

# 2010 ANNUAL REPORT



State Advisory Committee  
for the Education of Exceptional Students

This publication is produced through the Bureau of Exceptional Education and Student Services (BEESS), Florida Department of Education, through federal assistance under the Individuals with Disabilities Education Act (IDEA), Part B, and is available online at <http://www.fldoe.org/ese/pub-home.asp>. For information on available resources, contact the BEESS Resource and Information Center (BRIC).

BRIC website: <http://www.fldoe.org/ese/clerhome.asp>

Bureau website: <http://www.fldoe.org/ese/>

E-mail: [BRIC@fldoe.org](mailto:BRIC@fldoe.org)

Telephone: (850) 245-0477

Fax: (850) 245-0987

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



2010

# *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**

Penny Collins, Co-Chair  
Joni Harris, Co-Chair  
Lileana de Moya, Vice-Chair  
John Howle, Parliamentarian

Judy Miller, Chair, Nominating Subcommittee  
Enrique Escallon, Chair, By-laws Subcommittee

**Bureau of Exceptional Education and Student Services**

Bambi J. Lockman, LL.D., Chief  
Michele Polland, Educational Policy Analyst/SAC Liaison  
Tonya Milton, Program Planner/Analyst

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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 ....”*





## 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 (IDEA 2004), to provide policy guidance with respect to the provision of exceptional education and related services for Florida's children with disabilities. The Committee operates under the auspices of the Bureau of Exceptional Education and Student Services, Florida Department of Education (BEESS/FDOE).

(See SAC Requirements of IDEA 2004 and SAC By-laws.)

### *Membership*

In compliance with IDEA 2004, Florida's State Advisory Committee was reconstituted to include 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/FDOE (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.)

## *Responsibilities*

The State Advisory Committee 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 2004, 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 34 CFR 300.507—300.519, or 300.530—300.534.

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

## *Meeting Schedule and Major Topics*

During 2010, the SAC held meetings on June 28–29 and December 6–7. Major presentation/discussion topics the meetings included Florida’s State Performance Plan and Annual Performance Report; state legislation and State Board of Education rules related to exceptional student education, federal and state funding, restraint and seclusion of students with disabilities, secondary transition programs, Response to Intervention (RtI), general supervision, monitoring, Portal to Exceptional Education Resources (PEER) and Florida Alternate Assessment. Each meeting provided 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 of respective meetings.)

## *Evaluation*

Evaluations conducted as part of each meeting were highly favorable in terms of meeting preparation and organization; resource materials; members’ involvement, interaction, and networking; and availability and accessibility of Bureau staff. Members felt that SAC is an excellent venue to consider, discuss, issues vital to the welfare of students with disabilities.

Formal evaluations conducted at the conclusion of each meeting in the 2010 term were unanimously positive in terms of the following:

- The majority of members who responded, in considering their participation on SAC, rated their opportunity to provide input to BEESS regarding the needs of children with disabilities as “excellent.” They felt that they had sufficient time to ask questions and provide comments and that issues important to them were discussed.
- The majority of members who responded rated the Bureau Chief as “excellent” 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 similarly favorable toward BEESS staff.
- Members were given the opportunity to comment on what extent they felt SAC is making a positive difference for students with disabilities. Those who provided comments overwhelmingly agreed that their voices were being heard and that SAC was contributing to the steady progress being made.

(See Evaluation Summary available from BEESS.)

### *Annual Report*

This *Annual Report* represents the organization and work of the Committee during 2010 and includes a list of members, the minutes of all meetings, Committee by-laws, 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*



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  
 2010**

<p>Dr. Brian H. Abrams          129 Forrester Place          Palm Coast, FL 32137</p> <p><i>(Parent – Flagler County and individual with disabilities)</i></p>	<p>Phone: (386) 447-9970 (H)          Fax: (386) 447-4760          Email: <a href="mailto:brijul1@juno.com">brijul1@juno.com</a></p>
<p>Denise Arnold, Chief          Bureau of Community Development          Agency for Persons with Disabilities          4030 Esplanade Way          Tallahassee, FL 32399-0950</p> <p><i>(Other state agency serving children with disabilities)</i></p>	<p>Phone: (850) 488-3673 (W)          Fax: (850) 922-6456          Email: <a href="mailto:denise_arnold@apd.state.fl.us">denise_arnold@apd.state.fl.us</a></p>
<p>Laurie Blades, Chief          Children’s Mental Health          Florida Department of Children and Families          1317 Winewood Blvd., Bldg. 6, Rm. 290          Tallahassee, FL 32399-0700</p> <p><i>(Other state agency serving children with disabilities)</i></p>	<p>Phone: (850) 921-4474 (W)          Fax: (850) 413-6886          Email: <a href="mailto:laurie_blades@dcf.state.fl.us">laurie_blades@dcf.state.fl.us</a></p>
<p>Penny Collins, Director          Exceptional Student Education          Osceola County School District          805 Bill Beck Blvd.          Kissimmee, FL 34744</p> <p><i>(Administrator of programs for children with disabilities – large district)</i></p>	<p>Phone: (407) 343-8718 (W)          Fax: (407) 343-8775          Email: <a href="mailto:collinsp@osceola.k12.fl.us">collinsp@osceola.k12.fl.us</a></p>
<p>Susan D. Davidson          1507 Templemore Drive          Cantonment, FL 32533</p> <p><i>(Parent – Escambia County)</i></p>	<p>Phone: (850) 968-9978 (H)          Email: <a href="mailto:paulfd@cox.net">paulfd@cox.net</a></p>

