Multi-Year Plan is an individual plan for students with limiting handicaps that leads to completion of the graduation requirements. This plan shall include a component explaining any exception to the graduation requirements and alternative requirements designed for the pupil.

A request for Multi-year Plans may be made by students, parents, teachers, and guidance personnel, or school administrators.

For students who are eligible for special education (see Rule 2360), a Multi-year Plan shall be considered at a student's IEP meeting (see Rule 2364.2) beginning with the IEP meeting to plan services for the year in which the student turns 14 years old. The participants at the IEP meeting shall develop a Multi-year Plan if they determine that it is necessary for the student to graduate. The student's superintendent or his or her designee shall review and approve or disapprove all Multi-year Plans. Any changes to a Multi-year Plan shall be submitted by the IEP participants.

The superintendent or his or her designee shall be responsible for developing the Multi-year Plan and shall determine the extent to which accommodations are made in graduation requirements.

When approved, completion of the Multi-year Plan shall be stated as one of the goals in the student's IEP.

Upon successful completion of an approved Multi-year Plan for graduation, a diploma shall be awarded to the student.

Ms. Owen led a discussion regarding the letter that the SAC determined in the July 2012 meeting that they would send to the commissioner to make the letter's meaning clearer.

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TUESDAY, DECEMBER 11, 2012

The SAC met in regular session with the following persons in attendance:

Members

Denise Arnold
Karen Barber
Thea Cheeseborough
Kathy Devlin
Hannah Ehrl
Jenifer Evans
Carin Floyd
Mark Halpert
Joni Harris
Cindy Jones
Shawn Larkin
Pam Minelli
Judith Owen
Kelly Rogers
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Peg Sullivan
Kara Tucker

(See SAC Membership List 2012, SAC Designee List, and SAC Representation Chart, SAC *Member Notebook*, Tab 2.)

Designees

Kirk Hall (for Roxana Beardall)

FDOE/DPS/BEESS Representatives

Monica Verra-Tirado, BEESS Chief (Ex Officio SAC Member)
Cathy Bishop, Administrator, ISS, BEESS
Karen Denbroeder, Administrator, PAADS, BEESS
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Patricia Howell, Program Director, Monitoring Systems, BEESS
Jenni Jenkins, Program Director, ISS, BEESS
Lindsey Granger, Program Director, Compliance, BEESS
Tonya Milton, Program Planner/Analyst (SAC Liaison)
Jill Snelson, Program Director, Accountability Systems, BEESS
Judy White, Program Director, BRIC, BEESS (SAC Liaison)
Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Aimee Mallini, Program Specialist, Parent Services, BEESS
Bethany Mathers, Program Specialist, IND, BEESS

David Wheeler, School Psychology Consultant, Student Support Services Project, BEESS
Leanne Grillot, Program Specialist, Deaf/Hard of Hearing, Dual-Sensory Impaired and Visually Impaired, BEESS
Heather Diamond, MTSS Liaison, BEESS
George Batsche, Director, Florida Problem Solving/Response to Intervention (PS/RtI) Project

Guests

Sylvia Smith, Disability Rights Florida
Rachel Clark, Project STINGRAY
Andrea Schwendinger, Florida Rehabilitation Council
Roy Cosgrove, Florida Rehabilitation Council

SPP and APR

(See Feedback Form, *Calculation Guide for Florida's Annual Performance Report, Part B State Annual Performance Report for 2011–12*, State Performance Plan and Annual Performance Report PowerPoint in *SAC Member Notebook*, Tab 5.)

Karen Denbroeder, Administrator, PAADS, BEESS, presented information on the SPP and APR and asked members to complete comment forms if they had comments or suggestions, noting that their feedback was an important part of the report process.

Ms. Denbroeder shared the data being reported.

Indicator 1: Graduation Data

- Uses lag data, reporting 2010–11 instead of current.
- Target 51% of SWDs in four-year cohort and obtain standard diploma.
- Target not met – we were moving up, but new calculation moved us down. Target was created before they changed way they do the rate.

Judy Owen mentioned that the ESEA and IDEA conflict on four-year graduation rates.

Indicator 2: Drop Out Rate

- Target for 2010–11: 51.0%. First-time 9th graders in membership fall 2006 plus incoming transfer students on the same schedule to graduate minus students from this combined population who transferred out, left to enroll in private school or home education, deceased students and students opting to remain in school to receive FAPE or seek a standard diploma divided by number of standard diploma graduates from the group described above.
- Member suggested that families be involved in activities.
- Member suggested new grant (State Personnel Development Grant) be mentioned as activity (next year) – add to plan for next few years.

Indicator 3

- Assessment will report on 2011–12 data, but not available yet. Data differences between what they want and what we collect, so we are working it out. It is why the Administrators' Management Meeting Databook is not yet out.

Indicator 4

- Suspension and expulsion also lags a year.
- Target of 0% was not met, but there was improvement.
- BEESS reviewed districts' Student Code of Conduct and SP&Ps to see if they had policies that would result in disproportionality. Some districts we could not calculate because they did not have large enough minority populations (e.g., Native American).

Indicator 5

- LRE for ages 6–21.
- Targets not met, but getting better.
- We have a challenge because Florida counts Hospital/Homebound students as disabled and an exceptionality, and most states serve them but do not count them in their ESE count.

Indicator 6 and 7 skipped – they are being dealt with at another advisory committee for Pre-K, LRE 3–5 and 7 is pre-school outcomes.

