

State Advisory Committee

for the Education of Exceptional Students



FLORIDA DEPARTMENT OF
EDUCATION
fdoe.org

2017

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**

Kara Tucker, co-chair
Enrique Escallon, co-chair
Catherine Rudniski, vice-chair
Sarah Lopez Sequenzia, parliamentarian

Enrique Escallon, chair, Nominating Subcommittee

Bureau of Exceptional Education and Student Services

Monica Verra-Tirado, Ed.D., chief
April Katine, program director and State Advisory Committee liaison

State of Florida
Department of State

2017

State Advisory Committee for the Education of Exceptional Students

TABLE OF CONTENTS

| | |
|--|-----|
| INTRODUCTION..... | 5 |
| STATE ADVISORY COMMITTEE MEMBERSHIP LIST | 8 |
| STATE ADVISORY COMMITTEE MEETING REPORT July 24-25, 2017 | 13 |
| STATE ADVISORY COMMITTEE MEETING REPORT December 4-5, 2017 | 59 |
| STATE ADVISORY COMMITTEE BYLAWS..... | 99 |
| STATE ADVISORY COMMITTEE REQUIREMENTS OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA 2004)..... | 108 |

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

Membership

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

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

The bureau chief of BEESS (or a designee) serves as an ex officio member of the SAC.

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

(See SAC Membership List, page 9.)

Responsibilities

The SAC has the following responsibilities:

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

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

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

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

Meeting Schedule and Major Topics

During 2017, the SAC held meetings on July 24-25 and December 4-5, 2017. Major presentation/discussion topics during the meetings included Charter Schools as they relate to students with disabilities, A Bureau Update on Data Related to Graduation, Restraint and Seclusion and Assessment, reading as it relates to Dyslexia, A Bureau Update on Data Related Restraint and Seclusion. Each meeting provided an opportunity for committee member updates, discussion of unmet needs and coordination of services for children with disabilities, as well as for a committee business session and public input.

(See Meeting Reports.)

Evaluation

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

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

(See Evaluation Summary available from BEESS.)

Annual Report

This annual report represents the organization and work of the SAC during 2017 and includes a list of members, the minutes of all meetings, committee bylaws and federal requirements. For further information, contact any member of the committee or BEESS.

State Advisory Committee

for the Education of Exceptional Students

STATE ADVISORY COMMITTEE MEMBERSHIP LIST

**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
2017**

| Name | Representation |
|-------------------------------------|---|
| Dr. Karen Barber | Local Education Agency – Medium District McKinney-Vento Homeless Assistance Act Santa Rosa County |
| Keith Berry | Parent – Leon County |
| Laurie Blades | Other State Agency Serving Children with Disabilities Substance Abuse Mental Health Program Office |
| Dawn Brook | Parent – Hernando County |
| Jerry Brown | Other State Agency – Department of Corrections |
| Lauren Bustos-Alban | Parent – Miami-Dade County Parent-To-Parent of Miami |
| Thea Cheeseborough | Parent – Leon County |
| James Clark | Person with a Disability |
| Amy Coltharp | State Adult Corrections |
| Hannah Ehrli | Teacher Parent – Orange County |
| Enrique Escallon Co-Chair | Parent – Miami-Dade County |
| Antoine Hickman | District ESE Administrator Very Large District – Broward County |
| Cindy T. Jones | State Juvenile Justice Agency Florida Department of Juvenile Justice |
| Richard La Belle | Family Network on Disabilities |
| Richard Lockenbach | Florida Developmental Disabilities Council |
| Laura Mazyck | School Choice Florida Department of Education |
| Melissa Miller | Parent – Polk County |

| Name | Representation |
|---|---|
| Carol Nett | Parent – Seminole County |
| Carmen Noonan | Parent – Indian River |
| Cassandra Pasley | Florida Department of Health |
| Debra Rains | Private School Representative Parent – Duval County |
| Tom Rankin | Other State Agency Serving Children with Disabilities Agency for Persons with Disabilities |
| Chris Rehmet | Parent – Orange County |
| Tamar Riley | Institute of Higher Education Parent – Miami-Dade County |
| Grace Roberts | Parent – Hillsborough County |
| Terry Roth | District ESE Administrator Medium District- Clay County |
| Lisa Rowland | District ESE Administrator Small District – Gilchrist County |
| Catherine “Cat” Rudniski Vice-Chair | Individual with a disability |
| Cecilia Rueda-Hill | Parent – Brevard County |
| Casey Scott | Parent of a child at a charter school - Leon |
| Sarah Sequenzia-Lopez Parliamentarian | Parent – Orange County |
| Kristin Shuttz | Parent – Citrus County |
| Ann Siegel | Other Agency Serving Children with Disabilities Disability Rights Florida Parent – Broward County |
| Courtney Smith | State Child Welfare Agency/Foster Care Florida Department of Children and Families |
| Tracie Snow | Florida School for the Deaf and the Blind Parent – St. Johns County |
| Laura Sokalski | Parent – Hillsborough County |
| Kimberley Spire-Oh | Learning Disability Association of Florida Parent – Palm Beach County |

| Name | Representation |
|-----------------------------------|---|
| Kara Tucker Co-Chair | Individual with a disability |
| Monica Verra-Tirado, Ed.D., Chief | State Education Official (ex officio) Bureau of Exceptional Education and Student Services |
| Kendell Vinot | Central Florida Parent Center Parent – Pasco County |
| Sheila Ward | Division of Vocational Rehabilitation |

