

# 2009 ANNUAL REPORT



State Advisory Committee  
for the Education of Exceptional Students

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



2009

# ***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, 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 (BEES/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 BEES/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 2009, the SAC held meetings on June 25–26 and December 3–4. Major presentation/discussion topics at each meeting included Florida's State Performance Plan and Annual Performance Report and state legislation and State Board of Education rules related to exceptional student education, federal and state funding, 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*

Informal 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 and discuss issues vital to the welfare of students with disabilities.

Formal evaluations conducted at the conclusion of each meeting in 2009 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 all 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 felt that SAC is making a positive difference for students with disabilities.

(See Evaluation Summary available from BEESS.)

### *Annual Report*

This *Annual Report* represents the organization and work of the Committee during 2009 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  
 2009**

|  |   |
|--|---|
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| <p>Laurie Blades, Chief<br/>         Children's Mental Health<br/>         Florida Department of Children and<br/>         Families<br/>         1317 Winewood Blvd., Bldg. 6, Rm. 290<br/>         Tallahassee, FL 32399-0700<br/>         Phone: (850) 921-4474 (W)<br/>         Fax: (850) 413-6886<br/>         E-mail: <a href="mailto:laurie_blades@dcf.state.fl.us">laurie_blades@dcf.state.fl.us</a></p> <p><i>(Other state agency serving children with disabilities)</i></p> | <p>Penny Collins, Director<br/>         Exceptional Student Education<br/>         Osceola County School District<br/>         805 Bill Beck Blvd.<br/>         Kissimmee, FL 34744<br/>         Phone: (407) 343-8718 (W)<br/>         Fax: (407) 343-8775<br/>         E-mail: <a href="mailto:collinsp@osceola.k12.fl.us">collinsp@osceola.k12.fl.us</a></p> <p><i>(Administrator of programs for children with disabilities - large district)</i></p> |
| <p>Susan D. Davidson<br/>         1507 Templemore Drive<br/>         Cantonment, FL 32533<br/>         Phone: (850) 968-9978 (H)<br/>         E-mail: <a href="mailto:paulfd@cox.net">paulfd@cox.net</a></p> <p><i>(Parent - Escambia County)</i></p>  | <p>John T. (J.T.) Davis<br/>         2245 A. V. Brannen Road<br/>         Perry, FL 32347<br/>         Phone: (850) 584-4277 (H)<br/>         E-mail: <a href="mailto:davisfl85@yahoo.com">davisfl85@yahoo.com</a></p> <p><i>(Individual with disabilities)</i></p>   |

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| <p>Lileana “Lily” de Moya<br/> 6820 SW 115 Street<br/> Miami, FL 33156<br/> Phone: (305) 666-1419 (H)<br/> Fax: (305) 666-0910<br/> E-mail: <a href="mailto:ldemoya@bellsouth.net">ldemoya@bellsouth.net</a></p> <p><i>(Parent - Miami-Dade County)</i></p>   | <p>Dr. Jiliann Tamayo De Villiers<br/> Director of ESE Programs<br/> Highpoint Academy<br/> 2955SW 99<sup>th</sup> Place<br/> Miami, FL33156<br/> Phone: (305) 254-3821 (W)<br/> Fax: (305) 254-3818<br/> E-mail: <a href="mailto:dr.devilliers@gmail.com">dr.devilliers@gmail.com</a></p> <p><i>(Florida Association of Independent Special Education Facilities)<br/> Appointed December 2009</i></p>                          |
| <p>Terri Eggers, Director of Education<br/> Florida Department of Juvenile Justice<br/> 2737 Centerview Drive<br/> Tallahassee, FL 32399-3100<br/> Phone: (850) 922-5375 (W)<br/> Fax: (850) 921-5907<br/> E-mail: <a href="mailto:terri.eggers@djj.state.fl.us">terri.eggers@djj.state.fl.us</a></p> <p><i>(State juvenile justice agency)</i></p> | <p>Jacqueline Egli, Executive Director<br/> Bridges Academy<br/> 894 Gary Hillery Drive<br/> Winter Springs, FL 32708<br/> Phone: (407) 862-8470 (H)<br/> Fax: (407) 386-1909<br/> E-mail: <a href="mailto:jegli@bridgesacademy.net">jegli@bridgesacademy.net</a></p> <p><i>(Parent - Seminole County; private schools; Florida Association<br/> of Independent Special Education Facilities)<br/> Resigned October 2009</i></p> |
| <p>Enrique Escallon<br/> 4371 SW 150 Court<br/> Miami, FL 33185<br/> Phone: (305) 554-5364 (H)<br/> Fax: (305) 718-4657<br/> E-mail: <a href="mailto:enrique.escallon@suntrust.com">enrique.escallon@suntrust.com</a></p> <p><i>(Parent - Miami-Dade County and the Florida<br/> Developmental Disabilities Council)</i></p>                        | <p>Carin K. Floyd<br/> P.O. Box 813<br/> Bell, FL 32619<br/> Phone: (386) 935-3982 (H)<br/> Fax: (352) 463-7173<br/> E-mail: <a href="mailto:jcf4691@yahoo.com">jcf4691@yahoo.com</a></p> <p><i>(Parent - Gilchrist County)</i></p>  |
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| <p>Dr. Rosalind A. Hall, Director<br/> Exceptional Student Education and<br/> Student Services<br/> Levy County School District<br/> 480 Marshburn Drive<br/> Bronson, FL 32641<br/> Phone: (352) 486-5240 (W)<br/> Fax: (352) 486-5242<br/> E-mail: <a href="mailto:hallr@levy.k12.fl.us">hallr@levy.k12.fl.us</a></p> <p><i>(Administrator of programs for children with disabilities -<br/> small district)</i></p>                    | <p>Joni J. Harris<br/> 102 NW 93<sup>rd</sup> Street<br/> Miami Shores, FL 33150<br/> Phone: (305) 757-9622 (H)<br/> E-mail: <a href="mailto:pbj102@aol.com">pbj102@aol.com</a></p> <p><i>(Parent - Miami-Dade County)</i></p>  |
| <p>Johana Hatcher, Prevention Manager<br/> Office of Family Safety<br/> Florida Department of Children<br/> and Families<br/> 1317 Winewood Blvd., Bldg. 1, Room 301-N<br/> Tallahassee, Florida 32399<br/> Phone: (850) 488-1929 (W)<br/> Fax: (850) 487-0688<br/> E-mail: <a href="mailto:johana_hatcher@dcf.state.fl.us">johana_hatcher@dcf.state.fl.us</a></p> <p><i>(State child welfare agency responsible for foster care)</i></p> | <p>John R. Howle, Special Education<br/> Administrator<br/> Department of Corrections<br/> 2601 Blair Stone Road<br/> Tallahassee, FL 32399<br/> Phone: (850) 410-4405 (W)<br/> Fax: (850) 488-3476<br/> E-mail: <a href="mailto:howle.john@mail.dc.state.fl.us">howle.john@mail.dc.state.fl.us</a></p> <p><i>(Individual with disabilities; state adult corrections agency)</i></p>  |
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| <p>Bambi J. Lockman, Chief<br/> Bureau of Exceptional Education and Student Services<br/> Florida Department of Education<br/> 614 Turlington Bldg.<br/> 325 West Gaines Street<br/> Tallahassee, FL 32399-0400<br/> Phone: (850) 245-0475 (W)<br/> Fax: (850) 245-0953<br/> E-mail: <a href="mailto:bambi.lockman@fldoe.org">bambi.lockman@fldoe.org</a></p> <p><i>(State education official; ex officio)</i></p> |  |
| <p>Michele Polland, Educational Policy Analyst<br/> Bureau of Exceptional Education and Student Services<br/> Florida Department of Education<br/> 614 Turlington Bldg.<br/> 325 West Gaines Street<br/> Tallahassee, FL 32399-0400<br/> Phone: (850) 245-0475 (W)<br/> Fax: (850) 245-0953<br/> E-mail: <a href="mailto:michele.polland@fldoe.org">michele.polland@fldoe.org</a></p> <p><i>(SAC Liaison)</i></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 25–26, 2009*



