

2011 ANNUAL REPORT



State Advisory Committee
for the Education of Exceptional Students

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

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

Email: BRIC@fldoe.org

Telephone: (850) 245-0477

Fax: (850) 245-0987

State Advisory Committee for the Education of Exceptional Students



2011

ANNUAL REPORT

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

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

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

Will Gordillo, Chair, Nominating Subcommittee

Bureau of Exceptional Education and Student Services

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

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State Advisory Committee for the Education of Exceptional Students

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State Advisory Committee for the Education of Exceptional Students

INTRODUCTION

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

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, page 59, and SAC By-laws, page 49.)

Membership

In compliance with IDEA 2004, Florida's State Advisory Committee includes the following representation:

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

The Chief of 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, page 7.)

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 Sections 300.507–300.519 or 300.530–300.534 of Title 34, Code of Federal Regulations (CFR).

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

Meeting Schedule and Major Topics

During 2011, the SAC held meetings on July 28–29, 2011 and December 1–2, 2011. Major presentation/discussion topics during the meetings included Florida's State Performance Plan and Annual Performance Report, state legislation and State Board of Education rules related to exceptional student education, federal and state funding, restraint and seclusion of students with disabilities, graduation requirements, secondary transition programs, assessments, Response to Intervention (RtI), general supervision, monitoring, 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)

Evaluation

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

Members were also given the opportunity to comment on what extent they felt SAC is making a positive difference for students with disabilities. Those who provided comments consistently noted that SAC was contributing significantly to 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 2011 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 (SAC)**

**Membership List
2011**

Name	Representation
Denise Arnold	Other State Agency Serving Children with Disabilities Agency for Persons with Disabilities
Dr. Karen Barber	Local Education Agency – Medium District McKinney-Vento Homeless Assistance Act Santa Rosa County
Roxana Beardall	State Vocational Rehabilitation/Transition Services Florida Department of Education
Laurie Blades	Other State Agency Serving Children with Disabilities Florida Department of Children and Families Children’s Mental Health
Thea Cheeseborough	Parent Leon County
Lileana de Moya	Parent Miami-Dade County
Dr. Jiliann Tamayo De Villiers	Florida Association of Independent Special Education Facilities – Private Schools
Kathy Devlin	District Exceptional Student Education (ESE) Administrator– Large District Sarasota County
Debi Dukes	District ESE Administrator – Small District Union County
Terri Eggers	State Juvenile Justice Agency Florida Department of Juvenile Justice
Hannah Ehrli	Teacher and Parent Orange County

Name	Representation
Carin K. Floyd	Parent Gilchrist County
Will Gordillo	District ESE Administrator – Very Large District Miami-Dade County
Joni J. Harris	Parent Miami-Dade County
Johana Hatcher	State Child Welfare Agency/Foster Care Florida Department of Children and Families
Joyce Hildreth	State Blind Services Agency Florida Department of Education Individual with a disability
John R. Howle	State Adult Corrections Agency Florida Department of Corrections Individual with a disability
Michele Mantell	Parent Flagler County
Pam Minelli	Public Charter Schools and Parent Palm Beach County
Judith Owen	Parent Pinellas County
Frances Perez	Florida’s Parent Training Initiative and Parent Leon County
Kelly Purvis	Other State Agency Serving Children with Disabilities Florida Department of Health, Early Steps Parent Leon County
Calley Ronso	Parent Escambia County
Catherine “Cat” Rudniski	Individual with a disability
Ann Siegel	Other Agency Serving Children with Disabilities Disability Rights Florida
Tracie Snow	Parent and Florida School for the Deaf and the Blind St. Johns County

Name	Representation
Tracy Stevens	Parent Jackson County
Peg Sullivan	Institution of Higher Education Special Education and Related Services Personnel Preparation Programs
Kara Tucker	Individual with a disability
Renee Valletutti	Florida Developmental Disabilities Council, Inc. and Parent Brevard County
Robyn Walker	Parent Volusia County
Joyce Wieland	District ESE Administrator – Very Large Hillsborough County
Bambi J. Lockman, LL.D.	State Education Official (ex officio) Bureau of Exceptional Education and Student Services
Michele Polland	SAC Liaison Bureau of Exceptional Education and Student Services

State Advisory Committee
for the Education of Exceptional Students

*STATE ADVISORY
COMMITTEE
MEETING REPORT*

July 28–29, 2011

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 (SAC)**

**Hotel Duval
Tallahassee, Florida
July 28–29, 2011**

Meeting Report

THURSDAY, JULY 28, 2011

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

Members

(See SAC Membership List 2011, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Karen Barber
Thea Cheeseborough
Lileana de Moya
Kathy Devlin
Will Gordillo
Joni Harris
John Howle
Michele Mantell
Pam Minelli
Judith Owen
Frances Perez
Kelly Purvis
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Peg Sullivan
Kara Tucker
Renee Valletutti
Robyn Walker
Joyce Wieland

Designees

JoAnn Carrin (for Joyce Hildreth)
Kirk Hall (for Roxana Beardall)
Cindy Jones (for Terri Eggers)

FDOE/DPS/BEESS Representatives

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

Bambi J. Lockman, Chief, BEESS (Ex Officio SAC Member)

Michele Polland, Educational Policy Analyst, BEESS (SAC Liaison)

Cathy Bishop, Administrator, Instructional Support Services (ISS), BEESS

Karen Denbroeder, Administrator, Program Accountability, Assessment, and Data Systems (PAADS), BEESS

Patricia Howell, Program Director, Monitoring Systems, BEESS

Sheryl Sandvoss, Program Director, Curriculum/Instructional Support Services, BEESS

Jill Snelson, Program Director, Accountability Systems, BEESS

Judy White, Program Director, Bureau Resource and Information Center (BRIC), BEESS

Anne Bozik, Program Specialist, Compliance, BEESS

Liz Conn, Program Specialist, Compliance, BEESS

Vicki Eddy, Program Specialist, Compliance, BEESS

Karen Hallinan, Program Specialist, Pre-Kindergarten, BEESS

Jennifer Hykes, Program Specialist, Autism Spectrum Disorder (ASD), BEESS

Jennifer Jenkins, Program Specialist, Emotional/Behavior Disability (E/BD), BEESS

Bethany Mathers, Program Specialist, Intellectual Disabilities (InD), BEESS

Kenny Reeves, Program Specialist, BRIC Publications, BEESS

Guests

Kent Carroll

Danielle Roberts-Dahm, Project 10

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

(See *SAC Member Notebook*, Agenda, Tab 1; Individuals with Disabilities Education Act [IDEA] State Advisory Panel Requirements; SAC Way of Work and Ground Rules and Roles and Responsibilities; SAC Membership List 2011; SAC Representation Chart; SAC Designee List 2011; Open Meetings Law, Tab 2; Meeting Report December 6-7, 2010, Committee Action Form, Tab 8.)

Michele Polland opened the meeting by welcoming everyone and providing an overview of the agenda. She stated that CASE is sponsoring breakfast and a networking lunch and she thanked them for doing so.

Ms. Polland drew the member's attention to the SAC meeting notebook provided and reviewed the roles and responsibilities of SAC. She noted that the complete advisory committee list was provided in the notebook and asked for corrections to be made on the list, if required, and also that members tell her the name they preferred on their name tags in the future.