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

State Advisory Committee for the Education of Exceptional Students

STATE ADVISORY COMMITTEE MEETING REPORT

July 24-25, 2017

Meeting Report

Monday, July 24, 2017

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

Members

(See SAC Membership List 2017, SAC Designee List and SAC Representation Chart, SAC Member Notebook, Tab 2)

Berry, Keith
Blades, Laurie
Bustos-Alban, Lauren
Clark, James
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Mazyck, Laura
Miller, Lisa
Noonan, Carmen
Pasley, Cassandra
Raines, Debra
Rehmet, Chris
Riley, Tamar
Roberts, Grace
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley
Stevens, Tracy
Tucker, Kara
Verra-Tirado, Monica
Ward, Sheila

Designees

Ardis, Shelley (for Tracie Snow)
Forsyth, Skip (For Karen Barber)
Hickman, Antione (for Sonja Clay)

FDOE/DPS/BEES Representative

Davis, Risa, program specialist
Eliassaint, Kenny

Emerson, David, School Choice office
Freeman, Sean, program specialist
Gaitanis, Victoria, program specialist
Greene, Carla, program specialist
Katine, April, educational program director (SAC Liaison)
Kowalczyk, Aimee, parent services (SAC Liaison)
Metty, Wendy, program specialist
Moore, Beth, senior administrator
Musgrove, Karrie, program specialist
Walsh, Mary, program specialist
Weller-White, Betty, program specialist
Wheeler, David, program specialist
White, Judy, educational program director
Williams, Curtis, educational program director
Willis-Doxsee, Heather, Just Read, Florida!

Guests

Boehme, Cathy, Florida Education Foundation
Elbaum, Batya, Exceptional Student Education (ESE) Parent Survey Project
Everett, Meghan, Florida Inclusion Network, executive director
O'Hara, Cody, The Florida Channel

Welcome and Introductions, Overview of Agenda and Meeting Materials Roles and Responsibilities/Way of Work

Kara Tucker, committee co-chair, welcomed everyone and reviewed the roles and responsibilities

David Wheeler presented on the disproportionality and comprehensive coordinated early intervening services (CCEIS), federal regulations update for SAC

Outline

- Overview of disproportionality regulations
- Coordinated early intervening services (CEIS)
- Significant disproportionality
- Determination of significant disproportionality
- Recommendations for Florida determination methodology
- Questions and feedback
- Implementation timeline

(The following disproportionality material was re-presented later on during the SAC meeting for clarification purposes)

Snapshot of Disproportionality Regulations

- Requires state to establish a standard methodology for determining significant disproportionality.
- Provides flexibility that states may consider in making the determination of significant disproportionality.
- Requires district to identify and address the root causes of significant disproportionality.
- Requires district to address a policy, practice or procedure it identifies as contributing to significant disproportionality.
- Prohibits state or district from developing policies, practices or procedures that violate the Individuals with Disabilities Education Act (IDEA) and Child Find.
- Requires district to use 15 percent of IDEA allocation to address disproportionality.
- Allows CCEIS funds to be used for students not receiving special education and students with disabilities (SWD).

What are CEIS?

- Early intervening services ...
- Services provided to students who are not identified and who need additional academic and behavioral supports to succeed in the general education environment.
- May include professional development and educational and behavioral evaluations, services, and supports.
- CEIS
- Voluntary for students not currently identified in kindergarten through Grade 12 (K-12).
- Districts can use up to 15 percent of IDEA allocation.
- CCEIS
- Mandatory if identified as having significant disproportionality.
- Districts must use 15 percent of IDEA allocation.

What is Significant Disproportionality?

- Disparities in particular outcomes for different racial or ethnic groups.
- The risk (or likelihood) of a particular outcome is significantly greater for one racial or ethnic group when compared to all others.
- Examine disparities in outcome in three broad areas for each racial or ethnic group:
 - Identification of children as SWD.
 - Incidence, duration and type of disciplinary actions.
 - Placement of SWD in a more restrictive setting.
- Determined by comparing risk of a particular outcome in one group to the risk in all other groups (e.g., emotional behavioral disability [EBD] risk for black students to EBD risk for all other students).

How is Significant Disproportionality Measured?

- Risk (risk index) – likelihood of a particular outcome for a specified racial or ethnic group.
- Calculated by dividing the number of students in a specified racial or ethnic group experiencing a particular outcome by all the students in that group.
- Risk ratio – comparison of risk between one racial or ethnic group and risk for all other racial and ethnic groups.
- Calculated by dividing risk for one group by the risk for all other groups combined.
- Risk ratio threshold – state-determined risk ratio over which disproportionality is considered significant.

Risk Ratio Calculation – EBD Identification (Black)

- Numerator = number of black students identified EBD divided by total number of black students (x 100)
 $5,921 \div 628,754 = 0.0094$ (0.94%)
- Denominator = number of all other races identified EBD divided by total number of all other races (x 100)
 $9,281 \div 2,188,070 = 0.0042$ (0.42%)
- Risk ratio
 $0.0094 \div 0.0042 = 2.38$
- Black students are over twice as likely to be identified as students with EBD as all other students.

Disproportionality – State Responsibility

- Collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in:
 - Identification of children with disabilities
 - Placement in particular educational settings.
 - Incidence, duration and type of disciplinary removals from placement, including suspensions and expulsions.
- Establish a standard methodology for determining disproportionality (with input from stakeholders).
- Review and revise policies, practices and procedures.
- Require local educational agencies (LEAs) with significant disproportionality to reserve 15 percent for the provision of CCEIS.