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**

**Clearwater, Florida  
June 25–26, 2008**

**Meeting Report**

***WEDNESDAY, JUNE 24***

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

***THURSDAY, JUNE 25***

The State Advisory Committee met in regular session with the following persons in attendance:

*Members*

Dr. Brian Abrams  
Laurie Blades  
Penny Collins  
Susan Davidson  
J. T. Davis  
Lileana de Moya  
Terri Eggers  
Carin Floyd  
Ranee Gabriel (June 24<sup>th</sup> only)  
Angela Gilbert  
Dr. Rosalind Hall  
Joni Harris  
Johana Hatcher  
John Howle  
Leah Kelly  
Dr. Kathryn Krudwig  
Michele Love  
Judy Miller

Joanne Nelson  
Bill Palmer  
Kelly Purvis  
Calley Ronso  
Ann Siegel  
Tracy Stevens  
Charlotte Temple  
Bryan Vaughan  
Dr. Bill Vogel  
Robyn Walker

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

*FDOE/DPS/BEESS Representatives*

(See BEESS Staff List, *SAC Member Notebook*, Tab 10.)

Bambi J. Lockman, Chief (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, Special Programs Information and Evaluation  
Dr. Kim Komisar, Administrator, Program Administration and Quality Assurance  
Tonya Milton, Program Specialist, Administration/Policy

*Other*

April Katine, Florida Developmental Disabilities Council  
Juli Kempner, Advocacy Center for Persons with Disabilities, Inc.  
Calvester Anderson, Justice-2-Jesus  
Dr. Brian Pitts, Justice-2-Jesus  
Dr. Brian Gaunt, University of South Florida  
Dr. Kristine Webb, University of North Florida (UNF)  
Maira Arossi, UNF student  
Trey Henderson, UNF student  
Tawski Frazier, UNF student  
Christian Van Schoor, UNF student  
Marvin Espinade, parent.



## **Welcome, Overview of Agenda, Introductions, Roles and Responsibilities**

(See Agenda, *SAC Member Notebook*, Tab 1; SAC Way of Work and Ground Rules and Roles and Responsibilities; IDEA State Advisory Panel Requirements; Issues Related to Government in the Sunshine, Public Records, and Code of Ethics; SAC Membership List 2009; SAC Designee List 2009; SAC Representation Chart, Tab 2; SAC Business Session Materials, Tab 9; Evaluation Form, Tab 9; Bureau Staff List, Bureau Calendar, List of Acronyms, Tab 10.)

Joni Harris and Penny Collins, SAC Co-Chairs, opened the regular meeting by welcoming members and providing the opportunity for brief self-introductions. Michele Polland thanked the group for being there, addressed Committee membership and roles and responsibilities, and emphasized that, as an advisory board 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 walked through the agenda, pointing out that the agenda was developed in response to Committee input, and correlated each item with resource materials in the *SAC Member Notebook*. She informed members of the Rules presentation change of order and the slight time change for the Scaling Up Response to Intervention Florida presentation. She stated that the Bureau provided the members with *Florida Statutes and State Board of Education Rules, Volume I-B* and the *2007 State Advisory Committee Annual Report*. She discussed the process for selecting an official designee.

Ms. Polland noted items for consideration in anticipation of the Committee business session as well as the availability for review of due process hearing orders. She emphasized the importance of the *BEESS Weekly Memo* and the Bureau website as ongoing sources of information and the role of the Committee in sharing information with their respective constituent groups and in representing statewide needs.

Ms. Polland highlighted the new SAC home page located on the Bureau Web site. The page features the list of members, by-laws, and meeting and annual reports. She concluded with a brief update on data requests made in a prior SAC meeting regarding Post School Outcomes by District for Students with Disabilities and State Performance Plan Indicator #8, Parent Survey Results, indicating that these data would be discussed more fully during the State Performance Plan/Annual Performance Report update.

Ms. Harris reviewed the Committee's ground rules. Ms. Collins reviewed the Committee's Way of Work and thanked the committee for observing the rules.

## **Bureau Update**

(See PowerPoint presentation, Letter from Office of Special Education Programs [OSEP], Letter from the Department of Education, American Recovery and Reinvestment Act of 2008 [ARRA] IDEA Recovery Funds for Services to Children and Youths with Disabilities and Part B, Preschool Entitlement June 2009, IDEA Part B, Part B Preschool Entitlement Non-ARRA and ARRA Funds for FY 2009-10, *2009 Legislative Review; SAC Member Notebook*, Tab 3.)

Ms. Lockman began her update themed “Shifting Sands” by congratulating members for one year of service to the Committee. She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

### *Celebrations*

- Office of Special Education Programs (OSEP) Visit—week of November 17, 2008
- IDEA ARRA—IDEA Part B and Part B Preschool funds to districts
- Specific Learning Disability (SLD) Rule—became effective March 23, 2008, and includes emphasis on implementation of Response to Intervention (RtI)
- Exceptional Student Education (ESE) Legislation—aligns to IDEA requirement regarding due process
- Part B Entitlement—no special conditions

### *2009–10 Education Budget and Finance-related Legislation*

- K-20 Budget Highlights—budget includes stimulus funds
- 2009–10 Operating Budget—local funds have decrease, state funds have decreased, federal funds have increased
- Enrollment Changes for 2009–10—student enrollment is declining in Florida
- ESE Guaranteed Allocation for 2009–10—funds provide for educational programs and services for exceptional students
- Student Transportation—funds decreased, districts are using ARRA funds
- Virtual School—100 percent funding cut, district supported
- VPK—Early Learning was cut 75 percent
- Department of Education—eliminated three sections and reduced two

### *American Recovery and Reinvestment Act of 2009, IDEA Recovery Funds for Services to Children and Youths with Disabilities*

- Four Principles—funds follow IDEA requirements
- IDEA Requirement Overview—districts are working to build capacity
- IDEA Recovery Funds—outlines IDEA Part B, Part B Preschool, and ARRA for Florida

### *2009 Florida Legislative Update*

- Senate Bill (SB) 1128—establishes educational guidelines for students in Foster Care
- House Bill (HB) 807—requires The Office of Program Policy Analysis and Government Accountability (OPPGA) to conduct a study of the effectiveness of outreach efforts of the Florida KidCare program for uninsured children
- SB 1540—revises the requirements for zero tolerance policies
- SB 1660—creates a study group and designates membership, including the Commissioner of Education
- HB 991—establishes a state system of school improvement, Differentiated Accountability

### *Implementation of 2008 Legislation*

- Governor’s Commission on Disabilities—focuses on implementation of recommendations, statewide transition program at each college in Florida
- Governor’s Task Force on Autism Spectrum Disorders—April 2 is Autism Awareness Day
- Revising High School Grading Requirement—graduation rate method of calculation indicates that General Education Development Diplomas (GEDs) and Special Diplomas would be counted as non-graduates

*The committee discussed the revised graduation rate, not including Special Diplomas. Discussion ranged from impact on districts, schools, juvenile justice system, work force, and students. Penny Collins suggested that the committee member complete a Committee Action Form (SAC Member Notebook Tab 9) at the SAC Business Meeting.*

Ms. Lockman resumed her presentation.