Indicator 8: Parent Involvement

- We now include the survey choice “agree” as a positive. Data looks much better this way. We still have a challenge getting parents to respond. We are considering sampling instead of everyone surveyed every year. Ms. Denbroeder asked for input on this.
- Members noted:
 - Parents participate in survey, but they do not get feedback. Are they being heard? What are the trends?
 - Sampling better approach.
 - Ms. Denbroeder noted that we would be releasing the data by district.
 - Releasing the district data is important and parents are much more likely to complete if they see the results.
 - Parents want it to be meaningful.
 - What is the response rate? Be sure responses include all subgroups, races, etc.
 - Add activities that include parents.
 - Do survey after IEP meeting. May be hard to do, people are tired after the meeting.
 - Parent advisory groups might be able to help. Attempt to improve services. Might have a better number.
 - Some districts have a survey as well; should be only one.
 - Parents might be intimidated by staff in room while they do the survey.
 - Family night a good time. Partner with libraries.
 - Free public service announcements and other grassroots areas.
 - Communicate importance of survey – should be explained and the response rate would be better.
 - Some parents are concerned about retaliation.
 - Jackson County gives out an information sheet and offers a computer for use after IEP meeting.
 - Opportunity to partner with parents, parent to parent.

Indicators 9 and 10: Disproportionate Representation

- In 2011–12, no districts were found to have disproportionate representation that appears to be the result of inappropriate identification.

Indicator 11: 60-Day Timeline

- Target 100%.
- 2011–12 was 99%

Indicator 13: Secondary Transition, compliance only

- Target: 100%.
- Actual: 90.9%.

Indicator 14: Postsecondary Outcomes

- 2/3 targets met.
- Targets for 2011–12
 - 28% in higher education.
 - 38% in higher education or competitive employment.
 - 51% in education or employment
- Member asked about getting data by disability, Ms. Denbroeder noted that small cell size problem – we will explore.
- Once over 18, postsecondary is self-reported.
- Higher education liaison Peg Sullivan noted that each campus has an office for disability services that may have data.

Indicator 16 and 17

- State-level Indicators, due process hearing requests.
- 17 not reported in APR; reported elsewhere.

Indicator 18: Hearing Requests

- Target 59.5%.
- 52% in 11–12, not met.

Indicator 19: Mediation

- Target: 75–85% of mediations that resulted in full or partial agreement.
- Target not met.

Nomination Report

Nominating subcommittee chair Carin Floyd announced the slate of officers (Hannah Ehri, Shawn Larkin, for co-chairs; Thea Cheeseborough for vice chair; and Kara Tucker for parliamentarian) and asked each to speak for five minutes. Each nominee introduced themselves and provided a brief statement on their background and experience with ESE.

Ms. Floyd stated that elections would take place during the business meeting.

Monica Verra-Tirado reminded the members that the State Board is seeking recommendations from the SAC, including those that would require rule changes.

Restraint and Seclusion Report

(See Restraint and Seclusion PowerPoint and draft of state plan in *SAC Member Notebook*, Tab 6.)

Jill Snelson, Program Director, BEESS, and Susan Bentley, Program Specialist, BEESS, presented information on restraint and seclusion, covering the following topics:

- Changes to the incident-reporting website
 - Added Mandt System to list of training strategies.
 - Removed “bathroom” from list of places where incident occurred.
 - Tightened Date of Birth so that only one format is accepted—mm/dd/yyyy.
- SP&Ps
 - Reviewed districts’ goals.
 - Required to be measurable.
 - 46 out of 73 districts met their stated SP&P goals for restraint.
 - 56 out of 73 districts met their stated SP&P goals for seclusion.
 - 9 districts have incidents of prone restraint but state that this is not allowed.
 - 3 districts have incidents of mechanical restraint but state that this is not allowed.
- Data and trends
 - Restraints: First quarter 2011–12 compared to first quarter 2012–13.
 - 24 of 73 districts reported an increased number of incidents (32.9%).
 - 3 of 73 districts reported 0% change (4.1%).
 - 30 of 73 districts reported a decreased number of incidents (41.1%).
 - 14 of 73 districts continued to report no incidents (19.2%).
- Three-year restraint trend data, first quarter comparison, 2010–11 to 2012–13
 - Restraints
 - 21 of 73 districts indicated an increased number of incidents (28.8%).
 - 1 of 73 districts indicated 0% change (1.4%).
 - 35 of 73 districts indicated a decreased number of incidents (47.9%).
 - 15 of 73 districts reported no incidents (20.5%).
 - Seclusions: First quarter 2011–12 compared to first quarter 2012–13
 - 11 of 73 districts indicated an increased number of incidents (15.1%).
 - 3 of 73 districts indicated 0% change (4.1%).
 - 15 of 73 districts indicated a decreased number of incidents (20.5%).
 - 41 of 73 districts continued to report no incidents (56.2%).
- Three-year seclusion trend data, first quarter comparison, 2010–11 to 2012–13
 - Seclusions
 - 11 of 73 districts indicated an increased number of incidents (15.1%).
 - 1 of 73 districts indicated 0% change (1.4%).
 - 19 of 73 districts indicated a decreased number of incidents (26%).
 - 37 of 73 districts reported no incidents (50.7%).