Risk Ratio Comparisons by Outcome and Race or Ethnicity

| Outcomes | Race or Ethnicity |
|--|----------------------------------|
| Identification (<u>total</u> SWD, InD, EBD, SLD, SI, LI, OHI, ASD)* | White |
| In-school suspensions < 10 days | Hispanic/Latino of any race |
| In-school suspensions (ISS) > 10 days | Black or African American |
| Out-of-school suspensions (OSS) < 10 days | Asian |
| Out-of-school suspensions > 10 days | American Indian or Alaska Native |
| Total disciplinary removals | Native Hawaiian/Pacific Islander |
| SWD inside regular class < 40% of the day | Two or more races |
| SWD in separate schools or facilities | |

*InD – intellectual disability, SLD – specific learning disability, SI/LI – speech impairment/language impairment, OHI – other health impairment and ASD – autism spectrum disorder.

- Reviewed Trends in Number of Disciplinary Incidents – Black
 - 2010 – 128,881 incidents
 - 2017 – 72,951 incidents
- The following data were reviewed:
 - Trend in Discipline Risk Ratios for Black Students
 - Trends in Number of Students Identified EBD
 - Trend in EBD Risk Ratio for Black Students

State-Determined Standard Methodology for Determining Significant Disproportionality

- Reasonable risk ratio threshold (3.0)
- Reasonable minimum cell size – risk for group (numerator in the risk ratio calculation)
- Cannot be greater than 10
- Reasonable minimum N-size – risk for all other groups (denominator in the risk ratio calculation)
- Cannot be greater than 30
- Flexibility – Multiple years (up to three)
- Flexibility – Reasonable progress (amount must be specified)

Bureau Recommendations

- Set risk ratio threshold at **3.0**
- Set cell size (number in subgroup) at **10** for discipline and **5** for identification
- Set N size at 30 (number in all other groups)

- Limit determination of significant disproportionality to districts that exceed risk ratio threshold for three consecutive years, and
- Failed to make reasonable progress in lowering risk/risk ratio/alternate risk ratio by 0.10 in each of the two previous years

Number of Districts Identified

| Outcome | Current | Proposed Without Flexibility | Proposed With Three Years | Proposed With Three Years and Reasonable Progress |
|-----------------------------|---------|------------------------------|---------------------------|---|
| EBD Identification | 3 | 8 | 6 | 5 |
| InD Identification | 1 | 6 | 2 | 2 |
| ISS > 10 days | 5 | 8 | 4 | 4 |
| OSS > 10 days | 5 | 20 | 10 | 10 |
| ISS < 10 days | N/A | 1 | 0 | 0 |
| OSS < 10 days | N/A | 3 | 0 | 0 |
| Total Disciplinary Removals | N/A | 15 | 6 | 4 |

SAC was Asked for Feedback on Recommendations for Determining Significant Disproportionality

- Should the risk ratio threshold be **3.0**?
- Should the cell size be **10**?
- Should the N size be **30**?
- Should the state educational agency (SEA) limit determination to districts that exceed risk ratio threshold for **three** consecutive years?
- Should the SEA limit determination to districts that fail to make reasonable progress in lowering risk in each of the two previous years?

Implementation Timeline

- Regulations are effective July 1, 2018, affecting the fiscal year (FY) 2018-19 grant.
- Data used to determine significant disproportionality will be based on the current year's (2016-17) data.
- State may delay inclusion of children aged 3-5 in CEIS until July, 1, 2020.

Tasks Ahead

- Obtain stakeholder input:
 - SAC

- Public hearings
- LEAs
- Maintain communication with LEAs.
- Determine and communicate final policy to all stake holders by December 2017.
- Review and revise system for oversight of LEAs.
- Continue to provide support to LEAs from FDOE personnel and State projects.

Discretionary Projects that Support CEIS

- Florida Positive Behavior Support Project, <http://flpbs.fmhi.usf.edu>
- Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET), <http://sednetfl.info>
- Florida Problem-Solving/Response to Intervention Project (PS/Rtl), <http://www.floridarti.usf.edu>
- Florida Inclusion Network (FIN), www.floridainclusionnetwork.com/
- Florida Diagnostic Learning Resource System (FDLRS), <http://www.fdlrs.org>
- Institute for Small and Rural Districts (ISRD), <http://isrd.nefec.org>

Monica Verra-Tirado Reviewed the 2017 Legislative Review Book with the Committee.

Florida’s K12 Scholarship Programs for Exceptional Students Presented by Laura Mayzck, School Choice Office.

Florida School Choice Options

- Open enrollment
- Magnet schools
- Charter schools
- Virtual education
- Home education
- Private schools
- Opportunity Scholarship program
- Florida Tax Credit Scholarship program
- McKay Scholarship program
- Gardiner Scholarship program

McKay Scholarship Program

- McKay history and statistics
 - 2016-17 nearly 40,000 intents
 - Over 30,000 students attended over 1,400 private schools
- McKay funding
 - Amount depends on services the student is currently receiving, the originating district and the grade level

- The average amount for a scholarship in 2016-17 was approximately \$8,000 for students with an individual educational plan (IEP), and \$4,500 for students with a Section 504 plan
- Eligibility Considerations
 - Foster Student Waiver
 - Beginning with the 2016-17 school year, for a foster child, the prior year attendance and currently enrolled requirements can be waived.

| Public Option | Private Option |
|--|--|
| Contact district to discuss placement | No need to file a new intent each year |
| Transportation may be available | Continue until graduation or age 22 |
| Remain eligible until graduation or age 22 | Returning to public school enrollment forfeits scholarship |

- Scholarship Payments
 - Issued four times a year (September 1, November 1, February 1, April 1)
 - In the name of the parent, delivered to the school
 - Parent goes to the school and signs the check over to the school

These deadlines are set by statute and cannot be changed.