### *Monitoring and Dispute Resolution*

- 2009–10 Proposed Monitoring
- State Summary—Postsecondary goals based on age-appropriate transition assessment(s); reason for Florida’s “needs assistance”; Chancellor will send a memo out to Superintendents

### **Rules**

(See PowerPoint presentation, Draft of 6A-6.05271, *Standards for Use of Reasonable Force to Maintain a Safe and Orderly Learning Environment*, Florida Developmental Disabilities Council, Inc. Restraint and Seclusion statement, The Council for Children with Behavioral Disorders Position Summary on Physical Restraint and Seclusion Procedures in School Settings, Draft 6A-1.0943 Statewide Assessment for Students with Disabilities, National Center on Educational Outcomes *Revisiting Graduation Requirements and Diploma Options for Youth with Disabilities: A National Study*; SAC Member Notebook, Tab 4.)

Cathy Bishop, Administrator, Exceptional Student Education Program Development and Services, began her presentation with Rule 6A-1.09961, Florida Administrative Code (F.A.C.), *Graduation Requirements for Certain Students with Disabilities*. She outlined the types of participants represented on the workgroup. There were two meetings held in October. The concerns identified by the workgroups for the current Rule were: the term *special diploma* is stigmatizing; the name of the diploma needs to be meaningful to the community; there is a need for more diploma options in order to provide districts with flexibility; the options should have clear requirements, should be flexible enough to allow students to change diploma options, and should continue to keep expectations high.

The workgroup recommended that the Rule address options that meet the needs of students who currently receive a special diploma—significantly, cognitively impaired students participating in alternate assessment; students with disabilities participating in the Florida Comprehensive Assessment Test (FCAT), yet taking ESE courses (or a combination of ESE and General Education courses); and students with disabilities receiving instruction in general education classes who have not met all requirements by the time they age out (i.e., grade point average [GPA], course requirements, etc.).

Ms. Bishop divided the committee into five groups and assigned each group one of the following guiding questions:

1. What options should be available? How many options?
  - a. Modified/Alternate Diploma
  - b. Occupational Diploma (with Major Area of Interest)
  - c. Life skills Diploma
2. What are the outcomes for the diploma? (What is the value?)
3. Should there be statewide requirements for each diploma? (Consistency among districts?)

Group 1 (addressed question 2) – The value is “priceless.” The outcomes should depend on the student and their needs (i.e., college, Life skills, etc.).

Group 2 (addressed question 1) – They would like schools to be as inclusive as possible for the student. They suggested a performance diploma with an annotation, such as “cum laude.” Schools should focus on a student’s abilities.

Group 3 (addressed question 3) – They thought there should be consistency across the state.

Group 4 (addressed question 2) – They recommended that the diploma be counted in the graduation rate.

Group 5 (addressed question 1) – They recommended one diploma for all students. Employers and/or university will be able to review transcripts for more specific information. Some students are not eligible for jobs that specify a standard diploma though they may have job skills required for the position.

## **Sponsored Networking Luncheon**

Participants at the meeting enjoyed a networking luncheon sponsored by the Florida Council of Administrators of Special Education (CASE).

### **Rules**

Ms. Bishop continued her presentation with Rule 6A-1.0943, *Statewide Assessment for Students with Disabilities*. She outlined the types of participants represented on the workgroup. Two meetings were held in February. The concerns identified by the workgroup regarding the current rule were: the language appeared to excluded some students from participation; lack of clarity in acknowledging the Florida Alternate Assessment as part of the statewide assessment program; accommodations addressed at the end of the rule; ambiguous wording pertaining to who is eligible to participate in Florida Alternate Assessment; and the need for a special exemption in unique circumstances.

The recommendations from the workgroup included: address accommodations at the beginning of the rule; include accommodations by reference to the FCAT Administration Manuals; identify ways students can access FCAT; and clarify language related to participation in Florida Alternate Assessment.

Ms. Bishop presented the draft rule language in the PowerPoint. The committee discussed test accommodations and time restraints within a given class.

### *Reasonable Force*

Ms. Bishop outlined the authority and history of reasonable force and presented the draft rule language in a PowerPoint presentation. The committee discussed concerns regarding rule language that would allow school personnel to stop a crime in progress. This would require training for staff. The committee also discussed the concerns regarding use of prone restraint. Penny Collins requested that the committee complete the *Committee Actions Form* for a Board Meeting on Friday.

## **Scaling Up Response to Intervention in Florida**

(See PowerPoint, *Florida's PS/Rtl, Bridging the gap between policy and practice, SAC Member Notebook, Tab 5.*)

Dr. Brian Gaunt, Central Florida Regional Coordinator, Florida Statewide Problem Solving/Response to Intervention (PS/Rtl) State Pilot Project, University of South Florida, presented on scaling up of Rtl in Florida. His presentation included an overview of Rtl framework. Through the PS/Rtl frame, existing and new initiatives can be supported. Dr. Gaunt reviewed Rule 6A-6.0331, which states that Rtl is an intervention in the general education environment and supports No Child Left Behind (NCLB). The infrastructure for Rtl must be present at the state, district, and building level. The focus of the PS/Rtl Project is to build district and building level

infrastructure. Currently, there are six demonstration district/pilot schools. The purpose of the PS/Rtl demonstration sites is to evaluate the impact of PS/Rtl on educator, student, and systemic outcomes. Dr. Gaunt shared data from the pilot sites with attendees.

The PS/Rtl is collaborating with Florida Statewide Positive Behavior Support Project, Rtl – Teaching, Institute for Small and Rural Districts (ISRDC) and Learning Connections, and the Florida Department of Education (Office of Early Learning, Differentiated Accountability). Dr. Gaunt stated that Florida is becoming a national leader in the PS/Rtl. Training is conducted at the state and regional levels and to train the trainers. The regional meetings focus on Rtl implementation plans, policy and procedure review and modification, resource mapping, and examination of infrastructure to support PS/Rtl at the building level. The train-the-trainers sessions are scheduled for August 2009 in north, central, and south Florida. The goal is allow schools and districts to become independent and successful in PS/Rtl implementation.

*The committee briefly discussed the idea of including Rtl implementation skills as part of college education.*

Dr. Gaunt concluded his presentation by providing a list of resources to support PS/Rtl implementation.

### **On-Campus Transition Program**

(See PowerPoint, *A Potpourri of Transition Information! SAC Member Notebook*, Tab 6.)