- Follow-up with districts
 - Verification activity of 2011–12 data.
 - Memo with questionnaire.
 - Phone contact to discuss trends and conclusions.
- State plan
 - Guiding principles.
 - The use of restraint and seclusion should only be used in **emergency situations** when an **imminent risk** of serious injury or death to the student or others is present.
 - Key element is **PREVENTING emergency situations** when an **imminent risk** of serious injury or death to the student or others is present.
 - Preventative measures
 - Positive behavioral supports (PBS)
 - De-escalation
 - Crisis prevention strategies/techniques
- Trainings
 - Districts are encouraged to select training programs that emphasize and focus on the importance of de-escalation strategies and PBS techniques.
 - Restraint and seclusion should only be administered by trained and certified school personnel.
 - Certification should be renewed on an annual basis.
- U.S. Department of Education Restraint and Seclusion: Resource Document
 - Published in May 2012.
 - Contains 15 principles.
 - BEESS supports this framework in its mission to reduce the need for restraint and seclusion in the state of Florida.
- Goals
 - 100% of all districts will
 - Meet their district's goal for reducing restraint; and
 - Meet their district's goal for reducing seclusion.
 - The number of districts prohibiting the use of
 - Prone restraint will increase by 7%;
 - Mechanical restraint will increase by 4%; and
 - Seclusion will increase by 15%.
 - 100% of all districts will report and submit restraint and seclusion data that is valid and reliable.
- Monitoring
 - Based on the previous year's data, districts will receive tiered levels of supports.
 - All districts will receive baseline interventions.
 - Districts that are above the state level will receive additional supports that increase in intensity.

- The districts that have the highest number (percentage) of incidents will receive more intensive supports in addition to the interventions/support offered to the Tier 1 and Tier 2 districts.
- LRP audio conference
 - BEESS offered an LRP audio conference to all districts on September 20.
 - Restraint & Seclusion: Avoiding Dangerous and Costly Practices and Policies.
 - There were 45 distinct participant sites, including BEESS, districts and discretionary projects.

A member expressed concern about using school resource officers (SROs) for interventions as a way around reporting. They are not part of behavior intervention plan. Are parents allowed a copy of the report that goes to FDOE? Are parents entitled to that report? Ms. Bentley stated that it should be the same notice. Jenni Jenkins noted that parents should get both notification and the web-generated report.

Ms. Bentley noted that we are not encouraging SRO use except in emergencies. SROs must comply with procedures, and the state is encouraging districts to include restraint and seclusion procedures in contracts with SRO providers.

Judy Owen noted that some large districts have their own police forces and they should require training for them. Ms. Bentley agreed that if they are district employees they must go by policies. Dr. Verra-Tirado noted that, in her experience, SROs do not want to be involved in restraint and seclusion and perhaps this is an opportunity for conversation across agencies.

A member asked if the report is printed out and put in student file. Ms. Bentley replied that the school must keep the record, but we do not dictate where it is stored. We will find out where the record is stored (e.g., when student graduates and asks for record, will it be there?).

Judy Owen reminded members that they can complete action forms regarding this topic and that the State Board has asked for SAC recommendations. A member asked if the district restraint and seclusion data must be shared with stakeholders. There is no requirement for this. Will Gordillo, ESE director from Palm Beach, shared how the data is shared in Palm Beach.

Ms. Bentley asked for SAC feedback on the state plan for the reduction of restraint and seclusion.

Dr. Verra-Tirado noted that most, if not all, districts have parent advisory groups, which would be a good mechanism to share this data.

Sylvia Smith from Disability Rights Florida, a guest at the meeting, shared that organization's analysis of restraint and seclusion data from a different angle. Some programs that districts are purchasing can demonstrate results, which is a wise use of purchasing dollars. Another task they undertook was to read all SP&Ps and appendices. The summaries are on their website. All SP&Ps are on the BEESS website, but families need to know where to look, so they posted on their site as well. The data is easy to use, BEESS staff make it clear. Disability Rights Florida wants families to look at it and use it. Ms. Smith thanked BEESS for making the sharing of this data a priority.

A member asked who is providing input into the plan. Jenni Jenkins stated that BEESS could add someone from APD to the group. Member noted to be sure to address trauma-informed care in the plan. Ms. Bentley noted that Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET) is working with that aspect.

Ms. Owen thanked the group for allowing her to be the chair for the last year. She stated that she had to leave, but the vice chair would run the meeting during the afternoon. Ms. White asked members to provide her with the action forms.

Sponsored Lunch

Rtl (MTSS)

(See Response to Intervention PowerPoint in *SAC Member Notebook*, Tab 7.)

Heather Diamond, MTSS Liaison, BEESS, and George Batsche, Director, Florida PS/Rtl Project, presented information on Rtl, covering the following topics:

- SAC questions from meeting in July 2012
 - What percentage of students remain in Tier 1, 2 and 3 for how long?
 - Length of time in Rtl – what should that time be?
 - What percentage of general education students are under Rtl?
- Overview and clarify terms: MTSS, Rtl, problem solving
 - Rtl is the practice of (1) providing high-quality instruction/intervention matched to student needs and (2) using learning rate over time and level of performance to (3) make important educational decisions (Batsche, et al., 2005).
 - Problem solving is the process used to develop effective instruction/interventions.
 - MTSS is a term used to describe an evidence-based model of schooling that uses data-based problem solving to integrate academic and behavioral instruction and intervention.
 - The integrated instruction and intervention is delivered to students in varying intensities (multiple tiers) based on student need. “Need-driven” decision making seeks to ensure district resources reach the appropriate students (schools) at the appropriate levels to accelerate the performance of ALL students to achieve and/or exceed proficiency.
- The Rtl framework is an MTSS
- An Overview of Data-based Problem Solving within a Multi-tier System of Supports in Florida’s Public Schools