For the 2017-18 school year ...

Important Deadlines

| | | | | |
|---|-------------------|------------------|------------------|-------------------|
| If you file intent by: | July 3 | Sept. 2 | Dec. 3 | Jan. 31 |
| Your child must be enrolled by: | Aug. 2 | Oct. 2 | Jan. 2 | March 2 |
| For the school to receive payment on: | Sept. 1 | Nov. 1 | Feb. 1 | April 1 |
| Payment period: | July 1 – Sept. 30 | Oct. 1 – Dec. 31 | Jan. 1 – Feb. 28 | March 1 - June 30 |
| Maximum scholarship amount for the rest of the school year: | 100% | 75% | 50% | 25% |

A 2017-18 intent will expire if not used by April 30, 2018. A new intent may be filed for the following year.

Virtual School

- McKay students are allowed to complete up to two virtual school courses per year
- Completion of more than two courses forfeits scholarship

Gardiner Scholarship

- Provides the option for a parent to design a program to meet the need of the individual educational needs of the child
- Creates savings accounts from which approved educational expenses may be funded

History and Funding

- Created in 2014 as Personal Learning Scholarship Program, section 1002.385, Florida Statutes (F.S.)
- Approximately 8,000 student accounts funded in 2016-17
- Funded by legislative appropriation

Gardiner Eligibility

- Resident of Florida
- Eligible to enroll in kindergarten through Grade 12
- Has a disability
 - ASD
 - Cerebral palsy
 - Down syndrome
 - Intellectual disability
 - Prader-Willi syndrome
 - Spina bifida
 - Williams syndrome
 - High-risk child
- Disabilities added by 2017 Legislature in House Bill 15 (HB 15)
 - Rare disease (affecting fewer than 200,000 in the United States)
 - Anaphylaxis
 - Deaf
 - Visually impaired
 - Dual sensory impaired
 - Traumatic brain injured
 - Hospitalized or homebound with medically diagnosed condition for more than six months

Gardiner Administration

- Scholarship accounts are administered by approved Scholarship Funding Organizations.
- For 2017-18
 - Step Up for Students
 - AAA Scholarship Foundation
- Applications are accepted on a first-come, first-served basis.

Gardiner School Choice

- Parents choose how students will meet compulsory attendance requirement.
Gardiner students
 - May enroll in private school
 - May be in a registered home education program
 - May not be enrolled in public school
 - May not participate in another scholarship program
 - May not participate in voluntary prekindergarten (PreK)

Gardiner Expenditures

- Funds may be used for approved expenditures
 - Digital devices and assistive technology
 - Curriculum
 - Specialized services by approved provider (may include)
 - Applied behavior analysis
 - Speech or language therapy
 - Occupational therapy
 - Physical therapy
 - Tuition in eligible private school or post-secondary institution
 - Fees for nationally standardized, norm-referenced tests, AP examinations, industry certification exams
 - Contributions to Stanley G. Tate Prepaid College Program
 - Contracted services provided by public school or district
- Eligible providers added by 2017 Legislature in HB15
 - Florida hospital
 - Member of Professional Association of Therapeutic Horsemanship
 - Therapist certified by Board for Music Therapists
 - Therapist credentialed by Art Therapy Credentials Board

Responsibilities and Considerations

- School districts and scholarship students
- Scholarship students placed by their parents in private school programs have those rights under IDEA that apply to other parentally placed students.
- Gardiner Scholarship students in home education programs may not receive services from districts that are reported for Florida Education Finance Program (FEFP) funding.

Gardiner Parent Responsibilities

- Determine appropriate placement
- Obtain services necessary to educate the student
- Establish financial terms directly with providers
- Arrange for any expenses in excess of the Gardiner amount

Private Schools

- Over 300,000 students enrolled in over 2,200 private schools
- Schools register with FDOE and submit Annual Survey
- FDOE maintains database of information submitted by private schools

Charter Schools and ESE, Presented by Adam Emerson

Historical Growth

In 1996-97, there were five schools and in 2015-16, there were 652. The rise in schools over the years has steadily corresponded with the rise in the number of students.

History of Application Approval Rate

In 2006, ~75 applications were submitted; the approval rate was 54.2%.

In 2015, ~130 applications were submitted; the approval rate was 40.6%.

Diversity

| | Charter | Traditional |
|---------------------------|---------|-------------|
| Free and Reduced Lunch | 49.1% | 61.5% |
| English Language Learners | 9.3% | 10.1% |
| SWD | 9.4% | 14% |

Proficiency (ESE) on Florida Standards Assessment (FSA)

| | Charter | Traditional |
|------------------------------|---------|-------------|
| English Language Arts | | |
| Elementary | 26% | 21% |
| Middle | 23% | 16% |
| High | 21% | 16% |
| Math | | |
| Elementary | 32% | 30% |
| Middle | 28% | 20% |
| High | 19% | 17% |

Florida Charter School Law

Section 1002.33(10)(f), F.S.

Students with disabilities and students served in English for Speakers of Other Languages programs shall have an equal opportunity of being selected for enrollment in a charter school.

Florida Charter School Law

Section 1002.33(16)(a)(3), F.S.

A charter school shall operate in accordance with its charter and shall be exempt from all statutes in chapters 1000-1013. However, a charter school shall be in compliance with the following statutes in chapters 1000-1013:

...