Ms. Polland reviewed the Sunshine Law, noting that all meetings are open to the public and advertised in the *Florida Administrative Weekly* six weeks ahead of the meeting date. She noted that she will distribute any information to the group that other members think everyone should have.

She explained that each member is allowed to select one designee from the constituency they represent to come to meetings and vote in their absence.

Ms. Polland described the package of materials that was distributed to members and noted that recent Due Process Orders were available for review in hard copy during the meeting as well as on the web site.

Ms. Polland asked members to go over the duties of officers to decide if they want to run for office. She asked that those interested in running to please fill out the appropriate form and noted that normally one parent and one Exceptional Student Education (ESE) director serve as co-chairs, and that there is a vice chair and a parliamentarian.

She stated that the Nominating Committee consists of Will Gordillo (Nominating Committee Chair), John Howell, Peg Sullivan, Joni Harris and noted that members of the nominating committee cannot run for office. Kelly Purvis commented that if members are thinking of being chair they should know that there is much support from DOE and she encouraged members to think about it.

Ms. Polland asked that the members suspend the bylaws to allow the immediate past Co-chair, Joni Harris, and the past parliamentarian, John Howell, to conduct the meeting until the elections are held on Friday. A motion to suspend the by-laws was made, seconded, and passed.

Ms. Polland then turned the meeting over to Joni Harris, former Co-chair.

Ms. Harris provided the opportunity for members to introduce themselves. Ms. Harris thanked the members and welcomed BEESS staff in attendance, who she noted “are the wind beneath our wings.”

Bureau Update

(See SAC Member Notebook, PowerPoint presentation; Recommendations for Improved Coordination Between Title 1 and Individuals with Disabilities Education Act (IDEA); National Center and State Collaborative General Supervision Enhancement Grant; Lesson Study; A Guide for Implementation in Florida's Public Schools; IDEA Full Funding; 2011-12 Budget Conference Report Comparison; Appropriations Conference Report Senate Bill 2000; Senate Bill 926-Postsecondary Education memorandum; House Bill 1255: Revision to McKay Scholarship Eligibility Provisions memorandum; Overview and Implementation of House Bill 1329 memorandum; House Bill 7151-Admission of Students with Disabilities in the Florida College System memorandum; HB 7151-Postsecondary Education, Students with Disabilities memorandum; Florida's Virtual Public Education Options; Bureau of Exceptional Education and Student Services organizational chart; Virtual K-12 Public School Programs and Students with Disabilities: Issues and Recommendations; Letter from Melody Musgrove, Director, Office of Special Education Programs [OSEP] to FDOE Commissioner of Education Eric Smith regarding the 2009 Annual Performance Report and revised State Performance Plan; Understanding FCAT 2.0 Reports; What Does “College and Career Ready” mean for Students with Significant Cognitive Disabilities?, Tab 4.)

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

National Prospective, Individuals with Disabilities Education Act (IDEA) and Title I

Shifts in the Law...Alignment of Elementary and Secondary Education Act (ESEA) and IDEA

National Association of State Directors of Special Education’s (NASDSE) position on ESEA

Reauthorization Principles

- Incorporate into ESEA concepts from IDEA that should apply to all students
- Use of Growth Models for Determining Proficiency
- Graduation Rates

Partnership for Assessment of Readiness for College and Careers (PARCC)

- PARCC States
- PARCC’s Vision
- PARCC Timeline
- Partnership for Assessment of Readiness for College and Careers

National Center and State Collaborative (NCSC)

General Supervision Enhancement Grant (GSEG)

National Center and State Collaborative

- Building an assessment system based on research-based understanding
- Assessment Design: Major Goals
- Curriculum & Instruction: Major Goals
- Professional Development: Major Goals
- Evaluation: Major Goals

Budgets

2011-2012 IDEA Funds, Florida’s Award

- Part B Entitlement – \$626,542,928
- Part B Preschool – \$18,135,111

2011 Legislative Session – Funding

- Program Weights and Appropriations Act
- Program weights are used to recognize varying educational program costs
- Base Student Allocation (BSA) – Authority: s. 1011.62(1)(b), Florida Statutes (F.S.)
 - Funding Summary
 - 2011-12 \$3,479.22
 - 2010-11 \$3,623.76
 - 2009-10 \$3,630.62
- ESE Guaranteed Allocation – Authority: s. 1011.62(1)(e), F.S.
 - Provides \$943,167,996 for educational programs and services for exceptional students

- ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation
- Department of Juvenile Justice (DJJ) Supplemental Allocation – Authority: s. 1011.62(10), F.S.
 - The Supplemental Allocation for juvenile justice education programs provides an allocation cost factor of \$903.57 in addition to the BSA and the ESE special education funding, when appropriate
- Safe Schools – Authority: Appropriations Act 1011.62(6), F.S.
 - Provides \$64,456,019 for Safe School activities
- Supplemental Academic Instruction – Authority: s. 1011.62(1)(f), F.S.
 - Provides \$615,924,773 for Supplemental Academic Instruction (SAI)
- Reading Allocation – Authority: s. 1011.62(9), F.S.
 - Provides \$97,673,434 for a K-12 comprehensive, district-wide system of research-based reading instruction
- Instructional Materials Authority: s. 1006.29-1006.43, F.S.
 - An allocation of \$216,918,478 is provided for Instructional Materials including \$209,240,737 for Library Media Materials and \$11,534,110 for the purchase of science lab materials and supplies
- The growth allocation for FTE shall be \$287.48 for FY 2011-2012
 - School districts shall pay for the instruction of public high school students who earn credit toward high school graduation under the dual enrollment program
- Student Transportation – Authority: s. 1011.68, F.S.
 - \$415,449,129 is provided for Student Transportation
- Charter Schools – Authority: s. 1011.61, F.S.
 - Unless otherwise provided in law, no funds are provided for charter school FTE student enrollment for on-line instruction received by students principally in their own homes
 - Charter schools may serve students who are temporarily homebound or receive a portion of their instruction on-line
- Virtual Schools – Authority: s. 1011.61, F.S.
 - School districts may execute an appropriate contract for full-time virtual instruction through K-8 virtual schools that received funds from the Specific Appropriation
 - School districts may expend \$4,800 per student for each student who was enrolled during 2010-2011 and is re-enrolled and eligible during 2011-2012 fiscal year
- Gross State and Local Florida Education and Finance Program (FEFP) – Authority: S 1011.62(11)(a), F.S.
The sum of all the FEFP components is the Gross State and Local FEFP Funding Summary
 - 2011-2012 \$8,473,152,312
 - 2010-2011 \$9,558,343,607
 - 2009-2010 \$8,657,804,123
- Other GR Allocations

2011 Legislative Session – Education Bills Passed

- HB 579 Public Records/Regional Autism Centers
- SB 736 Education Personnel
 - District Evaluation Systems
 - District Evaluation Systems: Evaluation Criteria