Intensive, Individualized Supports

- Intensive interventions based on individual student needs
- Students receiving prolonged interventions at this level may be several grade levels behind or above the one in which they are enrolled

- Progress monitoring occurs most often to ensure maximum acceleration of student progress
- If more than approximately 5% of students are receiving support at this level, engage in Tier 1- and Tier 2-level, systemic problem solving

Targeted, Supplemental Supports

- Interventions are based on data revealing that students need more than core, universal instruction
- Interventions and progress monitoring are targeted to specific skills to remediate or enrich, as appropriate
- Progress monitoring occurs more frequently than at the core, universal level to ensure that the intervention is working
- If more than approximately 15% of students are receiving support at this level, engage in Tier 1-level, systemic problem solving

Core, Universal Supports

- Research-based, high-quality, general education instruction and support
- Screening and benchmark assessments for all students
- Assessments occur for all students
- Data collection continues to inform instruction
- If less than approximately 80% of students are successful given core, universal instruction, engage in Tier 1-level problem solving

- It's history!
 - 2002 – No Child Left Behind
 - 2004 – IDEA
 - 2006 – IDEA regulations, technical assistance paper
 - 2007 – Demonstration districts/pilot sites
 - 2008 – State plan, course and website
 - 2009 – Parent video, brochure, other resources
 - 2006–2009 – ESE State Board Rule revisions
 - 2006–Present – Integration
 - 2009 – Rule implementation training/technical assistance
 - 2010 – Guiding Tools for Instructional Problem Solving
 - 2011 – MTSS
 - 2012 – District Action Planning and Problem Solving Process, CCSS institutes
- Current vision/mission
- Integrating Florida's support systems for continuous improvement in all schools
- One, multi-tiered system supporting ALL students!
 - A system in which instruction and learning is based upon CCSS, sound research, collaboration, problem solving driven by multiple sources of student data and culminating in increased student achievement.

- A multi-tiered system of continuous improvement within which:
 - Teams engaged in data-based planning and problem solving is the way of work.
 - Resources are allocated in direct proportion to student needs. Data collected at each tier are used to measure the efficacy of the supports so that meaningful decisions can be made about which instruction and interventions should be maintained and layered.
- Organizing resources
 - Response data reflecting **need** drives all decisions about how to increase effectiveness of our system.
 - Type and intensity of supports are provided based on **evidence of need**.
 - Resources are organized, allocated and continually adjusted according to **need**.
- Collaborative vision of FDOE and related projects supporting an integrated improvement system is to:
 - Enhance the capacity of all Florida school districts to successfully **implement and sustain an MTSS with fidelity** in every school;
 - Accelerate and maximize student **academic and social-emotional outcomes** through the application of **data-based problem solving** used by effective leadership at **all levels** of the educational system; and
 - Inform the development, implementation and ongoing evaluation of an integrated, aligned and sustainable **system of service delivery that prepares all students** for postsecondary education and/or successful employment within our global society.
- Discuss how data-based planning/problem solving work
 - Levels of problem solving
 - 4-step
 - Student/instruction focused
 - 8-step
 - System focused
 - Same goal: Using an evidence-based, structured process that uses data-based decision making to improve outcomes
- What percentage of students remain in Tier 1 and 2 and 3 for how long?
Model is based on:
 - 80% of students receive primarily Tier 1
 - 14% of students also receiving Tier 2
 - 6% of students also receiving Tier 3
- Aligns with distribution of school based resources
 - 80% of budget aligned with Tier 1 services
- “What percentage of students remain in Tier 1, 2 and 3, and for how long?”
 1. What are tiers?
 2. What informs instructional decisions and adjustments within an MTSS using problem solving?

- 100% of students always receive core (Tier 1) instruction and they receive supplemental (Tier 2) and intensive (Tier 3) interventions as needed, for as long as is needed, adjusted or changed as needed, based on their response data.
- Length of time in Rtl – what should that time be?
 - Rtl **is not** a program or a place.
 - Rtl **is** a way of developing, delivering and evaluating educational services.
 - The length of time that any student is receiving any service (Tier 1, 2 and/or 3) should be based on that student’s response to the service (evidence of need).
 - A student should continue to receive services as a particular level **if** those services are effective.
 - Within a single, integrated system of supports, teams of educators and parents engage in an on-going problem-solving process to increase the effectiveness of instruction at the core, supplemental and intensive levels. Whether a student is receiving intensive or specialized interventions, progress monitoring and adjustments based on Rtl data are continual. This is a Pre-K–12 model. Application never stops.
- “What percentage of general education students are under Rtl?”
 - 100%.
 - ALL students are served by a combination of Tiers 1, 2 and/or 3 services.
 - Therefore, ALL students are “under” Rtl.
 - Students receiving Tier 1 services are monitored less frequently (e.g., 3x/year).
 - Students receiving Tier 3 services are monitored more frequently.

Business Meeting

(See *SAC Member Notebook*, Draft letter to State Board of Education, SAC By-Laws, Meeting Report [Draft, July 2012], SAC Committee Action Form, SAC Designee Form, *2011 Annual Report*, Tab 8.)

Vice Chair Thea Cheeseborough and Parliamentarian Kara Tucker co-chaired the business meeting. The nominees for officers were presented again and nominations from the floor were sought. Receiving none, a call for approval of the slate was made and seconded. The slate of Hannah Ehri and Shawn Larkin for co-chairs, Thea Cheeseborough for vice chair and Kara Tucker for parliamentarian was elected.