A panel including Charlotte Temple, Jacksonville Association for Retarded Citizens (ARC); Dr. Kristine Webb, UNF; and four UNF students, Tawski Frazier, Moira Rossi, Christian Van Schoor, and Trey Henderson; presented on secondary transition. The presentation included information on three distinct projects—*Florida Talks Transition*, *Project SOURCE*, and *On Campus Transition*.

Dr. Webb began the presentation with preliminary data from the survey, *Florida Talks Transition*. The survey was administered in six locations—Chipley, Jacksonville, Viera, Tampa, Fort Myers, and Miami—with participation from students, parents, teachers, school personnel, agency personnel, and caretakers. Preliminary data yielded the following:

- All groups expressed concern that students had little or no opportunity for career exploration or electives due to FCAT remediation.
- FCAT remediation = higher dropout likelihood.
- Transition preparation must begin in elementary school.
- Constituents would like transition information via websites and presentations.
- Parents expressed needs for a consolidated or centralized approach to transition—One-Stop for transition.

- All groups wanted more information earlier about employment and postsecondary education opportunities.
- More opportunities should be available for students to learn skills in self-determination.
- While greater numbers are attending IEP meetings, few students voice their ideas or direct the meeting.

Dr. Webb continued the presentation by providing an overview of *Project Status of University/Community College Resources for College Experiences (SOURCE)—Florida* in partnership with the Florida Developmental Disabilities Council. The project premise for the need for transition programs is as follows:

- Students with disabilities remain in high school for seven to eight years.
- Many high school students with disabilities are significantly older than their fellow students without disabilities.
- Students repeatedly receive the same curriculum and become disinterested in continuing their education.

A successful transition program should include the following:

- Students with developmental disabilities (ages 18–21) should have exposure to appropriate student-age culture.
- Increase life-enriching opportunities for students by providing an “on campus” experience.
- Facilitate independence and inclusion in the community through life skills and socialization training, peer mentoring, and job placement services.
- Collaborative Partnerships should be part of a successful transition program.

Charlotte Temple, SAC Member, provided an overview of the On-Campus Transition (OCT) project at UNF. She reviewed the initial thought, the research, the vision, funding, and steering committee.

The OCT project objectives for *OCT students* include the following:

- Participate in college classes and clubs.
- Participate in recreational and social activities on a college campus.
- Improve communication and social skills.
- Have opportunities to share the experience of living with a disability.
- Develop friendships with people of similar age.
- Develop age-appropriate leisure and recreation interests.
- Develop and use self-advocacy skills.
- Obtain integrated employment (paid or unpaid) within the community.
- Increase independence and integration in the community.

The OCT objectives for *UNF students* include the following:

- College students will have the opportunity to engage in transformational learning activities.
- Students will learn that adults with intellectual disabilities make considerable contributions to the UNF campus and community.
- Students will recognize that adults with intellectual disabilities have the same characteristics as their non-disabled peers.
- Students will assist in removing attitudinal barriers that face students with intellectual disabilities.

Dr. Webb provided examples of how OCT students were active members of the UNF student body. She facilitated the panel of OCT students at UNF. The students provided information regarding their experience on campus and answered questions for the SAC committee members. The presentation closed with pictures of the students participating in classes and activities.

With reminders from the co-chairs regarding preparation for the next day's sessions, the meeting was adjourned for the day.

## ***FRIDAY, JUNE 26***

### **Portal to Exceptional Education Resources (PEER) Demonstration**

(See PowerPoint, *Portal Exceptional Education Resources*, SAC Notebook, Tab 7.)

Dr. Kim Komisar, Administrator, Program Administration and Quality Assurance, presented a demonstration of the electronic IEP system, Portal to Exceptional Education Resources (PEER). She reported that 13 districts are currently deployed and 3 districts are preparing for deployment. PEER offers the following:

- Professional development and technical assistance built into the system
- Environment that allows for timely updating of ESE procedures as state and federal requirements change
- Electronic transmission and storage of student records
- Reinforcement of a process-based approach to educational planning

Dr. Komisar demonstrated the current functionality of the site.

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

(See PowerPoint, *Portal Exceptional Education Resources*, SAC Member Notebook, Tab 8.)

Karen Denbroeder, Administrator, Special Programs Information and Evaluation, began the presentation by reviewing the Tree of Influence (Tab 8). She addressed Florida's use of data to determine progress in achieving SPP targets, to provide districts with tools for improvement planning and for public reporting. She stressed



SAC's important role in providing input on measurements, SPP targets, and criteria for district determinations.

She reviewed the State Performance Plan (SPP) as a six-year plan and the Annual Performance Report as an annual report on progress toward meeting SPP targets; based on these, the U.S. DOE makes state-level determinations, and the FDOE makes district-level determinations. Referencing as materials the session handouts as well as the State Education Agency (SEA) Profile included in the *SAC Member Notebook* (Tab 8), Ms. Denbroeder provided a status report on each of the following indicators, including targets, methods of calculation, changes, comparative data across years, and whether or not the target was met:

- Indicator 11: 60-Day Timeline (Target: 100 percent of referred students evaluated within timeline, not met) – Data collection will change slightly.
- Indicators 9 and 10: Disproportionate Representation (target: 0 percent of districts) – Will have no changes.
- Indicator 12: Part C to Part B data (100 percent of eligible children have an IEP by age 3) – Data collection will change slightly.
- Indicators 6 and 7: Least Restrictive Environment (LRE) Ages 3–5, Pre-K Performance – baselines and targets will be SPP in February 2019.
- Indicator 3: Assessment (targets: participation rate, 96 percent, met; proficient in reading, 38 percent, not met; proficient in math, 40 percent, not met) – Encouraging trends in increased proficiency were noted.
- Indicator 5: LRE Ages 6–21 (targets: 56.9 percent removed from regular class less than 21 percent of day, met; 22.3 percent removed for greater than 60 percent of day, met; 2.7 percent served in separate environment, not met) – No changes.
- Indicator 4: Suspension/Expulsion (target: 7.5 percent or fewer districts with significant discrepancy, not met) – No change.
- Indicator 8: Parent Involvement (32 percent of parents report schools facilitate parent involvement, met)

*There was significant Committee discussion of the parent survey data. Ms. Denbroeder asked the Committee for guidance regarding a web-based survey.*

*Committee Members recommended web-based survey and discussed barriers, including website access and parent fears of lack of confidentiality and possible consequences.*

- Indicator 1: Graduation Rate (target of 40.3 percent met); Calculation change.

*Committee members discussed how special diplomas and GEDs, counting as non-graduates, will impact this indicator. They discussed the possibility of Florida providing flexibility to a variety of diplomas, similar to some other states.*

- Indicator 2: Dropout Rate (target of 4.0 percent not met) – No change.
- Indicator 13: Transition IEPs (target: 100 percent have IEP with measurable annual goals and transition services to reasonably enable attainment of postsecondary goals, not met)
- Indicator 14: Postschool Outcomes (target: 56.5 percent of youth are employed/continuing education within one year of leaving school, new baseline established) – Ms. Denbroeder referred to the postschool data request by the Committee at the October 2008 meeting (Tab 3).