- SB 926 Liability/Employers of Developmentally Disabled
- HB 1255 Education Accountability
 - Auditory-oral education programs
 - Adds auditory-oral as a public school choice program
 - Districts may offer choice options, program that develops/relies solely on listening skills for children with implant or assistive hearing device
 - Adds services listening and spoken language specialists provide as a related service
 - Implementation
 - Memo to District Superintendents, ESE Directors, Deaf/Hard of Hearing Contacts
 - Provide technical assistance regarding access to auditory-oral education programs and listen and spoken language as a related service
 - Restraint and seclusion
 - Requires that age, grade, ethnicity, disability be included in database
 - Requires that the type of restraint be reported in terms established by FDOE and provide to districts by October 11, 2011
 - Requires that the FDOE establish standards for documenting, reporting, and monitoring the use of restraint and seclusion
 - Requires amendment to ESE policies and procedures by January 31, 2012
 - Florida Virtual School Access
 - John M. McKay Scholarships for Students with Disabilities Program
 - Digital curriculum
 - Assistive technology devices
 - School grading system
- HB 1329 John M. McKay Scholarship for Students with Disabilities Program
- SB 1546 School Choice
- SB 2144 Medicaid
- SB 2156 Governmental Reorganization
- HB 7151 Postsecondary Education
- HB 7197 Digital Learning
 - Virtual Education Reporting
 - Rules/Regulations/Data Revisions

Proposed Rule Revisions

- Rule 6A-6.0251, Florida Administrative Code (F.A.C.), Occupational/Physical Therapy
- Rule 6A-1.09961, F.A.C., Graduation requirements for certain students with disabilities
 - Deleting old language
 - Proposing new course and credit requirements for greater consistency across state
 - Sustaining Option 2 – with changes
 - Anticipate rule development workshop in the very near future
- Graduation requirements for certain students with disabilities
 - Draft rule public comments workshop August 30, 2011
 - Written comments accepted until September 2, 2011

Ms. Lockman stopped her presentation for the sponsored networking lunch.

Sponsored Networking Lunch

State Waiver of Maintenance of Effort (MOE)

Karen Denbroeder, Administrator, Program Accountability, Assessment, and Data Systems, presented information on State Waiver of Maintenance of Effort, covering the following information:

- Maintenance of effort is about money and is a fairly complicated concept.
- IDEA requires states and LEAs to provide the majority of funds for exceptional education and federal funds are to be used for excess costs.
- Maintenance of effort means maintaining the same amount of expenditures each year; can look at it per child or the total.
- Florida did not meet maintenance of effort in 2009-2010 or 2008-2009, although historically in Florida we have spent 110% of the year before.
- Base student allocation for all students in 2007-2008 was roughly \$4,000 per student and in 2009-2010 was \$3,600, a decrease of 12.8% decline.
- State allotment for special education services declined as well.
- Property taxes decreased so this reduced district funds available.
- The penalty for not meeting MOE is a reduction in federal funds.
- The state can apply for a waiver, the Local Educational Agency (LEA) cannot. We are requesting a waiver for 2009-2010 year based on reduced revenue.
- LEAs can be eligible for an exception/reduce MOE based on specific guidelines.

Members discussed waiver application, expressing concern that it not be used to continue to reduce state spending year after year.

Implementation of Restraint/Seclusion Requirements

(See SAC Member Notebook, PowerPoint presentation; Implementation of Restraint/Seclusion Requirements, Tab 5.)

Jill Snelson and Jennifer Jenkins provided an overview of implementation of section 1003.573, F.S., *Restraint and Seclusion — Students with Disabilities*, including changes to the legislation made during the 2011 session. Their presentation addressed the following:

- Reporting and Data Requirements
- Notification to Parents
- Incident Reporting Requirements
- Accountability Measures
- New Legislation
- Reporting Standards
 - District Level Standards
 - School Level Standards
- Monitoring Standards
 - The presenters noted that some of the district and school level standards may be repetitive as they are still being worked on. They are to be disseminated to districts by October 1, 2011. SAC input was encouraged. Ms. Lockman explained that the committee could make recommendations for the standards during the business meeting.
- School Districts' Policies and Procedures

- New Timelines
- Definitions
- Current data on restraint and seclusion incidents

Discussion of the topic ensued. Members asked for and received clarification regarding the notification of incidents and the incident report as well as details regarding the reporting system. Members asked that data be provided at the next meeting on incidents of restraint and seclusion by ethnicity, gender, and category of disability.

Bureau Update, Part 2

Ms. Lockman then gave the second half of her update, Guiding Light, Part II, which covered the following topics:

Bureau Changes, new unit names

- BEESS – Instructional Support Systems
- BEESS – Program Accountability, Assessment and Data Systems
- BEESS Resource and Information Center (BRIC) – formerly the BEESS Clearinghouse

OSEP 2012 Florida visit

- Critical Elements Analysis Guide (CrEAG)
- State Improvement

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

State of the State, Students with Disabilities

- Successes
- Strategies/Policies Implemented
- Outcomes
- Percent Annual Growth, Students with Disabilities and Selected Disability Programs 2004-2005 through 2010-11
- Least Restrictive Environment, Students with Disabilities, Ages 6-21
- No Child Left Behind (NCLB) Graduation Rate, Students with Disabilities
- Challenges
- FCAT Participation and Performance Students with Disabilities 2007-2008 through 2009-2010 Data

Florida's Common Core State Standards Implementation Timeline

- Florida's Common Core State Standards Implementation Plan for Professional Development
- Lesson Study, A Guide for Implementation in Florida's Public Schools
- Next Generation Standards, Assessment and Accountability Timeline
- Florida's Common Core Resources
- Aligned, High-Quality Assessments

Florida's Graduation Requirements for Mathematics and Science

- Science FCAT 2.0/End of Course (EOC) exam
- End of Course Assessments

Access Courses

- Designed for students with significant cognitive disabilities

- Aligned with grade-level expectations
- Foster high expectations for students

Math and Science Access Courses (available now)

Language Arts and Social Studies Access Courses (available 2011-2012)

Transition to New Courses

- Current exceptional student education academic courses will be phased out as Access Courses become available.
- Elementary ESE courses available for one year
- Middle School ESE courses available for two years
- High School ESE courses available for four years for selected cohort of students

Career and Technical Education (CTE)

- Revision of the ESE CTE Courses underway

CPALMS

- Standards Information System
- All Next Generation Sunshine State Standards
- (Common Core Standards coming soon)
 - Benchmark-specific information
 - Related Courses
 - Related Access Points when applicable
 - FCAT specifications and example items when applicable
 - Remarks/Examples when applicable
 - Exporting and Printing functions

Assessment Update

Changes Coming...