Ms. Tucker called for and received a motion and a second to accept the minutes from July 2012. Motion passed.

Judy White suggested the SAC meet via conference call/Adobe Connect in January to discuss the State Board report. Motion to do so made, seconded and passed.

Ms. Tucker reviewed items from the last meeting that members asked to be covered. The first was a request for restraint and seclusion data, which was presented and will continue to be at every meeting. It is expected the final plan for reduction will be presented during the summer meeting.

Ms. Tucker opened the meeting for public comment. Ms. White noted that one public comment form was received, from Mr. George Clayton Purvis. Mr. Purvis very briefly described his experience in public school as a student with autism. He noted that he is currently a university student and doing very well. He stated that his point in speaking at the meeting was to describe his negative experience with Vocational Rehabilitation (VR). The VR counselor told him that he should not be in university – he should be in a service job. He stated that he is determined to be an engineer and wondered what would happen to another student who perhaps did not have a supportive family to remind him that what one person, who does not know him, says does not create his world. Kirk Hall, from VR, gave his card to Mr. Purvis and offered to help him. Ms. Tucker thanked Mr. Purvis for speaking.

Members discussed experiences with VR. Some members noted that their children have had negative experiences as well. Others stated that they had wonderful experiences with VR, noting everything depends on the person assigned to the case and how responsive they are. Mr. Hall spoke briefly on the VR process, including remedies if needs are not being met. Members asked to explore VR further. Roy Cosgrove of the Florida Rehabilitation Council explained the role of that council, noting that several council members are on SAC and/or from BEESS, and told Mr. Purvis that the correct people are in the room to hear him today and that he will make sure that the concerns are followed up on. Dr. Verra-Tirado noted that she was just on a conference call on the national level to discuss VR and transition. Members asked for a presentation on VR and transition in general at the next meeting.

Ms. White projected and reviewed a re-written letter to the commissioner that reflected the changes discussed on December 10, and members made other suggestions for changes, which Ms. White made. Ms. Tucker called for and received a motion and a second to approve the letter as displayed. Ms. Tucker called for a vote and the motion carried unanimously (no abstentions).

Ms. White projected a draft of a letter to the SBE thanking them for holding the ESE workshop. Ms. Tucker called for and received a motion and a second to approve the letter as displayed. Ms. Tucker called for a vote and the motion carried unanimously (no abstentions).

Ms. White projected and reviewed action items that SAC members submitted. She noted that the first three items were similar and all concerned requiring district ESE advisory boards and suggested these be grouped and a recommendation sent to the SBE. She noted that BEESS cannot “require” districts to do anything without the authority of law/rule. Tonya Milton clarified that all rules must be statute based as well. Dr. Monica Verra-Tirado encouraged members not to let the lack of law or rule stop them when coming up with recommendations. BEESS can look into possible statutes that may fit, and the board can recommend new legislation. Ms. White told members that BEESS is currently collecting information on which districts have district ESE advisory boards already in place and which do not. A member recommended that specific data be shared with these groups. The group decided that this was an action item they wanted to move forward with.

Parent feedback surveys – establish goals for districts to achieve with regard to participation. A 3% rate is unacceptable; it should be at least 10%. BEESS is already in discussions and plans to gather best practices from districts to share with all districts. This is something that the indicator/strategic planning team is working on and can report on activities and results at the next SAC meeting.

Ms. White read the next action item, which concerned VR and better aligning student goals to VR services, and noted that members had already discussed this item due to the public comment received.

The final action item concerned the action plan for 71% of SWDs to achieve proficiency by 2018. A member noted that the action part of this would be a meeting that had breakouts to discuss students working toward a standard diploma as there is no time to cover both groups' needs in such a short time. A member had an objection to this as she did not want the group split. Ms. Tucker noted that this would be discussed at a future time. Dr. Verra-Tirado noted that perhaps the group needed to meet more than twice a year, maybe via teleconferencing or video conferencing, allowing time for public comment, or use breakout times to split the group along these lines. A member stated that more public comment would be welcome. Another suggested subcommittees. Ms. White reminded the group that there was a subcommittee that handled the letters discussed earlier in the meeting, but that these meetings had to be held in the sunshine as well, requiring public notice, etc. A member recalled that the group used to meet three times a year and had several subgroup projects; therefore, all of these ideas are doable. Ms. White noted that the January conference call would be a good test of what could be accomplished during a conference call.

Ms. Cheeseborough called for discussion of when and where the next SAC meeting should be, noting that BEESS staff would not be able to travel. It was suggested that two full days would be better than one and a half, which would allow for subgroup meetings. A member suggested public input would be better if the meeting were not in Tallahassee. Another suggested travelling on Sunday and meeting Monday and Tuesday so members, especially parents, did not need to take extra time off work to travel. Others agreed. A member suggested if the group met elsewhere, the district they were in could be invited to give a brief presentation. Orlando and Tampa were suggested as drivable locations for everyone. It was again stated that only a few BEESS staff would be able to attend, which is very important. Cathy Bishop reiterated that travel approval was difficult for staff members, noting that perhaps this would change with a new commissioner. Members expressed approval for allowing public comment via telephone, which may increase public comment without moving. Request to move was withdrawn. Ms. Cheeseborough confirmed the next meeting would be January, by telephone, as agreed, and the next in-person meeting would be in July. Ms. Milton asked the members if they would be willing to meet at the Turlington Building and spend the nights at the Residence Inn. Members objected as there is no restaurant at that hotel and not everyone had transportation. Costs were discussed. It was decided to stay at the Hotel Duval.