<p>John T. Davis 2245 A.V. Brannen Road Perry, FL 32347</p> <p><i>(Individual with disabilities)</i></p>	<p>Phone: (850) 584-4277 (H) Email: <a href="mailto:davisfl85@yahoo.com">davisfl85@yahoo.com</a></p>
<p>Lileana de Moya 6820 SW 115 Street Miami, FL 33156</p> <p><i>(Parent – Miami-Dade County)</i></p>	<p>Phone: (305) 666-1419 (H) Fax: (305) 666-0910 Email: <a href="mailto:ldemoya@bellsouth.net">ldemoya@bellsouth.net</a></p>
<p>Dr. Jiliann Tamayo De Villiers Director of ESE Programs Highpoint Academy 2955 SW 99<sup>th</sup> Place Miami, FL 33165</p> <p><i>(Florida Association of Independent Special Education Facilities)</i></p>	<p>Phone: (305) 254-3821 (W) Fax: (305) 254-3818 Email: <a href="mailto:dr.devilliers@gmail.com">dr.devilliers@gmail.com</a></p>
<p>Terri Eggers, Director of Education Florida Department of Juvenile Justice 2737 Centerview Drive Tallahassee, FL 32399-3100</p> <p><i>(State juvenile justice agency)</i></p>	<p>Phone: (850) 922-5375 (W) Fax: (850) 921-5907 Email: <a href="mailto:terri.eggers@djj.state.fl.us">terri.eggers@djj.state.fl.us</a></p>
<p>Enrique Escallon 4371 SW 150 Court Miami, FL 33185</p> <p><i>(Parent – Miami-Dade County and the Florida Developmental Disabilities Council)</i></p>	<p>Phone: (305) 554-5364 (H) Fax: (305) 718-4657 Email: <a href="mailto:enrique.escallon@suntrust.com">enrique.escallon@suntrust.com</a></p>
<p>Carin K. Floyd P. O. Box 813 Bell, FL 32619</p> <p><i>(Parent – Gilchrist County)</i></p>	<p>Phone: (386) 935-3982 (H) Fax: (352) 463-7173 Email: <a href="mailto:jcf4691@yahoo.com">jcf4691@yahoo.com</a></p>
<p>Randee Gabriel 16609 78th Road North Loxahatchee, FL 33470</p> <p><i>(Parent – Palm Beach County)</i></p>	<p>Phone: (561) 793-1984 (H) Fax: (561) 863-4352 Email: <a href="mailto:rgabriel@bellsouth.net">rgabriel@bellsouth.net</a></p>
<p>Angela Gilbert 1401 Park Avenue Titusville, FL 32780</p> <p><i>(Parent – Brevard County)</i></p>	<p>Phone: (321) 427-6906 (H) Email: <a href="mailto:lab845@yahoo.com">lab845@yahoo.com</a></p>



<p>Dr. Rosalind A. Hall, Director          Exceptional Student Education and Student Services          Levy County School District          480 Marshburn Drive          Bronson, FL 32641</p> <p><i>(Administrator of programs for children with disabilities – small district)</i></p>	<p>Phone: (352) 486-5240 (W)          Fax: (352) 486-5242          Email: <a href="mailto:hallr@levy.k12.fl.us">hallr@levy.k12.fl.us</a></p>
<p>Joni J. Harris          102 NW 93<sup>rd</sup> Street          Miami Shores, FL 33150</p> <p><i>(Parent – Miami-Dade County)</i></p>	<p>Phone: (305) 757-9622 (H)          Email: <a href="mailto:pbj102@aol.com">pbj102@aol.com</a></p>
<p>Johana Hatcher, Prevention Manager          Office of Family Safety          Florida Department of Children and Families          1317 Winewood Blvd., Bldg. 1,          Room 301-N          Tallahassee, Florida 32399</p> <p><i>(State child welfare agency responsible for foster care)</i></p>	<p>Phone: (850) 488-1929 (W)          Fax: (850) 487-0688          Email:  <a href="mailto:johana_hatcher@dcf.state.fl.us">johana_hatcher@dcf.state.fl.us</a></p>
<p>John R. Howle, Special Education Administrator          Department of Corrections          2601 Blair Stone Road          Tallahassee, FL 32399</p> <p><i>(Individual with disabilities; state adult corrections agency)</i></p>	<p>Phone: (850) 410-4405 (W)          Fax: (850) 488-3476          Email:  <a href="mailto:howle.john@mail.dc.state.fl.us">howle.john@mail.dc.state.fl.us</a></p>
<p>Leah Kelly, Executive Director          Student Support Services &amp; Exceptional Student Education          Broward County School District          600 SE 3<sup>rd</sup> Avenue          Ft. Lauderdale, FL 33301</p> <p><i>(Local education official; Homeless Assistance Act programs)</i></p>	<p>Phone: (754) 321-2560 (W)          Fax: (754) 321-2724          Email:  <a href="mailto:leah.kelly@browardschools.com">leah.kelly@browardschools.com</a></p>
<p>Michele Love, Parent Information and Communications Specialist          Florida School for the Deaf and the Blind          207 N San Marco Avenue          St. Augustine, FL 32084</p> <p><i>(Parent – St. Johns County and the Florida School for the Deaf and the Blind)</i></p>	<p>Phone: (904) 940-9437 (H)          Fax: (904) 827-2218          Email e-mail:  <a href="mailto:lovem@fsdb.k12.fl.us">lovem@fsdb.k12.fl.us</a></p>

<p>Judy Miller, Director  Exceptional Student Education  Lake County School District  201 West Burleigh Blvd.  Tavares, FL 32778</p> <p><i>(Administrator of programs for children with disabilities – medium district)</i></p>	<p>Phone: (352) 253-6610 (W)  Fax: (352) 343-7817  Email: <a href="mailto:millerj@lake.k12.fl.us">millerj@lake.k12.fl.us</a></p>
<p>Joanne Nelson, Educational Consultant  4904 Londonderry Drive  Tampa, FL 33647</p> <p><i>(Charter schools; Florida Association of Charter Schools)</i></p>	<p>Phone: (813) 979-1157 (H)  Email: <a href="mailto:jbnel@aol.com">jbnel@aol.com</a>  Email: <a href="mailto:jbnel22@gmail.com">jbnel22@gmail.com</a></p>
<p>Judith Owen  2710 10<sup>th</sup> Street North  St. Petersburg, FL 33704</p> <p><i>(Parent – Pinellas)</i></p>	<p>Phone: (727) 644-5704 (H)  Fax: (727) 893-7173  Email:  <a href="mailto:judyowen_2000@yahoo.com">judyowen_2000@yahoo.com</a></p>
<p>Bill Palmer, Director  Division of Vocational Rehabilitation  Florida Department of Education  2002 Old St. Augustine Rd., Bldg. A  Tallahassee, FL 32301</p> <p><i>(Vocational rehabilitation organization/transition services)</i></p>	<p>Phone: (850) 245-3311 (W)  Fax: (850) 245-3316  Email: <a href="mailto:bill.palmer@vr.fldoe.org">bill.palmer@vr.fldoe.org</a></p>
<p>Kelly Purvis  6648 Tim Tam Trail  Tallahassee, FL 32309</p> <p><i>(Parent – Leon County)</i></p>	<p>Phone: (850) 692-3207 (H)  Email: <a href="mailto:kelly62974@hotmail.com">kelly62974@hotmail.com</a></p>
<p>Calley Ronso  1936 Joshua Drive  Cantonment, FL 32533</p> <p><i>(Parent – Escambia County)</i></p>	<p>Phone: (850) 484-4873 (H)  Email: <a href="mailto:sweetsemper@yahoo.com">sweetsemper@yahoo.com</a></p>
<p>Ann Siegel  Education Team Manager  Advocacy Center for Persons with Disabilities,  Inc.  4411 Sheridan Street  Hollywood, FL 33021</p> <p><i>(Other agency serving children with disabilities)</i></p>	<p>Phone: (954) 967-1493 (W)  Fax: (954) 967-1496  Email: <a href="mailto:anns@advocacycenter.org">anns@advocacycenter.org</a></p>