- Increased Writing Criterion (2010-2011)
- Transition to new assessments – FCAT 2.0 and EOCs (2010-11 for FCAT 2.0, 2011-2012 and beyond for EOCs)
- FCAT 2.0 equipercentile link and then standards setting (2010-2011)
- Algebra 1 EOC achievement levels and passing score (2011-2012)
- Possible changes to middle school grades (2011-2012)
- New accountability rules and revisions to school grades system (2011-2012 and beyond)
- Value added methodology (2011-2012)
- Additional EOC's and achievement levels (2012-2013 and beyond)

Possible Changes to Middle School Grades for 2011-2012

Computer-Based Testing Update

Alternate Assessment

Multi-tiered System of Supports (MTSS)

- Collaborative Vision
- Phases of Implementation
 - 2008-2011
 - Florida's Statewide Problem-solving and Response to Instruction/Intervention Implementation Plan (Phase I)
 - 2011-2016
 - Florida's Multi-tier System of Supports Implementation Plan: Response to Intervention (RtI) Phase II
- Lessons Learned from On-site Visits

- Collaborative Lessons Learned across Projects
- Changing Face of Monitoring and Compliance
- Projects
- Next Steps

Resources

- Rtl State Board of Education Rules
 - General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education (Rule 6A-6.0331)
 - Eligibility for Students with Emotional/Behavioral Disabilities (Rule 6A-6.03016)
 - Eligibility for Students with Specific Learning Disabilities (Rule 6A-6.03018)
 - Eligibility for Students with Language Impairments (Rule 6A-6.030121)
- New Releases
 - General Education Interventions Rule TAP
 - PS/Rtl Evaluation Tool Technical Assistance Manual
 - FLPBS: Rtl for Behavior Database Pilot
 - Math and Science Model Lesson Video Series
 - Parent Video
 - Guiding Tools for Instructional Problem Solving (GTIPS)
- GTIPS Contents
 - Guiding Principles: Meeting the Needs of All Students
 - Making Connections: Aligning Practices, Efforts, Commitments, and Initiatives
 - Continuous Improvement: The Problem-Solving Process
 - Team Engagement
 - Special Education Eligibility
 - Initial Collection of Decision-Making Tools
- Currently Available
 - Florida's Rtl Website <http://www.florida-rti.org/>
 - Statewide Projects
 - PS/Rtl Project <http://www.floridarti.usf.edu/>
 - PBS Project <http://flpbs.fmhi.usf.edu/>
 - Florida's SLD Website <http://www.fldoe.org/ese/sldr.asp>
 - The Buzz: BEESS Weekly Memo

Secondary Transition Infrastructure

- BEESS State Education Agency (SEA) Responsibility and Oversight
 - Project 10 District Capacity Building
 - State Secondary Transition Interagency Committee (SSTIC) State Capacity Building
- Indicator 13: Transition Components in the IEP
- Indicator 14: Post-School Outcomes
- Florida's Secondary Transition Initiatives
 - Special Diploma Rule Revision
 - Career and Technical Education/Exceptional Student Education Course Revisions
 - Preparation for Entrepreneurship and Self-Employment
 - Bi-monthly Topical Conference Calls?
- Opportunities and Pathways
- Project 10 CONNECT
 - 36 funded sites, representing 43 districts

- Career Preparation, Experiences, Placement, Supported Employment
- School-Based Enterprises
- Shared Time or Dual Enrollment
- Services for students ages 18-21 and Transition Programs for Students with Intellectual Disabilities

Higher Education Opportunity Act (HEOA)

- Students with Intellectual Disabilities
 - Academic Access
 - Career Development
 - Social Network
 - Self Determination
 - Integration with College Systems and Practices
- University and Community College Programs
- Consortium Objectives

Ms. Lockman asked new SAC Member Catherine Rudniski to discuss her experience as a student with a disability attending USF through the Project 10 program. Ms. Rudniski spoke briefly, noting that Project 10 has come a long way and that she can now take the classes she wants to take. She showed a newsletter she edits and stated that she also works on the Crow's Nest, the University of South Florida (USF) St. Petersburg newsletter.

Ms. Rudniski went on to describe a school-based enterprise the project is doing, selling pottery and candle lights. She described several other activities she is involved in through the project, and highlighted what some of the other students are doing.

Ms. Lockman noted that Ms. Rudniski and the other Project 10 students embody self determination among individuals with disabilities and are wonderful examples of young people demonstrating their abilities.

Ms. Lockman thanked the SAC members for their commitment in helping make things better for students with disabilities.

Wrap Up/Adjourn for Day

Ms. Harris and Ms. Polland reminded members to complete green forms if they had discussion topics for Friday.

FRIDAY, JULY 29, 2011

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

Members

(See SAC Membership List 2011, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Karen Barber
Thea Cheeseborough
Lileana de Moya
Kathy Devlin
Will Gordillo
Joni Harris
John Howle
Michele Mantell
Pam Minelli
Judith Owen
Frances Perez
Kelly Purvis
Calley Ronso
Catherine Rudniski
Ann Siegel
Tracie Snow
Tracy Stevens
Peg Sullivan
Kara Tucker
Renee Valletutti
Robyn Walker
Joyce Wieland

Designees

JoAnn Carrin
Kirk Hall
Cindy Jones

FDOE/DPS/BEES Representatives

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

Bambi J. Lockman
Michele Polland
Cathy Bishop
Sheryl Sandvoss
Judy White

Guests

Kent Carroll
Danielle Roberts-Dahm, Project 10

Acting Chair Joni Harris welcomed members back to the meeting and noted that at 11:00 the group would be accepting public comments.

Success Stories

Judy White, BEESS Program Director, asked the members to provide success stories of individuals with disabilities for publication, posters for various events, etc.

Nomination Report

Will Gordillo reported that the Nominating Committee met and, unless any others were interested, the following slate of officers would be presented for voting:

Co-Chairs: Judy Owen, Joyce Wieland
Vice Chair: Thea Cheeseborough
Parliamentarian: Kara Tucker

The candidates each spoke briefly. Ms. Harris thanked the volunteers and stated that nominations from the floor could be made during the business meeting.

Priorities for Future Meetings

Ms. Pollard asked if there were other topics members wished to discuss at future meetings. Topics mentioned were as follows:

- Common core standards.
- Transition services across districts, innovative ideas.
- Transition for students with significant disabilities, what is and could be available?
- Interested in finding out more about partnerships between districts and career technical training programs.
- How can SAC offer input on work bureau is doing with PARCC and GSEG?
- Accommodations, information and input – vendors don't always remember we need accommodations for the blind.
- Homeless education.
- How is information disseminated to counties, including what postsecondary options are available?
- Race to the Top (RTTT), teacher leader preparation – how will this affect ESE personnel?
- How can faculty from colleges and universities have input into state policy?
- Indicator 8, we have several years of data of number of parents who respond. More data required about how districts can improve parent involvement. There is a number given each district that denotes how well they are doing. We want the information. Drill down results from parent survey.
- Issue of accessibility of virtual classes. What options are? Are there waivers?
- Parent involvement is a concern of Title 1. Each district has a council and we need to have parents of students with disabilities at the table.

- Charter school trend data for students with disabilities, including how long students are staying in charter schools and what are the outcomes for students with disabilities.
- How many ESE students in virtual and are they staying?
- How can we get information out about the McKay Scholarship to parents so they realize you can take a McKay to another public school, not just a private school? CHOICE office website?
- Continue to share data on restraint and seclusion.
- Discuss SAC having more of a role in the state performance report.
- Focus on achievements of students with disabilities. Where is good instruction occurring? How do we make it happen more often?
- Diploma options.

Special Diploma Rule

(See *SAC Member Notebook*, Special Diploma Rule, Tab 7.)