Ms. Tucker called for topics for the July meeting. Ms. White stated that her notes reflected a restraint and seclusion report was requested, as was a presentation on transition and VR, including planning for transition and final outcomes. Sharing of the final report to the State Board, as well as the SPP, will also be included on the agenda. Dr. Verra-Tirado noted that the SPP is being merged with a new BEESS strategic plan based on the state's strategic plan for education. She went on to say it seems that the subgroups' themes are being naturally created by this discussion and include transition and pathways to the general diploma.

Ms. White asked members to complete the evaluation form behind Tab 9. Members thanked BEESS staff for bringing all of the information to SAC and commended BEESS for the publications they create.

Ms. Tucker congratulated the new co-chairs and called for a motion to adjourn, which was moved, seconded and approved.

Note: All materials referenced in this report are available, on request, through FDOE, BEESS, 614 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

State Advisory Committee **for the Education of Exceptional Students**

STATE ADVISORY COMMITTEE BY-LAWS

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Bureau of Exceptional Education and Student Services
K-12 Public Schools
Florida Department of Education

**STATE ADVISORY COMMITTEE
FOR THE EDUCATION OF EXCEPTIONAL STUDENTS**

BYLAWS

Article I. Name:

The name of the Committee is the State Advisory Committee for the Education of Exceptional Students ("State Advisory Committee," "Committee," or "SAC").

Article II. Authority:

The SAC exists by authority of Florida's participation in the Individuals with Disabilities Education Improvement Act (IDEA 2004), Part B, as amended by Pub. L. 108-446. It is established in accordance with the provisions of 20 U.S.C. Chapter 33, 1412(a)(21) and 34 CFR 300.167 – 300.169, with members appointed by the Commissioner of Education.

Article III. Purpose:

The purpose of the SAC is to provide policy guidance with respect to the provision of exceptional education and related services for Florida's children with disabilities.

A. Duties:

SAC duties include:

1. Advise the Florida Department of Education ("DOE") of unmet needs within the State in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities.
3. Advise the DOE in developing evaluations and reporting on data.
4. Advise the DOE in developing corrective action plans to address findings identified in federal monitoring reports under IDEA 2004, Part B.
5. Advise the DOE in developing and implementing policies relating to the coordination of services for children with disabilities.

DOE must transmit to the SAC the findings and decisions of due process hearings conducted pursuant to 34 CFR 300.507–300.519 or 300.530–300.534.

The SAC shall also perform those other duties assigned to it by the Bureau of Exceptional Education and Student Services (BEESS).

B. Report:

By February 1 of each year the SAC shall submit for the preceding calendar year an annual report of its proceedings to the DOE. This report must be made available to the public in a manner consistent with other public reporting requirements of IDEA 2004, Part B.

Article IV. Membership:

A. Composition of the SAC:

The SAC shall be comprised of members who are representative of the State's population, and who are involved in, or concerned with, the education of children with disabilities.

Special rule. A majority (51%) of the members of the Committee must be individuals with disabilities, or parents of children with disabilities ages birth through 26. (20 U.S.C. 1412(a)(21))

Members of the SAC shall include, but not be limited to:

1. Parents of children with disabilities (ages birth through 26)
2. Individuals with disabilities
3. Teachers
4. Representatives of institutions of higher education that prepare special education and related services personnel
5. State and local education officials, including officials who carry out activities under Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act
6. Administrators of programs for children with disabilities
7. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities
8. Representatives of private schools and public charter schools
9. Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities
10. A representative from the State child welfare agency responsible for foster care
11. Representatives from the State juvenile and adult corrections agencies.

The Chief of BEESS/DOE (or his/her designee) shall serve as an ex officio member of the SAC.

Additional representatives may be appointed at the sole discretion of the Commissioner of Education.

B. Appointment:

All members shall be appointed by the Commissioner of Education.

C. Term of Membership:

Individuals who serve as the official representative of a state agency shall serve for a term consistent with their continued employment in the designated official capacity, and the continued endorsement of the sponsoring agency.

All other members initially shall be appointed to three year terms. Subsequent appointments shall be for a two year term. There shall be no term limits.

Members who represent other agencies, organizations, or institutions must have the official endorsement of that entity.

D. Resignation:

Any member may resign at any time by giving written notice to the Commissioner of Education with a copy to the Chairperson of the SAC. A resignation will take effect on the date of the receipt of the notice. The acceptance of the resignation shall not be necessary to make it effective.

E. Termination of Membership:

Membership may be terminated by the Commissioner of Education for any member who no longer qualifies as a representative of the category for which he/she was appointed, or for other just cause including failure to carry out the responsibilities assumed by acceptance of membership.

If a member is absent from three (3) consecutive regularly-scheduled SAC meetings, his/her membership will be reviewed by the Executive Committee at a regular- or specially-called Executive Committee meeting. Such review shall be placed on the agenda of the Executive Committee meeting by the Chairperson after prior written notice of at least ten (10) calendar days is given to the SAC member. If membership is terminated, any such termination may be appealed to the Executive Committee.

If the Executive Committee votes to recommend termination of membership for cause, a letter conveying this recommendation shall be forwarded to the Commissioner of Education unless the SAC member shall, within ten (10) calendar days after the vote of the Executive Committee, submit a written request to the Chairperson for a full hearing by the SAC. If this request is made, the matter shall be placed on the SAC agenda and heard at the next regularly-scheduled SAC meeting.