*The Committee discussed postschool outcomes and requested employment data distinguishing full-time and part-time employment.*

### **Florida Alternate Assessment – Access Points – Curriculum, Learning and Assessment Support Project (CLASP)**

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

Ms. Denbroeder provided an update of the Florida Alternate Assessment. She discussed the studies (teacher rating, video scoring and checklist, and test, re-test), new developments, and teacher administration manual.

#### *Studies*

The purpose of the Teacher Rating Study was to determine if the Florida Alternate Assessment is a reliable instrument. There should be a strong correspondence between teacher ratings and students' performance on the assessment. Teachers were asked to use the performance level descriptions to rate their students based on daily classroom performance. The ratings provided by the teachers will be compared to actual student performance on the 2009 assessment. A total of 6,883 students were rated. Measured Progress will receive the data, perform an analysis of the information, and provide a report.

The purpose of the Video Scoring Study was to evaluate whether scores assigned by teachers administering the assessment are consistent with scoring protocols for the assessment program, which would determine the validity of the assessment. Feedback will be incorporated into revisions of the administration manual and training provided to teachers. Approximately 60 videos were submitted (grade 5 mathematics or grade 10 writing). Each video was second scored by two second scorers, with 18 Florida teachers acting as second scorers.

The purpose of the Video Checklist Study was to evaluate whether the assessment is being administered consistent with test administration protocols, which would

determine the administration validity of the assessment. Feedback will be incorporated into revisions of the administration manual and training provided to teachers. Three items per video were observed and then checklists were completed. A briefing occurred with teachers after the use of each checklist. The checklist will be revised based on feedback.

The purpose of the Test, Re-Test Study is to provide empirical information on whether the test administration model allows access to the items appropriately or whether students who are unable to answer the supported items can actually answer the independent items. This information will be used, as needed, to inform the administration design. Fifty students in grade 5 and 50 students in grade 8 were selected to participate. All re-test materials were sent to Alternate Assessment Coordinators. Schools have until June 15 to return re-tests to Measured Progress. An analysis and report will be provided.

### **Public Comment**

The meeting was opened for public comment as scheduled. Calvester Anderson, Justice-2-Jesus, stated that she appreciated the presentation by the University of North Florida. She shared her experience, as well as daughter's, regarding labeling and discouraged the use of labeling students with disabilities.

### **SAC Business Meeting**

(See SAC Meeting Report [October 5–7, 2008]; SAC By-laws, Committee Action Form, and Committee Designee Form; *SAC Member Notebook*, Tab 2; and SAC Meeting Evaluation Form, Tab 9.)

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

- Approved the report of the October 5–7, 2008, meeting with no changes
- Reviewed the "Committee Action Forms" submitted prior to meeting

### *Secondary Transition*

Dr. Vogel stated that he would like the UNF Experiential Transition Program to exist at all universities across the state. Bryan Vaughan, Executive Director of the Governor's Commission on Disabilities, noted the Commission's recommendation to the Governor that a secondary transition program for students with disabilities be based in community colleges.

See below for an excerpt from the Commission's report of the complete recommendation.

Governor's Commission on Disabilities  
Recommendation A-2

*The Commission recommends that the Governor consider the issuance of an Executive Order that requires the Commissioner of Education to initiate the following: Have the Florida Department of Education, Division of Public Schools, and the Division of Community Colleges develop a strategic plan for implementation of a comprehensive research-based statewide transition program at each community college that offers (1) inclusive educational opportunities for students with disabilities in a degree-seeking program; (2) inclusive educational, vocational, and community-based living training opportunities for students with disabilities who are not eligible for acceptance into degree programs; and (3) educational and clinical opportunities for college-level students interested in careers devoted to working with persons with disabilities.*

Such a transition program would address the lack of uniformity of services available across the state, and the lack of a standardized curriculum for 18- to 22-year-old students with more severe disabilities. He reported that there are six potential pilot sites. Bambi Lockman added that Project 10 is involved with this initiative and has one pilot site.

*A motion was passed to send a letter to the Commissioner of Education supporting the Governor's Commission on Disabilities recommendation for an 18- to 22-year-old (student) program in the Florida's State College System.*

*Special Diploma*

1. High School Graduation rate should be modified to include all students graduating with a special diploma.
2. There should only be one type of diploma, and employers or colleges could review transcripts for more information.
3. In Rule 6A.1.09961, F.A.C., *Graduation Requirements for Certain Students with Disabilities*, both options should be offered by every district.

Dr. Vogel referred to *Revisiting Graduation Requirement and Diploma Options for Youth with Disabilities: A National Study* (SAC Member Notebook, Tab 4). Thirty-four states have a diploma without any distinction for students with disabilities.

Michele Love stated that blind students do not have the option of receiving the special diploma.

Bambi Lockman suggested that SAC create a bulleted list of concerns for the special diploma workgroup to review.

Susan Davison stated that her son graduated with a special diploma, but most important to both of them was the fact that he participated in the graduation ceremony with his peers.

Lileana de Moya stated that in order for her son to receive a special diploma, she had to un-enroll him and then re-enroll him after graduation in order for her son to receive services until the age of 22.

*A motion was passed for GED, special diploma, and standard diploma to be included in the graduation rate and for students to participate in the graduation ceremony with their peers.*

Charlotte Temple stated that standards for students with disabilities have been raised, and she would not want them to be lower than they are since students are achieving at higher levels than ever before. She asked, if students with disabilities are issued a standard diploma at age of 18 years, will they lose free appropriate public education (FAPE) until they are 22 years old?

*A motion passed to have FDOE, BEESS staff research current rules in place regarding standard diplomas and their effect on FAPE, with the recommendation that laws in others states be considered.*

Lileana de Moya offered her assistance with this motion.

Judy Miller provided an overview on the history of the special diploma. Students were graduating with a diploma and were unprepared to participate in the workforce.

### *Restraint Seclusion*

Two versions of a Good Samaritan clause were distributed for discussion:

#### Version 1

It is not the intent of this rule to discourage school district personnel from intervening to assist with crisis situations. School district employees who have not received formal training by the school district but are intervening as a "Good Samaritan" to physically restrain a student to prevent potential further harm shall be held harmless from prosecution or disciplinary action under this rule.

#### Version 2

Notwithstanding any language herein to the contrary, a person who uses force to deal with a situation shall not be deemed to be acting in violation of this policy if they acted in good faith and used only that degree of force reasonably necessary to resolve a situation or student behavior in question.

Ann Siegel stated that restraint and seclusion requires a high level of training and can cause injury as manifestation of a disability.

*A motion passed to provide the rule committee with a list of concerns and the recommendation to include a Good Samaritan clause with exemption of disciplinary action for teacher or staff. The concerns included the following:*

- 1. Evaluate the use of prone*
- 2. Define training levels and length of training*
- 3. Expand reporting requirements to include*
  - a. Same day attempt to contact parent*
  - b. Timely report to parent*
  - c. A standardize report to FDOE for collection, analysis, and monitoring.*
- 4. Review seclusion process and monitor, (usually trained personnel with magnetic door). Include students' trauma history.*

*A motion passed for a Reasonable Force Committee to conduct a through and complete examination of the rule and include SAC's comments.*

*Zero Tolerance*

*A motion passed to work with DJJ on Zero Tolerance efforts.*

### **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. Polland closed the meeting by reminding members of reimbursement procedures and to forward to her any materials intended for distribution to the Committee. She thanked the members and officers, especially the co-chairs, as well as BEESS staff, for a very productive meeting.