3. Those statutes pertaining to the provision of services to students with disabilities.

SEA Responsibilities

- Role of the Charter Schools Office
 - Administers the federal Charter Schools Program grant
 - Appoints members to the Charter School Appeals Commission
 - Determines if a charter school is in a state of financial emergency and facilitates corrective action
 - Provides training and technical assistance to charter schools
 - Mediates disputes related to contracts between charter schools and their sponsors
 - Helps develop rules that implement provision in the charter school law
- Role of BEESS
 - Monitors statewide LEA compliance with federal and state requirements
 - Provides training to school staff and district administrators
 - Gives districts information on state and federal laws regarding the education of exceptional students
 - Disseminates other technical assistance as needed

LEA Responsibilities

- Role of the LEA
 - Approves or denies charter application and negotiates charter contract
 - Ensures that the charter is compliant with contract, and with applicable state or federal law
 - Ensures a free and appropriate public education (FAPE) for all ESE students in its jurisdiction
 - Determines ESE eligibility
- Section 1002.33(20)(a)1., F.S.

A sponsor shall provide certain administration and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; ...
- ESE administration services
 - Initial evaluation for ESE placement
 - Professional development related to IEP development
 - Access to any electronic IEP systems or forms

- ESE training
- Appointment of staffing specialist
- Other supports and services as agreed to by the charter school and the district

LEA Responsibilities – IDEA

- Title 20 U.S. Code (U.S.C.), §1413(a)(5)(A)
 (5) ... with respect to charter schools that are public schools of the LEA, the LEA—
 (A) serves children with disabilities attending those charter schools in the same manner as the LEA serves children with disabilities in its other schools, including providing supplementary and related services on site at the charter school to the same extent to which the LEA has a policy or practice of providing such services on the site to its other public schools;
- Title 20 U.S.C. §1413(a)(5)(B)
 (5) ... with respect to charter schools that are public schools of the LEA, the LEA—
 (B) provides funds under this subchapter to those charter schools—
 (i) on the same basis as the LEA provides funds to the LEA’s other public schools, including proportional distribution based on relative enrollment of children with disabilities; and
 (ii) at the same time as the agency distributes other Federal funds to the agency’s other public schools, consistent with the State’s charter school law.

Florida Model Charter School Application

Requires a charter applicant to:

- Provide the school’s projected population of SWD and describe how the projection was made.
- Describe how the school will ensure that SWD will have an equal opportunity of being selected for enrollment in the charter school.
- Describe how the school will work with the sponsor and through the IEP process when necessary to ensure students with disabilities receive a FAPE in the least restrictive environment (LRE).
- Describe the programs, strategies and supports the school will provide, including supplemental supports and services and modifications and accommodations, to ensure the academic success of SWD whose education needs can be met in a regular classroom environment with at least 80 percent of instruction occurring in a class with peers without disabilities.
- Describe how the school will work with the sponsor and through the IEP process to determine whether a SWD whose education needs require a regular classroom and resource room combination (between 40 and 80 percent of instruction occurring with peers without disabilities) can be provided FAPE by the school.

- Describe how the school will work with the sponsor and through the IEP process to determine whether a SWD whose education needs require a separate classroom (less than 40 percent of instruction occurring with peers without disabilities) can be provided FAPE by the school.
- Describe the plans for monitoring and evaluating the progress and success of SWD to ensure the attainment of each student's goals as set forth in the IEP or Section 504 plan, including plans for promoting graduation for SWD (high schools only).
- Identify the staffing plan, based on the above projection, for the school's special education program, including the number and qualifications of staff.
- Describe how the school's overall effectiveness in serving exceptional education students will be evaluated.
- Describe how the school will serve gifted and talented students.

Florida Standard Charter Contract

- "The School ... shall not discriminate against students with disabilities who are served in Exceptional Student Education programs."
- "Students with disabilities will be educated in the least restrictive environment, and will be segregated only if the nature and severity of the disability is such that education in regular classes with the use of supplementary aides and services cannot be achieved satisfactorily."
- "... the School shall not request through the School's application a student's IEP or other information regarding a student's special needs, nor shall the school access such information prior to the enrollment lottery."
- "A representative of the Sponsor shall be invited to participate in all IEP meetings."

How We Train

- Annual Florida Charter School Conference
 - The charter contract
 - IDEA
 - ESE Policies and Procedures (SP&P) for your district
 - Best practices for inclusive education (BPIE) assessment
 - Multitiered system of supports (MTSS) and Rtl
 - Writing quality IEPs
 - FDLRs
- Newly approved charter applicant training
 - Getting to know your district charter liaison
- Specialized topics throughout the year

Contact Information

Adam Emerson, Charter Schools Director
Office of Independent Education and Parental Choice

Adam.Emerson@fldoe.org

850-245-9631

Bureau Chief, Monica Verra-Tirado Presented the Bureau Update

From Preschool to Post-School Outcomes

Preparing Florida's Students to Become College and Career Ready Equity, Access and Attainment

The Emphasis of IDEA 2004

Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

(20 U.S.C. §1400(c)(1))

Moving from Access to Attainment: Statewide Equity and Excellence

Increase number of students graduating college and career ready

- Improve graduation rate
- Decrease dropout rate
- Improve post-school outcome results

Best Practices for Inclusive Education

According to s. 1003.57(1), F.S.:

Once every 3 years, each school district and school shall complete a Best Practices for Inclusive Education (BPIE) assessment with a Florida Inclusion Network facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's exceptional student education policies and procedures.