<p>Tracy Stevens 4334 7th Avenue Marianna, FL 32446</p> <p><i>(Parent – Jackson County)</i></p>	<p>Phone: (850) 482-4484 (H) Fax: (850) 718-0243 Email: <a href="mailto:tracy.stevens@jcsb.org">tracy.stevens@jcsb.org</a></p>
<p>Peg Sullivan, Coordinator Personnel Development Partnership Florida Gulf Coast University 10501 FGCU Boulevard Ft. Myers, FL 33965-6565</p> <p><i>(Institution of higher education/special education and related services personnel preparation programs)</i></p>	<p>Phone: (239) 590-7748 (W) Fax: (239) 590-7934 Email: <a href="mailto:msulliva@fgcu.edu">msulliva@fgcu.edu</a></p>
<p>Charlotte Temple 1050 N. Davis Street Jacksonville, FL 32209</p> <p><i>(Parent – Duval County)</i></p>	<p>Phone: (904) 641-3400 (H) Fax: (904) 358-3800 Email: <a href="mailto:ctemple@arcjacksonville.org">ctemple@arcjacksonville.org</a></p>
<p>D'Lo Trejo Early Steps Children's Medical Services Florida Department of Health 4052 Bald Cypress Way Bin A06 Tallahassee, FL 32399-1707</p> <p><i>(Other agency serving children with disabilities)</i></p>	<p>Phone: (850) 245-4444, Ext. 2231 (W) Fax: (850) 921-8138 Email: <a href="mailto:d_trejo@doh.state.fl.us">d_trejo@doh.state.fl.us</a></p>
<p>Bryan Vaughan, Executive Director Governor's Commission on Disabilities 4030 Esplanade Way, Suite 315K Tallahassee, FL 32399</p> <p><i>(Individual with disabilities)</i></p>	<p>Phone: (850) 487-3423 (W) Fax: (850) 414-8908 Email: <a href="mailto:bryan.vaughan@dms.myflorida.com">bryan.vaughan@dms.myflorida.com</a></p>
<p>Dr. Bill Vogel, Superintendent Seminole County School District 400 East Lake Mary Blvd. Sanford, FL 32773-7127</p> <p><i>(Local education official; Florida Association of District School Superintendents)</i></p>	<p>Phone: (407) 320-0004 (W) Fax: (407) 320-0281 Email: <a href="mailto:bill_vogel@scps.k12.fl.us">bill_vogel@scps.k12.fl.us</a></p>
<p>Robyn Walker 1129 Golfview Drive Daytona Beach, FL 32114</p> <p><i>(Parent – Volusia County)</i></p>	<p>Phone: (386) 252-8858 (H) Fax: (386) 258-2283 Email: <a href="mailto:robyn_walker@doh.state.fl.us">robyn_walker@doh.state.fl.us</a></p>

<p>Gayle Solis Zavala 12219 Sannenwood Lane Wellington, FL 33414</p> <p><i>(Teacher – Palm Beach County; Florida Federation Council for Exceptional Children Teacher of the Year)</i></p>	<p>Phone: (561) 993-8700 (W) Fax: (561) 993-8750 Email: <a href="mailto:comadre11@aol.com">comadre11@aol.com</a></p>
<p>Bambi J. Lockman, Chief Bureau of Exceptional Education and Student Services Florida Department of Education 614 Turlington Building. 325 West Gaines Street Tallahassee, FL 32399-0400</p> <p><i>(State education official; ex officio)</i></p>	<p>Phone: (850) 245-0475 (W) Fax: (850) 245-0953 Email: <a href="mailto:bambi.lockman@fldoe.org">bambi.lockman@fldoe.org</a></p>
<p>Michele Polland, Educational Policy Analyst Bureau of Exceptional Education and Student Services Florida Department of Education 614 Turlington Building. 325 West Gaines Street Tallahassee, FL 32399-0400</p> <p><i>(SAC Liaison)</i></p>	<p>Phone: (850) 245-0475 (W) Fax: (850) 245-0953 Email: <a href="mailto:michele.polland@fldoe.org">michele.polland@fldoe.org</a></p>

The State Advisory Committee is appointed by the Commissioner of Education in accordance with the Individuals with Disabilities Education Improvement Act (IDEA 2004 [20 USCS 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 By-Laws, pending their continued eligibility and willingness to serve.

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

*STATE ADVISORY  
COMMITTEE  
MEETING REPORT*

*June 28–29, 2010*



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

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

**Tampa, Florida  
June 28–29, 2010**

**Meeting Report**

***SUNDAY, JUNE 27***

The State Advisory Committee for the Education of Exceptional Students (SAC) Co-Chairs, Penny Collins and Joni Harris, met with BEESS representatives Bambi J. Lockman, Chief; Michele Polland, Educational Policy Analyst; and Tonya Milton, Program Planner/Analyst; to review the agenda and materials in preparation for the Committee meeting.

***MONDAY, JUNE 28***

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

*Members*

(See SAC Membership List 2010, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Denise Arnold  
Penny Collins  
Susan Davidson  
John (J.T.) Davis  
Lileana de Moya  
Enrique Escallon  
Carin Floyd  
Ranee Gabriel  
Angela Gilbert  
Dr. Rosalind Hall  
Joni Harris  
John Howle  
Leah Kelly  
Michele Love  
Judy Miller  
Joanne Nelson  
Judith Owen

Bill Palmer  
Kelly Purvis  
Ann Siegel  
Tracy Stevens  
Peg Sullivan  
Charlotte Temple  
D'Lo Trejo  
Bryan Vaughan  
Dr. Bill Vogel  
Robyn Walker  
Gayle Zavala

Ana Maria Sanchez as designee for Terri Eggers

*FDOE/DPS/BEESS Representatives*

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

Bambi J. Lockman, Chief (Ex Officio SAC Member)  
Michele Polland, Educational Policy Analyst, Administration/Policy (SAC Liaison)  
Cathy Bishop, Senior Educational Program Director, Exceptional Student Education  
(ESE) Program Development and Services  
Karen Denbroeder, Administrator, ESE Special Programs Information and Evaluation  
Tonya Milton, Program Planner/Analyst, Administration/Policy

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

(See *SAC Member Notebook*, Agenda, Tab 1; SAC Way of Work and Ground Rules and Roles and Responsibilities; Individuals with Disabilities Education Act (IDEA) State Advisory Panel Requirements; Issues Related to Government in the Sunshine, Public Records, and Code of Ethics; SAC Membership List 2010; SAC Designee List 2010; SAC Representation Chart, Tab 2; Meeting Report December 3–4, 2009, Committee Action Form, Tab 7; Annual Report 2008, Tab 8.)