The meeting was adjourned.

*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  
MEETING REPORT*

*December 3–4, 2009*





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**

**Tallahassee, Florida  
December 3–4, 2009**

**Meeting Report**

***WEDNESDAY, DECEMBER 2***

State Advisory Committee for the Education of Exceptional Students (SAC) Executive Committee, Penny Collins and Joni Harris, along with Lileana de Moya and John Howle, met with Michele Polland, Educational Policy Analyst, BEESS, to review the agenda and materials in preparation for the Committee meeting

***THURSDAY, DECEMBER 3***

The State Advisory Committee met in regular session with the following persons in attendance:

*Members*

(See SAC Membership List 2009, and SAC Designee List, *SAC Member Notebook*, Tab 2.)

Laurie Blades  
Penny Collins  
Susan Davidson  
J. T. Davis  
Lileana de Moya  
Terri Eggers  
Enrique Escallon  
Carin Floyd  
Ranee Gabriel  
Angela Gilbert  
Dr. Rosalind Hall  
Joni Harris  
Johana Hatcher  
John Howle  
Leah Kelly  
Michele Love  
Judy Miller  
Joanne Nelson

Judy Owen  
Ann Siegel  
Tracy Stevens  
Peg Sullivan  
Charlotte Temple  
Bryan Vaughan  
Robyn Walker  
Gayle Solis Zavala

Kirk Hall as designee for Bill Palmer  
René Johnson as designee for Denise Arnold  
D'Lo Trejo as designee for Janice Kane

*FDOE/DPS/BEESS Representatives*

(See BEESS Staff List, *SAC Member Notebook*, Tab 10.)

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, Special Programs Information and Evaluation  
Thomas Garrett, Research Assistant, Administration/Policy  
Dr. Shannon Hall-Mills, Program Specialist, Program Development and Services  
Dr. Kim Komisar, Administrator, Program Administration and Quality Assurance  
Joyce Lubbers, Program Director, Program Development and Services  
Tonya Milton, Program Planner/Analyst, Administration/Policy

*Other*

Jordan Knab, Project 10  
Tim Mason, Governor's Office  
Tom McDowell, Guest

## **Welcome, Overview of Agenda, Introductions, Roles and Responsibilities**

(See Agenda, *SAC Member Notebook*, Tab 1; SAC Way of Work and Ground Rules and Roles and Responsibilities; IDEA State Advisory Panel Requirements; Issues Related to Government in the Sunshine, Public Records, and Code of Ethics; SAC Membership List 2009; SAC Designee List 2009, Tab 2; Annual Performance Report, Tab 8; SAC Business Session Materials, Tab 9; Evaluation Form, Bureau Staff List, Bureau Calendar, List of Acronyms, Tab 10.)

Joni Harris and Penny Collins, SAC Co-Chairs, opened the regular meeting by welcoming members and providing the opportunity for brief self-introductions. Joni Harris provided an update on the recent changes in the SAC membership. Penny Collins reviewed the Role and Responsibilities and the Way of Work.

Michele Polland thanked the committee members for attending. She reviewed the agenda and correlated each item with resource materials in the *SAC Member Notebook*. Ms. Polland emphasized that, as an advisory board 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. She reminded the members of the draft *Florida's Annual Performance Report* (APR) they received via e-mail, which is also in the *SAC Member Notebook*, and that Karen Denbroeder will refer to it in her presentation. She also encouraged members to review the June SAC Report in advance of the business meeting.

Ms. Polland noted items for consideration in anticipation of the Committee business session and discussed the process for selecting an official designee. She also discussed the Committee Action Form that should be completed for any item to be considered during the business meeting.

Ms. Polland highlighted the materials provided in the expansion folder, which included the *2009 Databook*; *Governor's Commission on Disabilities: 2009 Governor's Report*; *Disability History and Awareness Guide*; *Technology Resources for Struggling Students with Disabilities*; and *Navigating Your IEP*.

## **Bureau Update**

(See PowerPoint presentation; Proposed Rule 6A-6.05281, F.A.C., *Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Program*; Letter from Education Secretary, Arne Duncan; Letter from the Florida Department of Education in Response to Arne Duncan; Zero-Tolerance Policies—Chapter 2009-053, Laws of Florida; State Performance Plan (SPP) Indicators 1, 2, 13, and 14; Resources for Indicator 13; Project 10 Transition Wheel; Technical Assistance Paper, *National Instructional Materials Accessibility Standard* (NIMAS); Florida's NIMAS Implementation Plan; Transition to Next Generation and Computer-based Tests in Florida; and *SAC Member Notebook*, Tab 3.)

Ms. Lockman began her update themed “Lights, Camera, Action: Leading Change in Challenging Times!” by explaining that her presentation will be continued on Friday, December 4. She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

#### *Financial Resources*

- American Recovery and Reinvestment Act of 2009 (ARRA), IDEA Recovery Funds for Services to Children and Youths with Disabilities Funding and Timelines
- Race to the Top (RTTT)
- Core Standards

#### *Past Reviews Florida and the Nation*

- Percentage of Resident Population identified as Children with Disabilities
- Placement Settings of Students with Disabilities
- Dropout Rate
- Florida’s Participation Rates for Students with Disabilities (National Assessment of Educational Progress [NAEP] 2007)
- NAEP 2007 Grade 8 Mathematics, Florida and the Nation, Average Scale Scores for Students with Disabilities

#### *Script Writers National and State*

- Head Start
- Medicaid Reimbursement and Schools
- H1N1 Influenza
- Florida Flu Information
- Florida Legislative Update
- Governor’s Commission on Disabilities
- Governor’s Task Force on Autism Spectrum Disorders
- District Virtual Instruction Program
- Florida Anti-Bullying Legislation
- Schools & Psychotropic Medication
- Child Abuse: Florida’s Prevention Infrastructure
- 2008–2009 School Immunization Guidelines
- 2009 Legislation
- Zero Tolerance Policies
- SB 1128, Education of Children in Foster Care
- Intent to Terminate School Enrollment
- 2010 Legislative Priorities
- Rule 6A-6.05281, F.A.C., *Education Programs in Department of Juvenile Justice Programs*
- Rule 6A-6.03018, F.A.C., *Specific Learning Disabilities*
- Proposed Rule 6A-6.0527, F.A.C., *Reasonable Force*
- HB 81, *Prevention and Reduction of Seclusion and Restraint on Students with Disabilities in Public Schools*

- Coordinated Early Intervening Services (EIS)—districts are required to set aside 15 percent of IDEA funds for early intervening services if certain criteria related to identification, placement, and suspension and expulsion are met; must track by student those non-disabled children who received these services and whether or not they ultimately were found eligible for special education and related services.

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

- Indicator 13
- State Determination under Section 616
- Local Education Agency (LEA) Determinations
- 2010 LEA Determinations

**Rules Update: Select ESE Rules, Speech and Language Impaired Rules**

(See PowerPoint presentations; Florida Administrative Weekly posting of Select Exceptional Student Education (ESE) Rules; Select ESE Rules Amended on November 11, 2009; Rule 6A-1.0943, F.A.C., *Statewide Assessment for Students with Disabilities*; Rule 6A-6.03012, F.A.C., *Exceptional Student Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services*; Rule 6A-6.030121, F.A.C., *Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services*; SAC Member Notebook, Tab 4.)