Cathy Bishop and Sheryl Sandvoss presented information on the Special Diploma Rule. They covered the following topics:

- New Access Courses
- Special diploma rule revision process
- Workgroup considerations
- Summary of Changes
 - Outdated terminology replaces
 - GPA requirements
 - Requirements now mirror standard diploma
- Special Diploma Options
- District requirements
- Draft of proposed rule
- Next steps
- Questions and answers

Discussion ensued regarding the name of the special diploma. Ms. Sandvoss and Ms. Bishop explained that the word “special” is not used on the current diploma. The use of the term “alternate diploma” has been discussed. There are seven statutes that would need to be changed if the name of the diploma changes so general counsel has advised to get the rule changed and then work on the language change. Members expressed concern that students not be stigmatized by the terms on the diploma and transcripts and noted that they want to discuss this issue further in the future.

Break

SAC Business Meeting

(See *SAC Member Notebook*, SAC By-Laws, Meeting Report [Draft, December 2010], SAC Committee Action Form, Tab 8.)

Ms. Harris noted that at 11:00 a.m. public comments would be accepted.

Elections

Ms. Harris called for nominations from the floor. There being none she asked for a motion to accept the slate of candidates. The motion was made, seconded, and carried unanimously.

Judy Owen and Joyce Wieland assumed their new roles as Co-chairs. Ms. Harris stayed on for a transition period. Ms. Owen and Ms. Wieland continued the business session in which the Committee took the following actions:

- December 2010, minutes were approved, after noting that two requested items had not been presented to the group, an update on Hospital Homebound and updated data regarding diploma options offered in other states.
- Recommendations for Seclusion and Restraint Standards
 - LEAs must submit a plan on an annual basis to reduce the number of incidents of seclusion and restraint.
 - The Bureau will provide summary data at each meeting, including exceptionality, ethnicity, gender, and duration averages of incidents of restraint and seclusion, by district, if possible.
 - School districts must include parental involvement in the planning of reduction of seclusion and restraint.
 - The minimal information to be included in the initial notice given to parents regarding incidents of restraint or seclusion need to be outlined in the standards and must include whether physical injury or medical attention was needed or recommended.
 - In addition to the required written notice, that up to three attempts be made to contact the parent. These contacts may be face to face, email, telephone, or whatever is most effective in terms of reaching the parent and that the contacts made and attempts, including method of the attempt, be documented.

Public Comment

The floor was opened to public comment. There being none, public comment time was closed.

Action Items, continued:

- Support the work of the special diploma workgroup, but continue to discuss special diploma nomenclature.
- Collaborate with School Choice Office to improve marketing and education efforts on the choice options available to families of children with disabilities and make information on website more friendly and comprehensive.

- A letter of support to Commissioner Winn will be written regarding the calculation of school grades, which should include graduation rates that include students who graduate with special diploma and GED. Letter will come from co chairs.
- The members decided to meet next on December 1, starting in the afternoon and all day on December 2, 2011, and that the meeting after that would take place in May.
- Send a letter of thanks to CASE for providing the meals.

Meeting Topics

The committee discussed the long list of suggested topics for the next meeting and selected special diploma and transition, including postsecondary options for the intellectually disabled, to discuss in December.

Members decided to meet in Tallahassee again in order to have speakers from BEESS available.

Co-chairs Owen and Wieland adjourned the meeting.

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 1–2, 2011

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 (SAC)**

**Hotel Duval
Tallahassee, Florida
December 1–2, 2011**

Meeting Report

THURSDAY, DECEMBER 1, 2011

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

Members

(See SAC Membership List 2011, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Karen Barber

Thea Cheeseborough

Lileana de Moya

Kathy Devlin

Hannah Ehrli

Carin Floyd

Will Gordillo

Joni Harris

Johana Hatcher

John Howle

Cindy Jones

Michele Mantell

Judith Owen

Frances Perez

Ann Siegel

Tracie Snow

Tracy Stevens

Jane Streit

Peg Sullivan

Joyce Wieland

Designees

Kirk Hall (for Roxana Beardall)

Debra Johnson (for Pam Minelli)

Rene Johnson (for Denise Arnold)

FDOE/DPS/BEESS Representatives

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

Cathy Bishop, Interim Chief, BEESS (Ex Officio SAC Member)

Michele Polland, Educational Policy Analyst, BEESS (SAC Liaison)
Karen Denbroeder, Administrator, Program Accountability, Assessment, and Data Systems (PAADS), BEESS
Patricia Howell, Program Director, Monitoring Systems, BEESS
Sheryl Sandvoss, Program Director, Curriculum/Instructional Support Services, BEESS
Jill Snelson, Program Director, Accountability Systems, BEESS
Judy White, Program Director, Bureau Resource and Information Center (BRIC), BEESS
Anne Glass, Program Director, Curriculum/Instructional Support Services, BEESS
Anne Bozik, Program Specialist, Compliance, BEESS
Misty Bradley, Program Specialist, Compliance, BEESS
Anne Gordon, Administrative Secretary
Leanne Grillot, Program Specialist, Visually Impaired, Deaf/Hard-of-Hearing, and Dual Sensory Impaired, BEESS
Rethia Hudson, Program Specialist, BRIC, BEESS
Jenni Jenkins, Program Specialist, Emotional/Behavioral Disabilities, BEESS
Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Bethany Mathers, Program Specialist, Intellectual Disabilities, BEESS
Kenny Reeves, Program Specialist, BRIC Publications, BEESS
Jackie Roumou, Program Specialist, Compliance, BEESS

Guests

Anne Chartrand, Southeast Regional Resource Center (SERRC)

Welcome, Roles and Responsibilities, Sunshine Law, Overview of Agenda/Resources (See *SAC Member Notebook*, Agenda, Tab 1; Individuals with Disabilities Education Act [IDEA] State Advisory Panel Requirements; SAC Way of Work and Ground Rules and Roles and Responsibilities; SAC Membership List 2011; SAC Representation Chart; SAC Designee List 2011; Open Meetings Law, Tab 2; Meeting Report July 27–28, 2011, Committee Action Form, Tab 8.)

Joyce Weiland, co-chair, opened the meeting by welcoming everyone. She introduced new SAC members Cindy Jones from the Florida Department of Juvenile Justice and Jane Streit from Children’s Mental Health Services of the Florida Department of Children and Families. Ms. Weiland then reviewed the day’s agenda.

Judy Owen, co-chair, introduced herself and asked members to do the same. Each member gave a brief self introduction.

Michele Polland presented the co-chairs with their gavels.

Ms. Owen drew the members’ attention to the excerpt from 20 U.S.C. Chapter 33, which is the federal legislation that describes the makeup required for SAC. She then read over the SAC rules and responsibilities and the way of work and ground rules behind Tab 2 in the *SAC Member Notebook*. She noted that the membership list and contact information are also in this section.

Ms. Polland discussed the Florida Sunshine Law, noting that members are not permitted to discuss SAC business with each other outside of a SAC meeting. Ms. Polland noted that a full description of the law is provided in Tab 2 of the *SAC Member Notebook*. She asked

members to update their contact information, as required and informed members that the due process hearing notebook was available.