Joni Harris and Penny Collins, SAC Co-Chairs, opened the regular meeting by welcoming members and introducing new members. Ms. Harris reviewed the Committee's Roles and Responsibilities and the Committee's Way of Work. She reviewed the agenda and explained the structure of the Roundtable Discussions.

Michele Polland welcomed members and emphasized that, as an advisory committee to a state agency, the Committee is subject to state laws and requirements concerning "Government in the Sunshine," public records, and Florida's Code of Ethics, as detailed in their materials.

Ms. Polland reviewed the travel reimbursement procedures through Florida Atlantic University along with parking and lunch details. She thanked the Florida Council of



Administrators of Special Education (CASE) for sponsoring a networking luncheon. Ms. Polland noted items for consideration in anticipation of the Committee business session, including the Meeting Report (December 3–4, 2009), the Committee Action Form, and *2008 Annual Report*. Ms. Polland concluded by providing the opportunity for brief self-introductions.

## **Bureau Update**

(See *SAC Member Notebook*, PowerPoint presentation; 2010–11 Conference Report Comparison; *2010 Legislative Review*; BEESS Bill Report; Senate Bill 4, Senate Bill 4: 7-year Timeline for Implementation; Rule 6A-1.09941, F.A.C., *State Uniform Transfer of High School Credits*, and Rule 6A-1.09942, F.A.C., *State University Transfer of Students in the Middle Grades*; House Bill 1505; House Bill 1073; Discipline/referral Action Code, Consent and Evaluation to Determine Eligibility for Special Education; letter to Dr. John Copenhaver from Patricia J. Guard, Acting Director, Office of Special Education Programs; *Florida's Part B State Performance Plan for 2005–2010, Florida's Annual Performance Report for Part B of the Individuals with Disabilities Education Act*; 2010 State Educational Agency Profile; Spring 2010 Florida Alternate Assessment Student and Parent Report, Florida Alternate Assessment Update; Rule 6A-1.09430, F.A.C., *Florida Alternate Assessment Requirements*, Tab 3.)

Ms. Lockman provided a Bureau update themed “Navigating the Waters.” She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

### **Race to the Top (RTTT)**

- RTTT – Phase 2
- RTTT Goals: Double the percent earning college credit
- Florida RTTT Goals: Fourth Grade Reading
- Florida RTTT Goals: Eighth Grade Mathematics
- RTTT Local Educational Agency (LEA) Memorandum of Understanding

### **Common Core – Florida’s Involvement: Next Steps**

### **American Recovery and Reinvestment Act (ARRA)**

- Florida IDEA ARRA awards
- Florida IDEA ARRA jobs reported quarterly beginning 2009
- Florida IDEA ARRA funds
- 2010–2011 IDEA/Recovery funds

### **Governor’s Task Force on Autism Spectrum Disorders**

- Autism grant proposal
- Goals and objectives

### **Governor’s Commission on Disabilities – 2010 proposed recommendations**

## 2010–11 Education Budget and Finance-related Legislation

- K–20 budget highlights
- 2010–11 K–20 operating budget
- Other General Revenue allocations

## Senate Bill 4, Education Accountability

- Statewide Assessment (1008.22)
- End of course (EOC) Exams
- EOCs (1008.22)

## House Bill 105, Civics Education

## Senate Bill 166, Prescribed Pancreatic Enzyme Supplements/Use

## Senate Bill 434, Suicide Prevention Education

## House Bill 747, Treatment of Diabetes

## House Bill 1505, John McKay Scholarships for Students with Disabilities Program

## House Bill 1073, Persons with Disabilities

- Restraint and seclusion
- Documentation
- Reporting
- Monitoring
- Policies and procedures
- Next steps
- Office for Civil Rights (OCR) Restraint/Seclusion Reporting

## State Board of Education 2010–11 – Rule Revisions

## Part C Early Steps Changing Eligibility Criteria

## Local Early Steps (LES) Determinations Over Time

## 2010 LEA Determinations

## General Supervision

- 2009–10 monitoring – matrix finding
- 2009–10 monitoring – State Performance Plan (SPP) 13 Trends
- ESE self-assessment – trends
- On-site monitoring – trends
- 2010–11 monitoring – next steps

## Dispute Resolution

- State complaint investigations July 1, 2009, through March 31, 2010
- Common complaint issues
- Due process hearing requests
- 75-day timeline

#### SPP/Annual Performance Report

- Indicator 1: Graduation rate
- Indicator 2: Dropout rate
- Indicator 3: Assessment
- Indicator 4: Suspension/Expulsion
- Indicator 5: Least restrictive environment (LRE) Ages 6–21
- Indicators 6 and 7: LRE Ages 3–5 and Pre–K Performance
- Indicator 6: New calculation
- Indicator 6: Data reporting
- Indicator 8: Parent involvement
- Indicators 9 and 10: Disproportionate representation
- Indicator 11: 60-day timeline
- Determining evaluation completion date for 60-day timeline
- Indicator 12: Part C to Part B
- Indicators 13 and 14: Transition Individual Educational Plans (IEPs) and postschool outcomes
- Indicator 15: Noncompliance
- Indicator 16: Complaints
- Indicator 17: Due process
- Indicator 18: Hearing requests
- Indicator 19: Mediation
- Indicator 20: Data

#### Florida Alternate Assessment

- Conceptual framework
- Florida Alternate Assessment performance levels
- Revised reports
- Peer review status

#### Florida Alternate Assessment 2010 Results

- 2010 Florida Alternate Assessment participants by primary exceptionality
- Results
- Adequate yearly progress (AYP) Impact

#### High School Grades Changes

- Components changed
- New components
- General Education Development (GED) exit option

### Discretionary Projects

- What do we need for education reform?

### What Are the Essential Building Blocks of a Response to Intervention (Rtl) Model?

- An essential shift in thinking
- Shifts in the law – Alignment of Elementary and Secondary Education Act (ESEA) and IDEA
- Future shifts
- Literacy Essential and Reading Network (LEARN) Act and Rtl
- A blueprint for reform–2010
- Shifts in practice

### What effect does this have on Exceptional Student Education?

- Rtl and IDEA
- Problem-solving Response to Intervention (PS/Rtl) supports IDEA

### Comparison of Florida and National Data on the 2010 Spectrum K–12 National Rtl Adoption Survey

- Does your district have a formal Rtl district implementation plan?
- In what stage of Rtl implementation is your district?
- To what degree is Rtl incorporated into your district curriculum?
- What percentage of schools in your district has school-based leadership teams who are responsible for implementation of Rtl at the school level?
- Who is leading Rtl implementation in your district?
- What students are served by your highest or most intensive tier of intervention (check all that apply)?
- Is your State Educational Agency (SEA) providing leadership and expanding support for local districts implementing Rtl?