Cathy Bishop provided an overview of changes to the select Exceptional Student Education (ESE) Rules posted in the Florida Administrative Weekly. The 10 select rules were approved by the Florida State Board of Education on November 11, 2009.

Ms. Bishop presented the Proposed Rule 6A-1.0943, F.A.C., *Statewide Assessment for Students with Disabilities*, which will be presented to the State Board of Education in March 2010. Some of the changes reflected in the proposed rule are the result of input from the Committee's recommendations in July 2009.

Ms. Bishop concluded her presentation by introducing Shannon Hall-Mills. Dr. Hall-Mills' presentation was entitled "Speech and Language Impairments." She provided a history of the rule revision process. There are two proposed rules: Rule 6A-6.03012, F.A.C., *Exceptional Student Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services*; and Rule 6A-6.030121, F.A.C., *Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services*. Dr. Hall-Mills provided an overview for each rule. The Committee discussed concerns, such as availability of speech therapists, development of online training modules with audio for teachers, and the need for parent resources. Dr. Hall-Mills thanked members for their comments.

## **Sponsored Networking Luncheon**

Meeting participants enjoyed a networking luncheon sponsored by the Florida Council of Administrators of Special Education (CASE).

Ms. Collins informed the committee of a slight change in the agenda. The Secondary Transition presentation by Jordan Knab would be exchanged with the General Supervision presented by Dr. Kim Komisar. Mr. Knab had several flight delays.

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

(See PowerPoint presentation and attachments, *SAC Member Notebook*, Tab 5.)

Karen Denbroeder, Administrator, Special Programs Information and Evaluation, began the presentation by referencing the draft Florida's APR e-mailed to the members in advance and provided in *SAC Member Notebooks* (Tab 5). Ms. Denbroeder asked the Committee their thoughts about resetting targets for Indicator 1; development of the integrated model for Indicators 3, 4, and 5, and raising response rates for Indicator 8. She stressed SAC's important role in providing input on measurements, SPP targets, and criteria for district determinations.

She reviewed the SPP as a six-year plan and the APR as an annual report on progress toward meeting SPP targets; based on these, the U.S. DOE makes state-level determinations, and the FDOE makes district-level determinations. Ms. Denbroeder provided a status report on each of the following indicators, including targets, methods of calculation, changes, comparative data across years, whether or not the target was met, and if there are any upcoming changes:

- Indicator 1: Graduation Rate (target of 40.3 percent, met) – Reporting requirements changed.
- Indicator 2: Dropout Rate (target of 4.0 percent, not met) – No change.
- Indicator 3: Assessment (targets: participation rate, 97 percent, met; proficient in reading, 43 percent, not met; proficient in math, 45 percent, not met) – Encouraging trends in increased proficiency were noted.
- Indicator 4: Suspension/Expulsion (target: 7.5 percent or fewer districts with significant discrepancy, not met) – No change.
- Indicator 5: LRE Ages 6–21 (targets: 58.8 percent removed from regular class less than 21 percent of day, met; 21.3 percent removed for greater than 60 percent of day, met; 2.6 percent served in separate environment, not met) – No changes.
- Indicators 6 and 7: LRE Ages 3–5, Pre-K Performance – Baselines and targets will be SPP in February 2019.

- Indicator 8: Parent Involvement (47 percent preschool, 38 percent K-12, of parents who report schools facilitate parent involvement, not met)

*There was Committee discussion of the parent survey data. Ms. Denbroeder apprised the Committee of the web-based survey status. The paper version will also be available for parents.*

- Indicators 9 and 10: Disproportionate Representation (target: 0 percent of districts, indicator 9, met; indicator 10, not met) – Will have no changes.
- Indicator 15: Noncompliance (target: 100 percent findings of noncompliance corrected within one year of identification, not met)
- Indicator 16: Complaints (target: 100 percent of signed written complaints that are resolved within 60-day timeline or properly extended timeline, met)
- Indicator 17: Due Process Hearing Requests (target: 100 percent of adjudicated due process hearing requests that are adjudicated within the 45-day timeline or properly extended timeline, met)
- Indicator 18: Hearing Requests (target: 58 percent of resolutions that resulted in settlement agreements, met)
- Indicator 19: Mediation (target: 75–85 percent of mediations that resulted in full or partial agreement, not met)

Ms. Denbroeder concluded her presentation by referring to the post school data request by the Committee at the June 2009 meeting (Tab 5).

*The Committee discussed post school outcomes and requested Indicator 14 by district. They also recommended adjusting the target for Indicator 14 based on the vast change in the economy. Mr. Vaughan suggested the American Community Survey as an additional resource online at <http://www.census.gov/acs/www/>.*

### **Florida Alternate Assessment**

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

Ms. Denbroeder provided an update of the Florida Alternate Assessment. She discussed the conceptual model, validity studies, 2009 results, and school grades.

#### *Conceptual Framework*

The access points are content standards that identify what knowledge and skills students should acquire. The performance/achievement levels indicate how much knowledge and skills are expected at various levels of achievement. Performance level descriptions describe knowledge and skills associated with performance on the assessment. The Florida Alternate Assessment has three Status Performance Levels based on total score: emergent, achieved, and commended. Policy level descriptors are global descriptions of student performance that apply to all grades (3–11) and all content (reading, mathematics, writing, and science).

## *Studies*

The purpose of the Teacher Rating Study was to determine if the Florida Alternate Assessment is a reliable instrument. There should be a strong correspondence between teacher ratings and students' performance of the assessment. Teachers were asked to use the performance level descriptions to rate their students based on daily classroom performance. The ratings provided by the teachers were compared to actual student performance on the 2009 assessment. A total of 6883 students were rated. Students from 230 schools across 52 districts participated. The results stated that correlations are moderate, higher rates of agreement were at lowest performance levels, and increased variability were at middle and higher levels.

The purpose of the Video Scoring Study was to evaluate whether scores assigned by teachers administering the assessment are consistent with scoring protocols for the assessment program. This evaluation would determine the validity of the assessment. Feedback will be incorporated into revisions of the administration manual and training provided to teachers. About 60 total videos were submitted (grade 5 mathematics or grade 10 writing). Each video was second scored by two second scorers, with 18 Florida teachers acting as second scorers. The results indicated item correlations existed between teacher and video scorer #1 and between teacher and video scorer #2, and item correlations existed between video scorer #1 and video scorer #2.

The purpose of the *Administration Rating Study* was to validate the three checklists: teacher self-reflection, administrator observation, and Alternate Assessment Coordinators/Trainer observation. Three items per video were observed and then checklists were completed. A debrief occurred after the use of each checklist. Recommendations were made for each checklist, and revisions were made based on recommendations. Teacher self-reflection was included in Administrator Manuals.

The purpose of the *Video Checklist Study* was to evaluate whether the assessment is being administered consistent with test administration protocols, which would determine the administration validity of the assessment. Three items per video were observed and then checklists were completed. A debrief occurred with teachers after the use of each checklist. The checklist will be revised based on feedback.