Definition of LRE

- SWD are educated with their peers without disabilities to the maximum extent possible.
- Removal of students from the regular education environment occurs only when the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Best Practices for Inclusive Education

According to s. 1003.57(1)(a), F.S.:

The school district shall use the term 'inclusion' to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community;

the teachers and administrators support universal education and have knowledge and support available to enable them to effectively teach all children; and a teacher is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student's needs based on current research.

Reviewed Florida's SWD Numbers, Fall 2016

| Disability | Percentage |
|-------------------|-------------------|
| SLD | 37% |
| ASD | 10% |
| OHI | 9% |
| Other | 9% |
| InD | 7% |
| SI | 13% |
| LI | 11% |
| EBD | 4% |

SWD as Percentage of Total Population

- In 2007-08, SWD made up 14.4% of the school population statewide.
- In 2016-17, 13.6% of the school population was SWD.

Regular Class Placement (State Rate)

- In 2009-10, 67.4% of SWD were included in regular class placement 80 percent of the day or more.
- In 2016-17, 73.7% of SWD were included.

Seven Largest States: Percentage of SWD in Regular Class Placement 2015-16

Florida has the highest regular class placement numbers out of the seven largest states at 71.9%.

Graduates with Disabilities

- In 2009-10, 44% of graduates with disabilities received a Standard Diploma.
- In 2015-16, 41% received a Standard Diploma.

- In 2009-10, 17% of graduates with disabilities received a Standard Waiver.
- In 2015-16, 29% received a Standard Waiver.

- In 2009-10, 8% of graduates with disabilities took the Standard ACT/SAT.
- In 2015-16, 8% took the Standard ACT/SAT.

- In 2009-10, 31% of graduates with disabilities received a Special Diploma.
- In 2015-16, 22% received a Special Diploma.

Number of SWD Earning Special Diploma

- In 2010-11, 5,545 of SWD earned a Special Diploma.
- In 2015-16, 4,266 earned a Special Diploma.

Federal Dropout Rate

- In 2011-12, the federal dropout rate was 21.6%.
- In 2015-16, the federal dropout rate was 17.3%.

English Language Arts – FSA Grades 3-10

- In 2017:
 - 55% of SWD were on Achievement Level 1,
 - 20% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

English Language Arts – Grades 3-5

- In 2017:
 - 49% of SWD were on Achievement Level 1,
 - 25% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

English Language Arts – Grades 6-8

- In 2017:
 - 59% of SWD were on Achievement Level 1,
 - 17% were on Achievement Level 3 and Above, and
 - 6% were on Achievement Level 4 and Above.

English Language Arts – Grades 9-10

- In 2017:
 - 61% of SWD were on Achievement Level 1,
 - 17% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 3-8

- In 2017:
 - 51% of SWD were on Achievement Level 1,
 - 28% were on Achievement Level 3 and Above, and
 - 11% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 3-5

- In 2017:
 - 47% of SWD were on Achievement Level 1,
 - 32% were on Achievement Level 3 and Above, and
 - 14% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 6-8

- In 2017:
 - 56% of SWD were on Achievement Level 1,
 - 22% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Mathematics – Algebra 1 EOC

- In 2017:
 - 62% of SWD were on Achievement Level 1,
 - 27% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

Mathematics – Geometry EOC

- In 2017:
 - 62% of SWD were on Achievement Level 1,
 - 21% were on Achievement Level 3 and Above, and
 - 6% were on Achievement Level 4 and Above.

Mathematics – Algebra 2 EOC

- In 2017:
 - 55% of SWD were on Achievement Level 1,
 - 26% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

Science – Grade 5

- In 2017:
 - 51% of SWD were on Achievement Level 1,
 - 23% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Science Combined – Grade 8 (Statewide Science Assessment and Biology 1 EOC)

- In 2017:
 - 54% of SWD were on Achievement Level 1,
 - 18% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

Science – Biology 1 EOC

- In 2017:
 - 32% of SWD were on Achievement Level 1,
 - 31% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Social Studies – Civics EOC

- In 2017:
 - 33% of SWD were on Achievement Level 1,
 - 37% were on Achievement Level 3 and Above, and
 - 14% were on Achievement Level 4 and Above.

Social Studies – U.S. History EOC

- In 2017:
 - 34% of SWD were on Achievement Level 1,
 - 40% were on Achievement Level 3 and Above, and
 - 18% were on Achievement Level 4 and Above.

On July 14, 2017, District Superintendents Received a Memo from the Chancellor’s Office with the Following Information:

“The department has received inquiries about the former school district one percent cap for students with significant cognitive disabilities assessed on the Florida Standards Alternate Assessment (FSAA) and the opportunity to request a waiver. As we transition from No Child Left Behind to the Every Student Succeeds Act, the waiver process to exceed one percent is transitioning from the school district level to the state level. As a result, districts are no longer required to submit waiver requests. As always, to meet the state one percent cap, we will continue to monitor appropriate participation in the alternate assessment. Districts that exceed one percent participation on the FSAA will receive targeted assistance through our multi-tiered system of supports.

The Bureau of Exceptional Education and Student Services will continue to work with all districts to ensure that Individual Education Plan teams have the resources necessary to make informed decisions regarding students appropriately being enrolled in access courses and participating in the alternate assessment.”