### Resources for Professional Learning Communities

- PS/Rtl resources for staying informed
- Coming soon – Decision making within Florida’s PS/Rtl framework: Guiding tools

Ms. Lockman interrupted her presentation for lunch. The members decided to adjust the schedule for Ms. Lockman to finish her presentation after lunch.

### **Sponsored Networking Luncheon**

Lunch for meeting participants was sponsored by the Florida Council of Administrators of Special Education (CASE).

### **Bureau Update, continued**

Ms. Lockman continued her update themed “Navigating the Waters.” She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

#### Transition and Postsecondary

- Unemployment rate by county
- Summary: Higher Education Opportunity Act Reauthorization (HEOA) Provisions
- Inclusive Model Transition and Postsecondary Programs
- National perspective
- Project 10 STING RAY
- Potential participatory agencies
- Goals

#### Multiagency Network for Students with Severe Emotional Disturbance (SEDNET)

- Restructuring
- Regional Coordinators

#### Portals to Exceptional Education Resources (PEER)

- PEER districts
- PEER application usage
- PEER functionality
- Functionality “coming soon”

#### Medicaid Tracking System (MTS) 3.0

#### BEESS Clearinghouse Information Center – recent changes

### **Graduation/Diploma Options**

(See *SAC Member Notebook*, PowerPoint presentation; Diploma Options by State; section 1003.438, Florida Statute; Rule 6A-1.09961, F.A.C., *Graduation Requirements for Certain Students with Disabilities*; 6A-1.0995, F.A.C., *Form of High School Diplomas and Certificates of Completion*; Rule 6A-6.0211, F.A.C., *GED Exit Option Model and State of Florida High School Equivalency Diplomas*, Tab 4.)

BEESS administrators Cathy Bishop (Program Development and Services) and Karen Denbroeder (Special Programs, Information, and Evaluation) provided an overview of diploma options in Florida and other states. Their presentations addressed the following:

- Other states’ diploma options
- States with one diploma option
- States with special diploma options
- Florida’s diploma options
- Florida’s standard diploma options
- Current graduation requirements

- New graduation requirements
- Other options available in Florida
- Performance-based exit options
- Certificate of Completion
- Special Diploma – option 1
- Special Diploma – option 2
- Spring 2010 survey of Districts
- Rule 6A-1.0995, F.A.C.
- Career/college options for non-standard high school diplomas
- Postsecondary options

SAC members discussed diploma options, five-year versus four-year cohorts, calculation of graduation rates, and college and employment options. Joni Harris requested dropout rates for states that offer one diploma option.

### **Wrap-Up/Adjourn for Day**

Co-chairs Collins and Harris reviewed the topics for the Roundtable Discussion on Friday, June 29. They encouraged members to complete the *Meeting Evaluation* if they were not able to attend on Friday.

### **FRIDAY, JUNE 29**

Co-chairs Collins and Harris welcomed members back to the meeting and provided structure for the Roundtable Discussions. The Roundtable Discussions were organized by the following topics:

- Response to Intervention (RtI) eligibility
- Diploma
- Postsecondary transition
- Restraint/seclusion
- Family involvement
- Service animals

Each group reported a summary of the discussion to SAC members (see Addendum).

### **National Instructional Materials Accessibility Standard (NIMAS)/Florida**

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

Suzanne Dalton, Supervisor, Florida Instructional Materials Center for the Visually Impaired (FIMC-VI), and NIMAS/Florida presented an overview of NIMAS/Florida. Ms. Dalton addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

- Legal connection

- What does a NIMAS file look like?
- National Instructional Materials Access Center (NIMAC)
- NIMAC by the numbers
- “Specialized formats”
- Formats
- NIMAS eligible students
- Florida Instructional Materials Center for the Visually Impaired (FIMC-VI)
- NIMAS journey in Florida
- IEP team responsibilities related to NIMAS
- Unable to read standard print
- Qualifying Information Form
- IEP Team *Must* List
- IEP Team *Should* List
- Who can access?
- Formats offered by NIMAS/Florida
- Explanation of “print instructional materials”
- Student registration information
- Entering student information
- School responsibilities
- Before schools order
- Option to search NIMAC
- Timelines for ordering
- Copyright
- Copyright responsibility
- Copyright and reuse of files
- Files are no longer needed
- Points to ponder together
- Investigate options
- More investigation
- The investigation continues
- Additional investigation
- Ancillary titles or older copyrights
- District Digital Rights Managers (DRM) roles and responsibilities
- District NIMAS responsibilities
- School NIMAS responsibilities
- National NIMAS resources

### **SAC Business Meeting**

(See *SAC Member Notebook*, SAC By-Laws, Meeting Report [Draft, December 2009], SAC Committee Action Form, Tab 7.)

Co-chairs Harris and Collins conducted the business session in which the Committee took the following action:

- Recommended preparing a letter acknowledging that FDOE meet requirements
- Recommended preparing a letter recommending that the GED be realigned to the National Common Core Standards and give it regular diploma status throughout the United States

The committee requested dropout rates for states that only have one diploma option.

The meeting was then opened to public comment. There was no public comment.

The committee recommended providing an update on the following topics at the next SAC meeting:

- Restraint and seclusion
- Diploma options and workgroup

The meeting was adjourned.

### **Closing Comments**

Co-chairs Harris and Collins made final announcements, thanked the members for their participation, and wished them safe travels home. They reminded members to complete the meeting evaluation form.

*Note: All materials referenced in this report are available on request through the Bureau of Exceptional Education and Student Services, Florida Department of Education, 614 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.*



## **Addendum**

### **Roundtable Topics**

Service Animals

Natural Supports/Family Involvement

Postsecondary transitions

Restraint/Seclusion

RtI Eligibility for Specific Learning Disability (SLD)/Speech/Emotional/Behavioral Disability (E/BD)

### ***Service Animals***

Benefits

- Help with stability
- Assists with daily living skills
- Law allows services dogs anywhere

Guidelines

- Animal for detecting seizures
- Must be independent without the animal first for visual impairment
- Must have training/certification standards for the animals
- Clarify *service* versus *therapy* dog

Concerns

- What animal is a service animal?
- No training standards for training of service animals
- Elementary
  - Child as handler
  - Distractions in the class
  - Hinders mobility and independence learning
  - Can service animals ride school busses?