F. Appointments to Fill Vacancies:

Any vacancy created through resignation or termination of a member shall be filled by appointment by the Commissioner of Education of a person who represents the appropriate constituency for the remainder of the former member's approved term.

G. Designees:

Members unable to be in attendance for a regular meeting may designate an alternate person to attend for them. Notification must be provided to the Chairperson, in writing, stating the name of the designee. Attendance at a regularly-scheduled SAC meeting by a designee shall constitute a missed meeting by the member. The designee must represent the same constituency, agency, and/or organization as the SAC member for whom he/she is attending.

Designees shall be accorded voting privileges on all items requiring SAC action at the meeting in which they are serving as an alternate.

H. Compensation:

The SAC membership shall serve without compensation, but the State must provide appropriate travel advances or reimburse the SAC membership for reasonable and necessary expenses for attending meetings and performing duties.

1. Members will be reimbursed for travel and per diem expenses at official State rates.
2. Members will be reimbursed for child care and/or respite care expenses necessary to their participation in SAC activities upon submission of a properly-executed invoice/voucher.

I. Conflict of Interest:

Members shall avoid conflicts of interest in regard to SAC activities.

1. No SAC member shall at any time seek personal gain or benefit, or appear to do so, from membership on the SAC.
2. Each SAC member must declare to the SAC a conflict of interest statement, whenever such conflicts occur, specifying any association with individuals, agencies, and/or organizations that might be directly impacted by activities and discussion of the SAC. Prior to any vote on an issue in which a SAC member has a vested relationship or interest, the SAC member who has such conflict of interest shall declare it and shall abstain from discussion and voting on the issue.
3. All policy decisions are made at SAC meetings. No individual or subcommittee can speak for the full SAC or act for the SAC unless specifically authorized by the Committee to do so. Each SAC member must respect the rights of the SAC as a whole and represent policies and procedures of the SAC when appearing in public as a representative of the SAC. When presenting views and opinions contrary to SAC policies, or for which the SAC has no official position, the

member must make clear that such views are given as an expression of personal opinion, not that of the SAC.

- J. As an advisory board to a state agency, SAC is subject to state laws and requirements concerning Government in the Sunshine (Section 286.011, *Florida Statutes*; Article 1, Section 24(b), *Florida Constitution*), Public Records Law (Chapter 119, F.S.; Article 1, Section 24(a), *Florida Constitution*), and the Code of Ethics (Chapter 112, F.S.; Article II, Section 8, *Florida Constitution*).

Article V. Officers and Staff:

A. Officers:

The officers of the SAC are as follows: Co-Chairpersons (2), of whom one must be a parent of a child with a disability; Vice-Chairperson; and Parliamentarian.

These officers and the Chairpersons of the SAC subcommittees shall constitute the membership of the SAC Executive Committee.

B. Term:

Officers will serve for a term of two (2) years and may succeed themselves in office only once for an additional one-year term.

C. Election of Officers:

The SAC Nominating Subcommittee shall recommend a slate of nominees, one or more per office, to the SAC membership at a regularly-scheduled meeting. Officers will be elected by a majority vote of the membership.

D. Vacancy:

The SAC shall fill a vacancy in any office from existing SAC membership. Prior to the next regularly-scheduled meeting of the SAC, the Nominating Subcommittee will meet and prepare recommendations for consideration by the SAC membership. At the next regularly-scheduled SAC meeting, the membership will vote from the Nominating Subcommittee's slate to fill the unexpired portion of the officer's term.

E. Removal from Office:

Any officer may be removed by appropriate action of the SAC when, in their judgment, the best interest of the SAC would be served thereby. Such action, if taken, requires a two-thirds vote of the SAC members present and voting at a regularly-scheduled SAC meeting. Said officer has the right to an appeals process.

F. Duties of the Officers:

1. Duties of the SAC Co-Chairpersons:

- a. To preside at and conduct all meetings of the full SAC and meetings of the Executive Committee.

- b. To develop, with DOE, agenda items for meetings of the SAC and Executive Committee.
 - c. To appoint and remove at will all subcommittee chairpersons.
 - d. To ensure that the duties of the SAC as described in Article III are carried out.
 - e. To promote the SAC's continuous cooperative working relationship with agencies of state government in exercising their responsibilities to children with disabilities.
 - f. To serve as the official spokesperson for the SAC in all activities which the SAC may deem proper and at those times when it is necessary for an opinion to be expressed for the SAC.
 - g. To provide guidance to DOE/BEESS staff in interpreting and carrying out SAC activities.
 - h. To appoint and terminate subcommittees, as necessary.
2. Duties of the SAC Vice-Chairperson:
- a. To carry out the duties of the Chairperson in the absence of either of the Co-Chairpersons.
 - b. To assist the Co-Chairpersons in monitoring the activities of the SAC subcommittees and other groups established by the SAC or the Co-Chairpersons of the SAC.
 - c. To carry out other duties as delegated by the Co-Chairpersons.
3. Duties of the SAC Parliamentarian:
- a. To assist the Co-Chairpersons with implementation of *Robert's Rules of Order*, when needed to conduct an efficient meeting and to ensure an equal opportunity for each person to express his/her opinion.
 - b. To ensure the Committee's compliance with these by-laws.

G. Staff:

DOE/BEESS shall provide staff support to the Committee to include, but not be limited to, minute taking and transcription; administrative support; printing; mailing; and coordination of meeting locations, dates and times.