Exceptionality of SWD Taking the 2016 FSAA

| Disability | Percentage |
|-------------------|-------------------|
| InD | 59% |
| ASD | 30% |
| OHI | 4% |
| Other | 3% |
| SLD | 2% |
| OI | 1% |

Post-School Outcomes for SWD (Performance)

- In 2008-09:
 - 26.9% of SWD were in higher education,
 - 37.5% were in higher education or competitively employed, and
 - 50.1% were employed or continuing education.
- In 2014-15:
 - 28.5% of SWD were in higher education,
 - 43.2% were in higher education or competitively employed, and
 - 54.9% were employed or continuing education.

Post-School Outcomes for 2014-15 Graduates Fall 2015 Findings

- Of all graduates with a Standard Diploma:
 - 51% were employed, 17% of which were employed full time
 - 62% continued education
- Of the SWD with a Standard Diploma:
 - 43% were employed, 19% of which were employed full time
 - 35% continued education
- Of the graduates with a Special Diploma:
 - 8% were employed, 19% of which were employed full time
 - 3% continued education

LEA Determinations

- Just as states are now receiving determinations that are based on both compliance and performance, Florida began phasing in performance indicators for the 2015 LEA Determinations.
- Letters to superintendents and ESE directors are disseminated around June of each year.

Prior to 2015

- LEA determinations were based on compliance
 - No critical audit findings
 - No disproportionate representation
 - Substantial compliance (at least 95 percent) of:
 - 60-day timeline
 - Part C to Part B
 - Transition IEPs
 - Timely correction of noncompliance
 - Submission of valid, reliable data

2017 LEA Determinations

- Step One: any district required to set aside 15 percent of IDEA, Part B funds for CEIS 2016-17 and 2017-18 will automatically be identified as Needs Intervention;

any district required to set aside 15 percent of IDEA, Part B funds for CEIS for 2017-18 (but not in 2016-17) will automatically be identified as Needs Assistance.

- Step Two: Points are earned based on the compliance and performance criteria listed below. The 2017 point values resulting in the determination categories are:
 - Meets Requirements: 13-17 points
 - Needs Assistance: 8-12 points
 - Needs Intervention: 4-7 points or in Needs Assistance four consecutive years
 - Needs Substantial Intervention: 0-3 points

2017 LEA Determinations (Compliance)

Compliance criteria:

- No critical state financial audit findings related to the education of SWD. Source: Fiscal Year 2016 Auditor Generals Reports
- SPP 9 – No disproportionate representation in special education found to be because of inappropriate identification. Source: Survey 2, 2015-16
- SPP 10 – No disproportionate representation in specific disability categories found to be because of inappropriate identification. Source: Survey 2, 2015-16
- SPP 11 – At least 95 percent of students with parental consent to evaluate were evaluated within 60 days. Source: Web-based data collection, 2015-16
- SPP 12 – At least 95 percent of children referred by Part C prior to age 3 who were found eligible for Part B had an IEP developed and implemented by their third birthday. Source: Survey 5 2015-16 and Survey 2, 2016-17 matched with FLDOH Early Steps 2015-16 data
- SPP 13 – At least 95 percent of transition IEPs found to be compliant with secondary transition IEP requirements. Source: BEEESS Compliance Self-Assessment, 2015-16.
- At least 95 percent of 2014-15 findings of noncompliance corrected within one year and demonstration of correct implementation of related regulation. Source: BEESS tracking systems for desktop monitoring and state complaints via the General Supervision website.
- Submission of valid, reliable, and timely data in all of the following four areas:
 - SPP 5 – at least 95 percent of errors corrected for placement/age errors or fewer than 10 errors at the end of the verification activity (2016-17 data).
 - SPP 11 – timely submission of data (2015-16 data)
 - SPP 12 – timely submission of the district verification file (2015-16 data)
 - CEIS – did not set aside funds for CEIS (required or voluntary), but reported students receiving services in 2015-16, or set aside funds and did not report students being served.

2017 LEA Determinations (Performance)

- Performance Criteria for Graduation and Dropout Districts that meet or exceed the state target and if the district improved from the prior year receive the following points:

- SPP 1 – Federal Uniform Graduation Rate:
 - At or above the state target of 56.3% for 2014-15 (1 point)
 - At or above the state target of 58.3% for 2015-16 (1 point)
 - Improvement from 2014-15 to 2015-16, meeting of 2015-16 state target, or change of less than 1% from 2014-15 to 2015-16 (1 point)
- SPP 2 – Federal Dropout Rate
 - At or below the state target of 15.1% for 2014-15 (1 point)
 - At or below the state target of 13.4% for 2015-16 (1 point)
 - Improvement from 2014-15 to 2015-16, meeting of 2015-16 state target, or change of less than 1% from 2014-15 to 2015-16 (1 point)
- Performance Criteria for LRE: Districts that meet, exceed or make improvement toward the state target, with no decrease from the previous year, receive the following points:
 - SPP 5 – LRE
 - At or above the state target of 82% for 2016-17 regular class placement (3/3 points)
 - Within 10% of the 2016-17 state target and any improvement in LRE rate from 2015-16 to 2016-17 (2/3 points)
 - Within 10% of the 2016-17 state target and no decrease greater than 5% from 2015-16 to 2016-17 (1/3 point)

State Targets Increased for the 2017 Determination Performance Criteria

- State targets for:
 - Federal uniform graduation (2015-16): 58.3%
 - Federal uniform graduation (2014-15): 56.3%
 - Dropout (2015-16): 13.4%
 - Dropout (2014-15): 15.1%
 - Regular class placement (2016-17): 82%
 - Regular class placement (2015-16): 79%

For 2017 LEA Determinations

- Districts that Met Requirements: 36
- Districts in Needs Assistance: 33
- Districts in Needs Intervention: 7