Action Item: issue a TAP with guidelines to include “with principal discretion”

### ***Natural Supports/Family Involvement***

- Family Involvement and Community (Indicator 8)
- Create a mechanism to draw funding from supplemental services (Title I)
- Train for instructional support (ARRA)
- Create a partnership
  - Goal 4: Teacher Professional Development
  - Goal 8: Parent Involvement and Participation
  - Title I – Parent Involvement Partnerships
- Resource to comply with law
  - Private school

## ***Postsecondary Transitions***

- More communication about options available for families before/at IEP meetings
- Clearinghouse for Disability Resources
  - By location
  - With descriptions of services available
  - Contact information (names, phone numbers, addresses, web links)
- Identify programs/approaches that work (replicate)
- Vocational Rehabilitation (VR)
  - Work around funding/procedural silos
- School districts beginning to be more effective in setting up programs to assist students with transition to employment in community-based programs while still under school umbrellas (e.g., Project Victory, Project Search)
- University of North Florida (UNF)/Project 10 are steps in right direction for students with intellectual disabilities interested in pursuing higher education
- As academic opportunities in higher education unfold, it is important to keep inclusion at the forefront
  - Awareness
  - Family support/independence of student

## ***Restraint/Seclusion***

### Challenges

- Understood universally that restraint/seclusion is not used lightly/routinely
- Ensure families understand policies/procedures in advance, demonstrate for parents/students
- Lack of common sense

### Questions

- What training being done on “appropriate” use?
- Does not have to be in IEP?
- Can’t do it if unlit? Does that mean it is okay if room is lighted?
- Who will write reports if there is a fight outside the classroom? Does this apply? Will this only apply when it is student with history of high intensity behavior?
- When does “restraint” rise to level of this legislation? At what point does imminent safety risk supersede? Q/A should clarify that “reasonable force” statute still in place.

## ***Rtl Eligibility for SLD/Speech/E/BD***

- Continue School education
- Continue parent education
- Make regular education accountability! Must solve problems before just referral.
- Rtl is not referral process! Change attitude
- Change Roles of Personnel

- Differences of Interpretation of data to determine eligibility
- RtI is good for all students



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

*STATE ADVISORY  
COMMITTEE  
MEETING REPORT*

*December 6–7, 2010*



Florida Department of Education (FDOE)  
Division of Public Schools (DPS)  
Bureau of Exceptional Education and Student Services (BEES)

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

**Tallahassee, Florida  
December 6–7, 2010**

**Meeting Report**

***SUNDAY, DECEMBER 5***

The State Advisory Committee for the Education of Exceptional Students (SAC) Co-Chairs, Penny Collins and Joni Harris, met with BEES representatives Michele Polland, Educational Policy Analyst; and Tonya Milton, Program Planner/Analyst; to review the agenda and materials in preparation for the Committee meeting.

***MONDAY, DECEMBER 6***

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

*Members*

(See SAC Membership List 2010, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Penny Collins  
John (J.T.) Davis  
Lileana de Moya  
Terri Eggers  
Enrique Escallon  
Carin Floyd  
Ranee Gabriel  
Angela Gilbert  
Dr. Rosalind Hall  
Joni Harris  
Johanna Hatcher  
John Howle  
Judy Miller  
Joanne Nelson  
Judith Owen  
Bill Palmer  
Calley Ronso

Ann Siegel  
Tracy Stevens  
Peg Sullivan  
Charlotte Temple  
D'Lo Trejo  
Bryan Vaughan (December 6 only)  
Robyn Walker

Mary Ellen Byrne as designee for Gayle Zavala  
Rene Johnson as designee for Denise Arnold

Kimberly Brown, Department of Children and Families, Children's Mental Health

*FDOE/DPS/BEESS Representatives*

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

Bambi J. Lockman, Chief (Ex Officio SAC Member)  
Michele Polland, Educational Policy Analyst, Administration/Policy (SAC Liaison)  
Tonya Milton, Program Planner/Analyst, Administration/Policy  
Thomas Garrett, Research Assistant  
Cathy Bishop, Administrator, Program Development and Services  
Karen Denbroeder, Administrator, Exceptional Student Education (ESE)  
Special Programs Information and Evaluation  
Bettye Hyle, Team Leader, Student Support Services Project, University of  
South Florida  
Kim Komisar, Ph.D., Administrator, Program Administration and Quality Assurance  
Christy Noe, Portal to Exceptional Education Resources (PEER) Project Manager,  
Collaborative Educational Network  
Alexis Idlette, Program Specialist, Program Administration and Quality Assurance

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

(See *SAC Member Notebook*, Agenda, Tab 1; SAC Way of Work and Ground Rules and Roles and Responsibilities; Individuals with Disabilities Education Act (IDEA) State Advisory Panel Requirements; Issues Related to Government in the Sunshine, Public Records, and Code of Ethics; SAC Membership List 2010; SAC Designee List 2010; SAC Representation Chart; Membership Term List, Tab 2; Meeting Report June 28–29, 2010, Committee Action Form, Tab 7; Annual Report 2009, Tab 8.)

Joni Harris and Penny Collins, SAC Co-Chairs, opened the regular meeting by welcoming members and providing the opportunity for brief self-introductions. Ms. Harris reviewed the meeting agenda. Ms. Collins reviewed the Committee's Roles and Responsibilities and the Committee's Way of Work.



Michele Polland welcomed members and reviewed materials in Tab 2. She emphasized that, as an advisory committee to a state agency, the Committee is subject to state laws and requirements concerning “Government in the Sunshine,” public records, and Florida’s Code of Ethics, as detailed in their materials. Ms. Polland reviewed SAC Membership terms and stated 14 SAC members’ terms have expired. She stated SAC Membership applications were available at the registration desk. She provided an overview of the SAC notebook and informed SAC members that the data request from the prior meeting was located in the notebook.

## **Bureau Update**

*(See SAC Member Notebook, PowerPoint presentation; Governor’s Commission on Disabilities 2010 Governor’s Report; Guidelines for School Districts on the Use of Service Animals by Students with Disabilities memorandum; Technical Assistance Paper, Guidelines for the Use, Documentation, Reporting, and Monitoring of Seclusion and Restraint with Students with Disabilities; Florida Statewide Assessment Program 2010-2011 Schedule; Technical Assistance Paper, Statewide Assessment for Students with Disabilities, Tab 3.)*

Ms. Lockman provided a Bureau update themed “Holding Strong at the Helm!” She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

Florida Disability History and Awareness

IDEA: Charting the First 35 years

ESE Reauthorization

Higher Education Opportunities ACT (HEOA)

- Summary HEAO Provisions
- Inclusive Model Transition and Postsecondary Programs (SEC 767)
- Definition
- Transition Programs for Students with Intellectual Disabilities (TPSID)
- Florida Consortium on Postsecondary Education Transition Program and Intellectual Disabilities
- Primary Objectives of the Grant
- Focus

Race to the Top (RTTT)

- RTTT Round 2: The Winners
- Florida’s RTTT Theory of Action
- RTTT Goals
- Florida’s RTTT Budget
- Implementation Committees
- General Supervision Enhancement Grant

American Recovery and Reinvestment Act (ARRA)

- 2010–2011 IDEA/Recovery Funds

- Florida IDEA ARRA Funds
- Florida ARRA IDEA Jobs Reported Quarterly
- ARRA Funds
- Proposed ARRA Monitoring Part B Priority Areas