Bureau Update

(See *SAC Member Notebook*, PowerPoint presentation; *section 1004.55, Florida Statutes [F.S], Related to Public Records* memorandum; *Overview and Implementation of Auditory-Oral Sections of House Bill 1255* memorandum; Technical Assistance Paper, *Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities*; *Overview and Implementation of House Bill 1255, Section 24 Assistive Technology – Amended Memo* memorandum; *2011 Legislation: Funding Model for Exceptional Student Education* memorandum; *Florida Virtual Schools Fulltime Program and Provision of Services to Students with Individual Education Plans* memorandum; *Guidance for New District Virtual Course Offerings* memorandum; *Guidance for Florida Virtual School Acceleration Option for Elementary Students* memorandum; *Calculation Guide for Florida’s Annual Performance Report, 2009–10 and 2010–11 Data*, Tab 3.)

Cathy Bishop, Interim Bureau Chief, provided an update. Ms. Bishop covered the following topics:

- National Level
 - IDEA Part B final regulations are now available
 - Early Intervention Program under Part C of IDEA
- National Assessment of Educational Progress (NAEP)
 - NAEP is the nation’s report card
 - Highlights of Florida’s progress
- Elementary and Secondary Education Act (ESEA) Flexibility Waiver
 - Timeline
 - Major principles
 - Florida’s proposals
- 2012 IDEA budget
- Florida legislation 2012
 - State Board of Education priorities
 - Bills of interest
- 2011 legislative implementation
- LEA determinations
- Florida’s determination
- Monitoring
- Dispute resolution
- Curriculum, instruction, and assessment
 - Databook Administrators’ Management Meeting (AMM) 2011
- End-of-Course Assessments and Waiver
- Postsecondary Education Readiness Test (PERT)
 - Accommodations for PERT
- Multi-tiered system of supports (MTSS)/lesson study
- Student Services
 - New high school graduation brochure
 - Military Compact

- Foster care
- *Child Abuse Prevention Sourcebook*
- *Section 504 Guide*
- State Board of Education Rules
 - Rule development
- Project updates
- FDOE technology updates
 - Social media
- Disability History and Awareness Weeks

Karen Denbroeder, Administrator, covered the following topics:

- Partnership for Assessment of Readiness for College and Careers (PARC)
 - Florida's common core state standards implementation timeline
 - PARC goals
 - Create high-quality assessments
 - All students to be college and career ready
 - Support educators in the classroom
 - Develop technology-based assessments
 - Advance accountability
- Challenges for PARC
- National Center and State collaborative General Supervision Enhancement Grant (NCSC GSEG)
 - Partners, goal, purpose
 - Work group structure
 - New FDOE discretionary project—Access to the Common Core for Exceptional Student Success (ACCESS)
 - ACCESS and Florida Inclusion Network (FIN) partnership
 - Lesson study activities

Special Diploma

(See *SAC Member Notebook*, Rule 6A-1.09961, Florida Administrative Code [F.A.C.], *Graduation Requirements for Certain Students with Disabilities*; PowerPoint presentation; Diploma Options by State Chart; *Revisiting Graduation Requirements and Diploma Option for Youth with Disabilities: A National Study*, Tab 4.)

Sheryl Sandvoss, Program Director, presented information on Graduation Requirements for Certain Students with Disabilities, covering the following topics:

- Changes to Rule 6A-1.09961, F.A.C.
- Special Diploma rule revision process
 - Workgroup met first in October 2008 and again in January 2011 and had representatives from school districts, SAC, parents, Developmental Disabilities Council, Disability Rights Florida, and colleges and universities
- Workgroup considerations
 - Addition of access courses

- Set minimum requirements that will apply across all school districts in the state
- Increase accountability
- Terminology change from “special diploma”
- Summary of changes
 - Outdated terminology has been replaced
 - Addition of Grade Point Average (GPA) requirements
 - Requirements for Special Diploma Option 1 now mirror the requirements for a Standard Diploma
- Special Diploma options
 - Option One shall include course requirements related to academic, employment, and/or independent living skills in accordance with subsection (5) of this rule.
 - Option Two shall include procedures for determining mastery of employment and community competencies in accordance with subsection (6) of this rule.
- District Requirements Subsection (3)
 - Diploma Procedures. Each school board shall offer both options prescribed in subsection (2) of this rule and develop procedures for ensuring that eligible students with disabilities may select and move between the special diploma options and between courses of study leading to a standard diploma or special diploma, as appropriate.
- Special Diploma Public Comments Workshop
 - Held on August 30, 2011
 - Recommendation that students pursuing an Option 2 diploma could be employed “at *or above*” minimum wage
- Review of diploma options by state
 - 46 states reviewed
 - 16 states offer a variety of modified diplomas
 - Occupational, Career, Special, Modified, Differentiated, Alternative
 - 16 states offer a variety of certificates
 - Certificate of Completion, Individual Educational Plan (IEP) Certificate, Certificate of Achievement, Certificate of Attendance
 - 24 states allow “modifications” to the curriculum
 - Variations for a standard diploma:
 - Same standards, reducing the number of credits needed, alternative courses, lowering performance criteria, IEP team can make allowances, granting extensions

Ms. Sandvoss then asked for discussion, and a lively discussion ensued. Members expressed concerns about the term “special diploma” and the stigma students feel when earning a special diploma. Members discussed the information Ms. Sandvoss provided regarding diploma options in other states and noted that several states offer only a standard diploma. They discussed the ramifications of offering only one type of diploma. Ms. Denbroeder noted that often when a state has only one diploma they have different pathways to get there, which may include mastering IEP goals.

Many members thought more information was required before the committee could develop a formal position on the subject, including information on protecting a student's right to services under IDEA until age 22, even if they were to receive a standard diploma. Ms. Sandvoss thanked the committee for their input and noted that the first step is to pass the new rule and then look at changing the terminology used in statute. Ms. Bishop reminded members that Jordan Knabb would speak to them the next day about postsecondary options for students with special diplomas and that very exciting work is being done in this area. Ms. Owen suggested that members complete an action form if they wanted further information and discussion on this topic.

Matrix of Services

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

Anne Glass, Program Director, and Cathy Bishop covered the following topics:

- Description of Matrix
 - Document used to determine the cost factor for selected exceptional education students based on decisions made by the IEP team
- The *Matrix of Services Handbook*:
 - Document that explains how to complete the Matrix of Services
 - Detailed descriptions of domains and levels
 - Examples for each of the domains/levels
 - Questions and answers to assist in understanding the Matrix
 - Glossary with definitions
- History of the Matrix
- House Bill 1255
 - Amended s. 1011.62, F.S., *Funds for operation of schools*, requiring the Department to review and revise descriptions of the services and supports included in the Matrix of Services for exceptional students and implement the revisions before the beginning of the 2012–2013 school year
- Implementation plan
- Proposed changes, most include updating old terminology and examples
 - Special considerations

A request was made that changes to the format be minimized as Dade and some other large districts use an electronic system and major programming changes would be required if significant changes were made to Matrix. It was also noted that inequity exists and the level of subjectivity needs to be addressed. Ms. Bishop stated that this is a known issue and will be addressed in training. Questions were asked about the funding model and Ms. Bishop noted that changes to funding are not in the scope of activities at this time, but could be in the future.