Article VI. Committees:

- A. Executive Committee: The Executive Committee shall be comprised of the Co-Chairpersons, Vice-Chairperson, Parliamentarian, and Chairpersons of the SAC subcommittees. The Executive Committee's duties shall be:

1. To serve in an overall advisory capacity to the SAC.
 2. To take any emergency action deemed necessary by a majority of the committee on behalf of the SAC. Any such actions, whether in meetings or conference calls, shall be reported to the full SAC for the purpose of vote, approval, or disapproval at the next regularly-scheduled SAC meeting.
 3. To monitor the work of the SAC subcommittees.
- B. Nominating Committee: At the time of the bi-annual election, the Executive Committee of the SAC shall consider all members who, through completion of a Committee Interest Form or other self-nomination, have expressed interest in serving in this capacity, and from these elect up to five (5) members to serve as the Nominating Subcommittee. The Co-Chairpersons shall appoint the Chair of the Nominating Subcommittee. The Nominating Subcommittee shall be responsible for presenting a slate of candidates to the full SAC for the elective officers. For any vacancies, the Nominating Subcommittee shall also present a list of potential applicants for the SAC to the membership, ensuring that the composition of the SAC continues to be representative of the State, and maintains the representation cited in Article IV (A).
- C. Ad hoc committees can be formed to serve a particular need and to aid the SAC in its operation. Membership of these committees shall be appointed by the SAC Co-Chairpersons in consultation with other members.

Article VII. Meetings:

- A. The SAC shall meet as often as necessary to conduct its business, including regularly-scheduled meetings at least two (2) times per year.
- B. All meetings of the SAC and its committees shall be open to the public.
- C. A quorum for a SAC meeting shall be over thirty-three percent (33%) of the appropriate membership, including designees.
- D. The Chairpersons are members of all committees.
- E. All Committee meetings and requests for agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings shall be advertised in the *Florida Administrative Weekly*. The DOE online calendar and other media outlets as appropriate shall be used with meetings listed at least ten (10) calendar days in advance on the Florida DOE website.
- F. Interpreters and other necessary services must be provided at Committee meetings for members or participants.
- G. Official minutes must be kept on all SAC and Executive Committee meetings. Minutes must be approved by the SAC and must be made available to the public upon request.
- H. Any action required or permitted to be taken by the SAC under these by-laws shall require a majority vote (51% or more) of those members present and voting for

passage of said action, unless otherwise required by these by-laws. Should there be a need for specific SAC business at a time other than a regularly- scheduled meeting, the Chairperson may seek a SAC decision through telecommunication or mail.

- I. The SAC and its subcommittees shall follow, in all cases involving parliamentary procedure, *Robert's Rules of Order*, most recent edition, when such rules do not conflict with the provisions of these by-laws. The rules may be suspended by a two-thirds (2/3) vote of the members present and voting at any meeting of the SAC or its subcommittees.
- J. Each regularly-scheduled SAC meeting shall provide an opportunity for public input at a scheduled time on the noticed agenda. Time limits may be imposed at the discretion of the Chairperson. Individuals may be heard at other times during the meeting at the discretion of the Chairperson.

Article VIII. Committee Action

Items presented to the Committee for action shall be proposed in writing, including a statement of the issue, background and rationale as appropriate, and recommended action.

Article IX. By-Laws:

These by-laws shall be recommended to the Chief, DOE/BEES by appropriate action of the Committee. Upon approval by DOE, they shall be in force.

Amendments to the by-laws require the submission of a written proposal at a regularly-constituted meeting, with action taken on the proposal at the next regular meeting. Should the action require a vote, passage requires a vote of two-thirds of the members present and voting.

Amendments may be proposed by any member, including ex officio, of the SAC.

Any provision of the by-laws may be suspended by a 2/3 vote of the members present and voting.

**State Advisory Committee
for the Education of Exceptional Students**

*STATE ADVISORY
COMMITTEE
REQUIREMENTS OF
THE INDIVIDUALS WITH
DISABILITIES
EDUCATION ACT
(IDEA 2004)*

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**Excerpt from 20 U.S.C. Chapter 33
Individuals with Disabilities Education
Improvement Act of 2004
P.L. 108-446**

Sec. 1412. STATE ELIGIBILITY.

(a) IN GENERAL.—A state is eligible for assistance under this part for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the following conditions:

(21) STATE ADVISORY PANEL.—

(A) IN GENERAL.—The state has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

(B) MEMBERSHIP.—Such advisory panel shall consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population, and be composed of individuals involved in, or concerned with, the education of children with disabilities, including—

(i) parents of children with disabilities (ages birth through 26);

(ii) individuals with disabilities;

(iii) teachers;

(iv) representatives of institutions of higher education that prepare special education and related services personnel;

(v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);

(vi) administrators of programs for children with disabilities;

(vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;

(viii) representatives of private schools and public charter schools;

(ix) not less than 1 representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;

(x) a representative from the State child welfare agency responsible for foster care; and

(xi) representatives from the State juvenile and adult corrections agencies.

(C) SPECIAL RULE.—A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities (ages birth through 26).

(D) DUTIES.—The advisory panel shall—

(i) advise the State educational agency of unmet needs within the State in the education of children with disabilities;

(ii) comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

(iii) advise the State educational agency in developing evaluations and reporting on data to the Secretary under section 618;

(iv) advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under this part; and

(v) advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.