#### State of the State

- State of the State Students with Disabilities
- State of the State Students with Disabilities as % of Total School Population
- Percent Annual Growth, Students with Disabilities and Selected Disability Programs, 2004–05 through 2009–10
- Least Restrictive Environment Students with Disabilities Ages 6–21
- 2010 FCAT Reading Students with Disabilities, Grades 3–10
- 2010 FCAT Math Students with Disabilities, Grades 3–10
- 2010 FCAT Science Students with Disabilities, Grade 5
- 2010 FCAT Science Students with Disabilities, Grade 8
- 2010 FCAT Science Students with Disabilities, Grade 11
- FCAT Reading Participation and Performance Students with Disabilities Grades 3-5, 2007–08 through 2009–10
- FCAT Math Participation and Performance Students with Disabilities, Grades 3–5, 2007-08 through 2009–10
- FCAT Reading Participation and Performance Students with Disabilities, Grades 6–8, 2007–08 through 2009–10
- FCAT Math Participation and Performance Students with Disabilities, Grades 6–8, 2007–08 through 2009–10
- FCAT Reading Participation and Performance Students with Disabilities, Grades 9–10, 2007–08 through 2009–10
- FCAT Math Participation and Performance Students with Disabilities, Grades 9–10, 2007–08 through 2009–10
- NCLB Graduation Rate, Students with Disabilities

#### Florida Alternate Assessment

- Results by Academic Area
- Reading Results
- Results by Academic Area
- Mathematics Results

#### 2010 Legislation

- 2010 Legislation Review
- Senate Bill 4, Education Accountability
- House Bill 1073, Students with Disabilities
- Senate Bill 5303, Agencies for Persons with Disabilities
- 2011 BEESS Legislative Proposals

## Footnotes

- Medicaid Consent
- Task Force on Fostering Success
- Child Abuse Prevention, State Level Initiatives
- Child-On-Child Sexual Abuse (Subcommittee)
- State Fatality Review Team (Domestic Violence)

## Navigating Curriculum/Instruction

- Common Core State Standards (CCSS)
- Course Code Directory (CCD)
- Timeframe for Exceptional Student Education (ESE) Academic CCD Course Deletion
- Proposed Access Courses
- 2010–11 ESE-CTE Course Changes
- Next Steps

## Computer-based Testing

### Local Educational Agency (LEA) Determinations

- Balancing Results and Compliance
- The Big Picture
- Where We Started and Where We've Come Part B

## Monitoring

- Self-Assessment Summary: 2009–10
- Significant Trends
- Monitoring 2010–11
- Correction of Noncompliance

## Dispute Resolution

- State Complaint Investigations July 1, 2009, through June 30, 2010
- Common Complaint Issues
- Common Complaint Corrective Actions
- Due Process Common Issues
- Dispute Resolution Trends

## First Mates

- Florida Outreach Project
- Accessible Instructional Materials (AIM)
- Professional Development Alternatives
- Florida's Strategic Instruction Model (SIM) Initiative
- State Personnel Development Grant (SPDG)
- Tuition Support Programs
- Autism Spectrum Disorders Distance Learning Program
- Working with the Experts
- Language Reading Connection (LRC) New Online Course

- Transition
  - Project 10
  - Secondary Transition and Compliance New Online Course
  - Project 10 STING RAY: What is it?
  - Goals
- Response to Intervention (RtI)
  - 2010–11 Project Outlook
  - Math and Science Model Lessons Series
- Future Destinations for Multiagency Network for Students with Emotional/ Behavioral Disabilities (SEDNET) Crew
- Technical Assistance and Training System (TATS) Project
- Very Special Arts (VSA) Florida

Ms. Lockman completed her presentation and asked for questions from SAC Members.

### **Restraint/Seclusion Website Overview**

(See *SAC Member Notebook*, PowerPoint presentation; Restraint Incident Report; Seclusion Incident Report; Incidents of Restraint and Seclusion, Tab 4.)

BEESS administrators Cathy Bishop (Program Development and Services) and Karen Denbroeder (Special Programs, Information, and Evaluation) provided an overview of implementation of section 1003.573, Florida Statutes, *Restraint and Seclusion—Students with Disabilities*. Their presentations addressed the following:

What we've said to date  
 What is restraint?  
 Physical Restraint – Office of Civil Rights (OCR) Definition  
 What is seclusion?  
 Seclusion – OCR Definition  
 Crucial Reminders  
 Mechanical Restraint – OCR Definition  
 Questions and Answers  
 Monitoring – Classroom Level  
 Monitoring – Building Level  
 Monitoring – District Level  
 Monitoring – State Level  
 Next Steps for FDOE/BEESS  
 Anticipated Outcomes  
 A Look at the Data

SAC members discussed the data from the restraint/seclusion database. SAC members representing Exceptional ESE Administrators, complemented BEESS staff on the assistance provided to the local school districts.

Co-chair Joni Harris announced that the State Performance Plan/State Performance Report would begin early since they were ahead of schedule. It would resume after lunch.

### **State Performance Plan/Annual Performance Report (SPP/APR)**

(See *SAC Member Notebook*, PowerPoint presentation; Draft Annual Performance Report; *Calculation Guide for Florida's Annual Performance Report*, Tab 5.)

Karen Denbroeder (Special Programs, Information, and Evaluation) provided an overview of the SPP/APR. SAC members received a draft of the SPP/APR prior to the meeting via e-mail and regular mail. An updated draft was provided in the SAC Notebook. Ms. Denbroeder's presentation addressed the following:

#### Indicator Clusters – Long Term Outcomes

- Indicator #1 – Graduation Rate – target met
- Indicator #2 – Dropout Rate – target not met
- Indicator #13 – Transition Individual Educational Plan (IEP)
- Indicator #14 – Postsecondary Outcomes

#### Indicator Clusters – Access and Instruction

- Indicator #3 – Assessment – target met
- Indicator #4 – Suspension/Expulsion – target not met
- Indicator #5 – Least Restrictive Environment 6–21 – target met

Ms. Denbroeder stopped her presentation for the sponsored networking luncheon.

### **Sponsored Networking Luncheon**

Lunch for meeting participants was sponsored by the Florida Council of Administrators of Special Education (CASE).

### **SPP/APR, continued**

Karen Denbroeder resumed the overview of State Performance Plan/Annual Performance Report. Ms. Denbroeder's presentation addressed the following:

#### Indicator Clusters – Preschool

- Indicator #6 – Preschool Settings
- Indicator #7 – Preschool Outcomes – target met
- Indicator #12 – Transition from Part C to B – target met

Indicator #8 – Parent Involvement – target met

Indicators #9 and 10 – Disproportionate Representation – target met (#9),  
target not met (#10)

Indicator #11 – 60-Day Timeline – target not met

Discussion ensued regarding parent involvement. *SAC member requested the number of responses of the parent survey.* Ms. Denbroeder stated she would provide them with the information.