Ms. Wieland brought the members' attention the action forms in Tab 9 of the *SAC Member Notebook*.

Ms. Polland thanked the Council of Administrators of Special Education (CASE) for the food and drink and mentioned that the tote bags and glasses were left over items from AMM 2011.

Ms. Owen adjourned the meeting.

FRIDAY, DECEMBER 2, 2011

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

Members

(See SAC Membership List 2011, SAC Designee List, and SAC Representation Chart, *SAC Member Notebook*, Tab 2.)

Karen Barber

Thea Cheeseborough

Lileana de Moya

Kathy Devlin

Hannah Ehrli

Carin Floyd

Will Gordillo

Joni Harris

Johana Hatcher

John Howle

Cindy Jones

Michele Mantell

Judith Owen

Frances Perez

Ann Siegel

Tracie Snow

Tracy Stevens

Jane Streit

Peg Sullivan

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Designees

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Debra Johnson (for Pam Minelli)

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Patricia Howell, Program Director, Monitoring Systems, BEESS

Sheryl Sandvoss, Program Director, Instructional Support Services, BEESS

Jill Snelson, Program Director, Accountability Systems, BEESS

Judy White, Program Director, Bureau Resource and Information Center (BRIC), BEESS

Misty Bradley, Program Specialist, Compliance, BEESS

Anne Gordon, Administrative Secretary, BEESS

Leanne Grillot, Program Specialist, Visually Impaired, Deaf/Hard-of-Hearing, and Dual Sensory Impaired, BEESS

Rethia Hudson, Program Specialist, BRIC, BEESS
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Zoe Mahoney, Program Specialist, Specific Learning Disabilities, BEESS
Bethany Mathers, Program Specialist, Intellectual Disabilities, BEESS
Jackie Roumou, Program Specialist, Compliance, BEESS

Guests

Anne Chartrand, SERRC

State Performance Plan and Annual Performance Report

(See *SAC Member Notebook*, PowerPoint presentation; *Annual Performance Report (APR)* Comment Form, Tab 6.)

Karen Denbroeder, Administrator, covered the following topics:

- The role of SAC members
 - Provide feedback as critical stakeholders on things you think State needs to think about as we prepare report. We can make adjustments to targets and activities.
- Indicator 1: Graduation Rate
Target for 2009–10 49%, not met, but we have consistently increased rate each year
- Indicator 2: Dropout Rate
Target for 2009–10 3.5%, not met
- Indicator 3: Assessment, targets not met, but moving in the right direction
- Targets for 2010–11
 - Reading Participation Rate: 99%
 - Math Participation Rate: 99%
 - Proficient in reading: 53%
 - Proficient in math: 55%
- Indicator 4: Suspension/Expulsion
 - Data lag one year
 - 4A Target for 2009–10: 0% of districts with significant discrepancy, 14.9%, not met. We are inconsistent here and need some work on this indicator.
 - 4B Target for 2009–10: 0% of districts with significant discrepancy by race or ethnicity and policies, procedures, or practices that contribute to the discrepancy; targets predetermined, we do not set them, not met. Districts with fewer than 10 incidents are removed from the calculation to get a valid statistical analysis.
 - We have put some things in place, cross cultural support. MTSS should help. If RTI/Positive Behavior Support implemented we should see a change.
 - There are consequences to the districts that have disproportionality—they need to use funds to tackle the issue.
- Indicator 5: Least Restrictive Environment (LRE) Ages 6–21
 - Targets for 2010–11
 - Removed from regular class placement less than 21% of the day: 61.8%, met

- Removed from regular class placement for greater than 60% of the day: 18.3%, met
 - Served in separate environment: 2.5%, not met
- Indicator 6: not in reports, deals with preschool LRE, and feds have not supplied information on how to report
- Indicator 7: Prekindergarten (PK) Outcomes
 - Targets for 2010–11
 - Summary Statement 1: percent who were functioning within age expectations in each outcome by the time they turn 6 or exited program
 - Positive social emotional skills: 66%, met
 - Acquisition and use of knowledge and skills: 59.1%, met
 - Use of appropriate behaviors to meet needs: 59.6%, not met
 - Summary Statement 2: percent who were functioning within age expectations in each outcome by the time they turn 6 or exited program
 - Positive social emotional skills: 75.9%, met
 - Acquisition and use of knowledge and skills: 53.0%, met
 - Use of appropriate behaviors to meet needs: 73.4%, met
- Indicator 8: Parent Involvement
 - Target for 2010–11
 - 51% preschool, met
 - 41% K–12, not met
- Indicators 9 and 10: Disproportionate Representation
 - In 2010–11, two districts were found to have disproportionate representation (both for Black Emotional/Behavioral Disability [EBD]) *as a result of inappropriate identification.*
 - Indicator 9: met
 - Indicator 10: not met
- Indicator 11: 60-Day Timeline
 - Target: 100%, not met
- Indicator 13: Secondary Transition
 - Target: 100%
 - Actual data: 89.3%, not met
- Indicator 16: Complaints
 - Target: 100%
- Indicator 17: Due Process Hearing Requests
 - Target 100%, met
- Indicator 18: Hearing Requests
 - Target: 58.5%, not met
- Indicator 19: Mediation Data
 - Target: 75%, not met
- Indicator 15: Correction of noncompliance
 - We did not make target of correcting within one year and have taken steps to correct this.
- State not meeting Maintenance of Effort (MOE)

- There are two requirements, one Local Education Agencies (LEA) and one State Education Agency (SEA). LEAs are required to expend the same amount of State and local funds in current year as in prior year. Auditor General's Office monitors school districts and they make determination for school districts. We have not had to struggle in the past as there was always lots of State and local funds spent on students with disabilities. The economic downturn has changed this.
- At the State level the MOE is not about expenditures, but funding. We were applying the wrong criteria so our Auditor General's report was not accepted at the federal level. OSEP working with us to re-design how we look at State level MOE.

Restraint and Seclusion

(See SAC Member Notebook, PowerPoint presentation; *District and School-Based Restraint and Seclusion Reporting and Documentation Standards*; Incidents of Restraint August Through October 2011; Incidents of Seclusion August Through October 2011; Restraint Incident Report Race/Gender/Duration by District August Through October 2011; Seclusion Incident Report August Through October 2011 Tab 7.)

Jill Snelson, Program Director, covered the following topics:

- Amendment of s. 1003.573, F.S., *Use of restraint and seclusion on students with disabilities*, new requirements
- Incident report must now include
 - The student's age, grade, ethnicity, and disability and a description of the type and method of restraint used
- FDOE must
 - Maintain aggregate data of incidents of manual or physical restraint and seclusion
 - Establish standards for documenting, reporting, and monitoring the use of manual and physical restraint, and occurrences of seclusions.
 - These standards were provided to districts by *October 1, 2011*.
- The districts' policies and procedures must be revised to include
 - Data collection and monitoring
 - Frequency of restraint or seclusion
 - The prone or mechanical restraint that is most used
 - Training programs
 - The district's plan for selecting personnel to be trained
 - The district's plan for reducing the use of seclusion and prone and mechanical restraint
 - Plan must include a goal for reducing the use of restraint and seclusion
 - The revisions to the district's policies and procedures must be submitted to the Bureau of Exceptional Education and Student Services no later than January 31, 2012.