The purpose of the Test, Re-Test Study is to provide empirical information on whether the test administration model allows access to the items appropriately or whether students who are unable to answer the supported items can actually answer the independent items. Ninety-nine students were retested (49 retook grade 5 math and 50 retook grade 8 reading). The students were from 32 schools across 25 districts. The comparison of item scores in Grade 5 mathematics indicated that 95 percent of students with an original score of 0–2 were unable to correctly answer the supported level items, and 95 percent were unable to correctly answer the independent level items. The comparison of item scores in Grade 8 in reading indicated 95 percent of students with an original score of 0–2 were unable to



correctly answer the supported level items, and 97 percent were unable to correctly answer the independent level items.

Ms. Denbroeder shared results from the 2009 Florida Alternate Assessment. Students taking the Florida Alternate Assessment will be included in the learning gains portion of school grades for 2009–2010. Once the State Board of Education approves the cut-scores, the Florida Alternate Assessment will be a fully approved assessment. Ms. Denbroeder concluded by sharing a sample student report and requesting feedback for revisions. The members provided the following input:

- Include a score by each access point.
- Expand options for students with visual impairments.

### **General Supervision Summary**

(See PowerPoint, *General Supervision Summary*, SAC Notebook, Tab 8.)

Penny Collins explained that Jordan Knab will present tomorrow and Dr. Kim Komisar will present on “General Supervision.”

Dr. Kim Komisar, Administrator, Program Administration and Quality Assurance, presented an overview of general supervision, monitoring, dispute resolution and regulations, rules, and requirements. She began by outlining activities associated with general supervision. She described the features of the general supervision website. The website is also the tool for self-assessment systems, corrective action plans, and student-level correction of noncompliance (without student identifiable information).

Dr. Komisar continued her presentation by discussing monitoring. She outlined the three levels of monitoring: self-assessment, targeted, and onsite. Every district must participate in the self-assessment. Dr. Komisar provided highlights from the self-assessment summary. The most challenging standards ( $\geq 50$  percent of districts identified noncompliance) are as follows:

- Present level statement
- Annual goals
- Indicator 13 (secondary transition)

Dr. Komisar discussed dispute resolution and provided the most common issues for state complaint investigations, corrective actions, and due process hearings. She concluded her presentation with a brief overview of regulations, rules, and requirements.

With reminders from the co-chairs regarding preparation for the next day’s sessions, the meeting was adjourned for the day.

## **FRIDAY, DECEMBER 4**

### **Bureau Update, *continued***

(See PowerPoint presentation; Rule 6A-6.05281, F.A.C., *Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Program*; Letter from Education Secretary, Arne Duncan; Letter from the Florida Department of Education in Response to Arne Duncan; Zero-Tolerance Policies–Chapter 2009-053, Laws of Florida; SPP Indicators 1, 2, 13, and 14; Resources for Indicator 13; Project 10: Transition Wheel; Technical Assistance Paper: *National Instructional Materials Accessibility Stand* (NIMAS); Florida’s NIMAS Implementation Plan; Transition to Next Generation and Computer-based Tests in Florida; SAC Member Notebook, Tab 3.)

Ms. Lockman continued her update themed “Lights, Camera, Action: Leading Change in Challenging Times!” She addressed the following topics (see PowerPoint presentation and related materials for more detailed information):

#### *Supporting Cast*

- Portal to Exceptional Education Resources (PEER)
- Statewide Response to Instruction/Intervention (Rtl)
- Florida’s Positive Behavior Support: Response to Intervention (FLPBS:RTIB)
- National Instructional Materials Accessibility Standards (NIMAS) and Individuals with Disabilities Education Act (IDEA)
- Professional Development Alternatives for Exceptional Student Educators
- Florida Diagnostic and Learning Resources Systems (FDLRS)
- Accommodations and Modifications Project Products

#### *Lights, Camera, Action!*

- 2010 Statewide Assessment Schedule
- FCAT

#### *Critical Acclaim*

- Florida Alternate Assessment
- 2009 Florida Alternate Assessment Participants by Primary Exceptionality

### **Secondary Transition**

(See PowerPoint; *State Advisory Committee ESE SAC Notebook*, Tab 7.)

Jordan Knab, Director, Project 10: Transition Education Network, presented an overview of Project 10 located within the University of South Florida, St. Petersburg. Project 10 has five regional transition representatives and four major initiatives: capacity building, interagency collaboration, implementation of transition legislation and policy, and student development and outcomes.

### *Capacity Building*

- Provide services at the local level through regional representatives.
- Create a needs assessment for each region and share the preliminary results (strengths, needs, and technical assistance).
- Collaborate with other agencies and groups: Florida Developmental Disabilities Council, Inc. (FDDC); Partners in Transition; Family Network on Disabilities (FND); Florida Diagnostic and Learning Resources System (FDLRS); and Vocational Rehabilitation (VR).

### *Interagency Collaboration*

- Project Connect supports district-wide interagency councils that focus on secondary transition.
- Collaborate in related state activities:
  - Health Care Transition Task Force
  - Traumatic Brain Injury/Spinal Cord Injury Transition Committee
  - Florida Developmental Disabilities Council, Inc.
  - Governor's Commission on Disabilities
    - Students Transitioning into the Next Generation Recognizing Alternatives for Youth (STING RAY) – The goals are to develop:
      - a postsecondary curriculum framework that can be tailored to either a two-year or four-year setting with an end goal of substantial, gainful employment and mastery of independent living skills
      - a sustainable and replicable model that can be used anywhere across the state and with any existing postsecondary institution

### *Implementation of Transition Legislation and Policy*

- Communicate with educators on legislation and rules, including definitions
- Disseminate Transition Wheel—an e-mail attachment on issues related to secondary transition targeted to classroom teachers

### *Student Development and Outcomes*

- Provide product review, revision, and update
- Support pilot activities using effective practices
- Hold regional meetings 2009–2010

Mr. Knab provided an overview of the Project 10 website at <http://www.project10.info/>. He demonstrated Art Thread, a website that allows students to create art via computer and is available at <http://project10.artthread.org/>.

## **Public Comment**

The meeting was open to public comment, as scheduled. There was no public comment.

## **SAC Business Meeting**

(See SAC Meeting Report [June 25–26, 2009]; SAC By-laws, Committee Action Form, and Committee Designee Form; *SAC Member Notebook*, Tab 2; and SAC Meeting Evaluation Form, Tab 10.)

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

- Approved the report of the June 25–26, 2009, meeting with minor changes
- Discussed actions from October Meeting
- MOTION: Include roundtable discussion into each agenda
- Recommended brief agency updates in the introduction with materials
- MOTION: Schedule presentations regarding diploma, special diploma, free appropriate public education (FAPE), update on other states, with discussion time

Ms. Lockman suggested that several members from this Committee serve on the Special Diploma Workgroup: Randee Gabriel, Susan Davidson, and Leah Kelly volunteered.

Judy Miller encouraged the members and read an e-mail from a parent.

The committee recommended the next meeting be held in mid-to-late June with a location in or close to an airport.

## **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.

The meeting was adjourned.

*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 (BEES).

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  
Dr. Eric J. Smith, Commissioner

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