Indicator Clusters – State level only

- Indicator #16 – Complaints – target met
- Indicator #17 – Due Process Hearings – target met
- Indicator #18 – Early Resolution – target met
- Indicator #19 – Mediation – target not met

Discussion ensued regarding diploma options in Florida and other states. SAC member wanted to know if other states that offer one diploma option continue to provide services to students. Ms. Denbroeder stated she would research this request.

### **Overview of Rules in Process**

(See *SAC Member Notebook*, PowerPoint presentation; Rule 6A-6.0251, F.A.C., *Management of Chronic Health Conditions*; Rule 6A-6.0333, F.A.C., *Surrogate Parents*; Rule 6A-6.03312, F.A.C., *Discipline Procedures for Students with Disabilities*; Rule 6A-6.0361, F.A.C., *Contractual Agreements Nonpublic Schools and Residential Facilities*, Tab 6.)

BEESS administrators Bettye Hyle (Student Support Services Project), Dr. Kim Komisar (Program Administration and Quality Assurance) and Cathy Bishop (Program Development and Services) provided an overview of rules the Bureau of Exceptional Education and Student Services has in process. Their presentations addressed the following:

Rule 6A-6.0251, F.A.C., *Management of Chronic Health Conditions*

ESE Administration Rules

- Rule 6A-6.0331, F.A.C., *General Education Interventions, Child Find, and the Initial Provision Exceptional Education Services*
- Rule 6A-6.03312, F.A.C., *Discipline Procedures for Students with Disabilities*
- Rule 6A-6.0333, F.A.C., *Surrogate Parents*
- Rule 6A-6.0361, F.A.C., *Contractual Agreements with Nonpublic Schools and Residential Facilities*

Homebound/Hospitalized  
Prekindergarten Disabilities  
“Baby Rules”

SAC members discussed the rules presented.

Ms. Lockman presented members whose terms expire in December with awards in recognition of their service to education for students with disabilities. She expressed her appreciation to an amazing group with whom it was a pleasure to serve. She urged all members to consider continuing service to the Committee.

### **Wrap-Up/Adjourn for Day**

Co-chairs Collins and Harris requested topics for the Roundtable Discussion on Friday, December 7. They encouraged members to complete the *Meeting Evaluation* if they were not able to attend on Friday.

### **FRIDAY, DECEMBER 7**

Co-chairs Collins and Harris welcomed members back to the meeting. Ms. Collins stated that there was not a strong response for Roundtable topics. She proposed cancelling the Roundtable Discussion and starting the SAC Business meeting early. The SAC Members voted to adjust the schedule as Ms. Collins proposed.

### **Portal to Exceptional Education Resources (PEER), Medicaid Tracking System (MTS) 3.0**

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

Dr. Kim Komisar, Christy Noe, PEER Project Manager, Collaborative Educational Network and Alexis Idlette, Program Specialist, Program Administration and Quality Assurance presented a demonstration of the electronic IEP system, PEER. They demonstrated the current functionality of PEER and MTS 3.0.

Ms. Noe reported that 21 districts are currently using PEER, which provides the following:

- Improved district compliance – Built-in compliance checks and updates keep the application congruent with current education legislation.
- Easy document creation – Users experience an interactive, process-based approach to create meeting notices, progress reports, and other documents related to students' educational plans.
- Secure data environments – Double-encrypted login authorization consists of different permission levels for classroom, school, and district users.
- Improved accessibility – Teachers may access PEER anywhere with Internet access.
- Increased collaboration – Multiple users may update a single plan simultaneously.
- Faster transference – Plans can be moved electronically between districts in Florida when students relocate.

SAC members requested that staff consider allowing parents to log in and view the IEP.

Ms. Idlette provided an overview of MTS 3.0. She stated MTS is the State of Florida's free, Internet-based tool for school districts' use with Medicaid billing.

MTS 3.0 provides all of the following:

- Comprehensive information hub – Schools can use MTS to create Medicaid files, review students' Medicaid eligibility, and document services and evaluations.
- Improved accessibility – Providers may directly input billing information from anywhere with Internet access.
- Time-saving functionality – MTS reduces the amount of time school districts spend on the Medicaid administration process.
- Dynamic data retrieval – Users can create customized reports of student service and evaluation history.
- Improved usability – MTS 3.0 serves to integrate the efficiency of MTS 2.0 with updates and features directly requested by current users.

### **SAC Business Meeting**

(See *SAC Member Notebook*, SAC By-Laws; Meeting Report [Draft, June 2010]; Meeting Report [Draft, November 2010]; SAC Committee Action Form; SAC Designee Form; Dropout Rates for States with One Diploma Option, Tab 7.)

Members were reminded to complete the written Committee evaluation form. SAC members recognized the leadership of Ms. Lockman.

Co-chairs Harris and Collins conducted the business session in which the Committee took the following action:

- Approved June and November Meeting Reports
- Recommended preparing a letter to the Governor to continue the Governor's Commission on Disabilities
- Recommended preparing a letter to the Governor supporting the Bureau of Exceptional Education and Student Services
- Recommended preparing a letter to Florida CASE thanking them for sponsoring lunch

The committee recommended providing an update on hospital/homebound at the next SAC meeting:

New members will be appointed before the next meeting followed by a conference call to discuss elections. At the next meeting, there will be a new member orientation. The committee discussed dates, time, and location of the next meeting.

The meeting was then opened to public comment. There was no public comment.

The meeting was adjourned.



## **Closing Comments**

Co-chairs Harris and Collins made final announcements, thanked the members for their participation, and wished them safe travels home. They reminded members to complete the meeting evaluation form.

Ms. Lockman acknowledged the Bureau staff. She thanked the Co-chairs and Committee for their dedication and hard work.

*Note: All materials referenced in this report are available on request through the Bureau of Exceptional Education and Student Services, Florida Department of Education, 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*



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

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

**BY-LAWS**

**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 (“FDOE”) 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 FDOE in developing evaluations and reporting on data.
4. Advise the FDOE in developing corrective action plans to address findings identified in federal monitoring reports under IDEA 2004, Part B.
5. Advise the 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 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 FDOE. 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/FDOE (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 FDOE, 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 FDOE/BEES 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:

FDOE/BEES 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 FDOE 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, FDOE/BEESS by appropriate action of the Committee. Upon approval by FDOE, 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 two-thirds (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)*





**Individuals with Disabilities Education Improvement Act**  
**(20 U.S.C. Chapter 33)**  
**State Advisory Panel Provisions**

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.





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Florida Department of Education  
Gerard Robinson, Commissioner

313098