- Exceptional Student Education (ESE) Policies and Procedures (SP&P)
- Amendments from districts due January 31, 2012
- The Legal Requirements section includes each district's
 - Procedures for documenting, reporting, monitoring, and training
 - The district's plan for reducing the use of restraint and seclusion
- SP&P Templates
 - Templates were provided to the districts for their SP&Ps
 - District plan for monitoring use
 - District plan for training personnel
 - District plan for reducing use
- School Plan for Documenting and Reporting
 - Guiding questions were provided to ESE directors regarding the school plan
- Restraint/Seclusion Reporting Website
 - Updated to include check boxes
 - Crisis management training strategy used
 - Type of restraint
 - Indication of activity before restraint
 - Indication of behavioral strategies used to prevent/deescalate the behavior
 - Indication of behavior that warranted the use of restraint
 - Indication of who was at risk of immediate physical harm
 - Indication of what occurred with the student immediately after termination of restraint
 - Indication of student(s) and/or other(s) injuries, visible marks, or medical emergencies
- Technical assistance disseminated to the districts in mid-October
 - Clarification of specific terminology
 - Guidelines for training
 - Documenting and reporting requirements
 - Monitoring requirements
 - Guidance regarding district policies and procedures
- Questions from the field
- Summary Data of Restraint Incidents
 - From August 1, 2011–October 31, 2011, districts reported 2,515 incidents of restraint involving 1,297 students
 - By Gender
 - Male: 85%
 - Female: 15%
 - Average Duration: 12 minutes

Discussion ensued on this complex issue. Members expressed concern that teachers and others are trained properly to use restraint and seclusion as well as on techniques to avoid use of restraint and seclusion.

Sponsored Lunch

Effective Practices in Secondary Transition

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

Jordan Knabb, Director, Project 10 covered the following topics:

- Project 10 mission
 - To assist Florida school districts and relevant stakeholders in building capacity to provide secondary transition services to students with disabilities in order to improve their academic success and post-school outcomes.
- Four major initiatives
 - Capacity Building
 - Interagency Collaboration
 - Transition Legislation & Policy
 - Student Development & Outcomes
- School-based enterprises
- Discovery
 - Intensive assessment for students with significant disabilities
 - Nine districts using the program
- Art Thread
- Transition Legislation and Policy
- Project 10 website overview
 - Over 1 million hits per year
 - Online training, resources, and publications
 - Florida Consortium on Postsecondary Education and Intellectual Disabilities
 - Secondary Transition and Compliance

Break

SAC Business Meeting

(See *SAC Member Notebook*, SAC By-Laws, Meeting Report [Draft, July 2011], SAC Committee Action Form, SAC Designee Form, Letter to CASE, Tab 9.)
Co-chairs Judy Owen and Joyce Wieland called the meeting to order.

Public Comment

The floor was opened to public comment. There being none, public comment time was closed.

Action Items

- The July 28–29, 2011, minutes were approved, after noting a small word change on page 17.
- A discussion of proposed action items and information required for the next meeting resulted in the following being agreed upon:

High School Diploma Options

- BEESS will create a questionnaire and interview the states that have no special diploma to investigate issues such as
 - What happens to students who do and do not graduate?
 - Outcomes for IEP and non-IEP students?
 - What is the impact on IDEA services after graduation?
- Questions will be reviewed by subcommittee of SAC that includes co-chairs and members Hall, Siegel, Devlin, and Snow.

Special Diploma

- Readdress the issue of maintaining Level 1 courses (math, social studies, science) for Special Diploma students previously enrolled in ESE 9–12 core (those students would be standard diploma if able to achieve Level 2 courses.)

Level 1 Courses

- FDOE to gather more information from districts on Level 1 courses to see if SAC should address this issue. Survey of each of the districts. Do they have need for Level 1 courses for students who are not successful in Level 2 courses? Are districts concerned about Level 1 courses being eliminated for students pursuing a standard diploma?

Restraint and Seclusion Benchmarks

- FDOE to provide benchmarks for each district regarding their current progress toward reducing their use of seclusion and restraint.

Indicator 3, Assessments

- FDOE to provide targets and disaggregate students with disabilities by subgroup.

Indicator 4B, Suspension/Expulsion

- Consider heightening accountability for suspensions of students with disabilities by developing a system similar to restraint/seclusion reporting with some built-in internal controls for monitoring.
- FDOE will provide a summary document of these data from LEA profiles.

Emergency Management Curriculum Early Childhood

- Coordinate with Homeland Security on a federal, state, and local level to collect information on existing curriculum to teach emergency preparedness model (linked to Sunshine State Standards) to teach in early childhood classrooms with special attention to Pre-K varying exceptionalities (VE) classrooms. This can be expanded to include other age groups through high school and transition. Hannah Ehrli will bring more information back to SAC. She will look at health standards and other things we already have.
- FDOE will collect from state Educational Opportunity Center (EOC) office information on existing community education programs and contact the

National Early Child Technical Assistance Center to inquire about existing curricula.

Pre-K Programs by District

- FDOE to provide Pre-K environment data for the last two years.

To explore ESE endorsement for General Education teachers

- Hannah Ehrli will look into this at a federal level/gather reports to share, if any.

Next Meeting

The committee voted to meet in Tallahassee at the Hotel Duval for the July 2012 meeting. After discussion it was determined that the meeting would be held on Monday and Tuesday, beginning at 1:00 pm on Monday and that the FDOE would check staff schedules and get possible dates out for email vote in January. July 16–17 and 23–24 are the preferred dates.

Meeting Topics

Ms. Owen noted that the top topics from the last meeting, which were reinforced by the action discussion at the current meeting, were as follows:

- Special Diploma
- Restraint and Seclusion, including data

Co-chairs Owen and Wieland adjourned the meeting.

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

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

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

B. Report:

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

Article IV. Membership:

A. Composition of the SAC:

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

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

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

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

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

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

B. Appointment:

All members shall be appointed by the Commissioner of Education.

C. Term of Membership:

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

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

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

D. Resignation:

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

E. Termination of Membership:

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

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

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

F. Appointments to Fill Vacancies:

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

G. Designees:

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

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

H. Compensation:

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

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

I. Conflict of Interest:

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

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

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

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

Article V. Officers and Staff:

A. Officers:

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

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

B. Term:

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

C. Election of Officers:

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

D. Vacancy:

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

E. Removal from Office:

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

F. Duties of the Officers:

1. Duties of the SAC Co-Chairpersons:

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

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

G. Staff:

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

Article VI. Committees:

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

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

Article VII. Meetings:

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

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

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

Article VIII. Committee Action

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

Article IX. By-Laws:

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

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

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

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

State Advisory Committee
for the Education of Exceptional Students

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

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

Sec. 1412. STATE ELIGIBILITY.

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

(21) STATE ADVISORY PANEL.—

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

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

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

(ii) individuals with disabilities;

(iii) teachers;

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

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

(vi) administrators of programs for children with disabilities;

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

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

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

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

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

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

(D) DUTIES.—The advisory panel shall—

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

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

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

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

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

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Florida Department of Education
Pam Stewart, Commissioner

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