Districts that Moved from Needs Assistance in 2016 to Meets Requirements in 2017

- Brevard
- Flagler
- Indian River
- Lafayette

Graduation Rate (2015-16)

Districts that Met Sate Target: 58.3% (44 Districts)

| Very Large Districts | |
|-----------------------------|-------|
| Broward | 58.4% |
| Dade | 68.7% |
| Hillsborough | 58.4% |
| Palm Beach | 68.9% |
| Pinellas | 58.4% |
| Orange | 62.9% |

| Medium/Small Districts | |
|-------------------------------|-------|
| Charlotte | 65.6% |
| Flagler | 58.7% |
| Hendry | 66.7% |
| Indian River | 64.2% |
| Martin | 72% |
| Nassau | 83.7% |
| Sumter | 70.2% |
| Walton | 65.1% |

| Large Districts | |
|------------------------|-------|
| Brevard | 69.8% |
| Collier | 69.8% |
| Osceola | 63.5% |
| Pasco | 60.6% |
| Sarasota | 65.4% |
| Seminole | 68.4% |
| Volusia | 59.8% |

| Small Districts | |
|------------------------|--------|
| Bradford | 69.2% |
| Calhoun | 78.6% |
| Dixie | 87.5% |
| FLVS | 85.2% |
| Franklin | 54.3% |
| FSU | 100.0% |
| Gilchrist | 100.0% |
| Gulf | 73.3% |
| Glades | 75.0% |
| Jefferson | 77.8% |
| Lafayette | 71.4% |
| Lake Wales | 60.0% |
| Levy | 66.7% |
| Madison | 73.3% |
| Suwannee | 69.4% |
| UF | 100.0% |
| Wakulla | 82.5% |

| Medium Districts | |
|-------------------------|-------|
| Clay | 66.4% |
| Leon | 77.1% |
| Okaloosa | 60.7% |
| Santa Rosa | 63.8% |
| St. Lucie | 74.9% |
| St. Johns | 69.3% |

Dropout Rate (2015-16)

Districts that Met State Target: 13.4% (38 Districts)

| Very Large Districts | |
|-----------------------------|-------|
| Broward | 12.5% |
| Orange | 8.9% |

| Large Districts | |
|------------------------|-------|
| Collier | 11.5% |
| Escambia | 4.7% |
| Manatee | 13.3% |
| Osceola | 6.2% |
| Sarasota | 11.7% |
| Seminole | 4.6% |

| Medium Districts | |
|-------------------------|------|
| Bay | 8.5% |
| Clay | 8.1% |
| Leon | 2.8% |
| Santa Rosa | 8.8% |
| St. Johns | 9.2% |
| St. Lucie | 6.6% |

| Medium/Small Districts | |
|-------------------------------|-------|
| Citrus | 13.4% |
| Columbia | 10.7% |
| Highlands | 11.7% |
| Indian River | 5.7% |
| Martin | 5.1% |
| Nassau | 1.0% |

| Small Districts | |
|------------------------|-------|
| Baker | 3.7% |
| Bradford | 0.0% |
| Dixie | 0.0% |
| FAMU | 0.0% |
| FLVS | 3.8% |
| FSDB | 3.6% |
| FSU | 0.0% |
| Gilchrist | 0.0% |
| Gulf | 6.1% |
| Jefferson | 0.0% |
| Levy | 5.0% |
| Liberty | 11.1% |
| Madison | 0.0% |
| Suwannee | 1.8% |
| UF | 0.0% |
| Union | 0.0% |
| Wakulla | 2.8% |
| Wash. Special | 0.0% |

Regular Class Placement (2015-17)

Districts That Met State Target: 82% (17 Districts) (Earned 3 LRE Points)

| Large Districts | |
|------------------------|-------|
| Collier | 85.0% |

| Medium Districts | |
|-------------------------|-------|
| St. Johns | 88.7% |
| Okaloosa | 83.4% |

| Medium/Small Districts | |
|-------------------------------|-------|
| Nassau | 84.4% |

| Small Districts | |
|------------------------|--------|
| Bradford | 89.7% |
| FAMU | 95.0% |
| FAU | 87.0% |
| Flagler | 85.2% |
| FLVS | 96.8% |
| FSU | 95.2% |
| Gilchrist | 88.9% |
| Levy | 82.6% |
| Madison | 87.4% |
| South Tech | 100.0% |
| Suwannee | 83.2% |
| UF | 97.4% |
| Union | 85.7% |

Regular Class Placement (2016-17)

Districts that were within 10% of the 2016-17 state target (72%) and had improvement in the LRE rate from 2015-16 to 2016-17 or no decrease greater than 5% from 2015-16 to 2016-17 (30 districts earned 2 LRE points)

| Very Large Districts | |
|----------------------|-------|
| Brevard | 80.3% |
| Broward | 80.3% |
| Duval | 81.8% |
| Hillsborough | 72.1% |
| Orange | 81.7% |
| Palm Beach | 75.2% |
| Pinellas | 72.9% |

| Medium/Small Districts | |
|------------------------|-------|
| Hendry | 79.8% |
| Monroe | 78.2% |
| Putnam | 76.3% |

| Small Districts | |
|-----------------|-------|
| Calhoun | 80.8% |
| Desoto | 78.7% |
| Hamilton | 80.8% |
| Hardee | 73.3% |
| Holmes | 75.2% |
| Lafayette | 79.2% |
| Okeechobee | 75.0% |
| Taylor | 78.7% |

| Large Districts | |
|-----------------|-------|
| Lake | 74.4% |
| Lee | 76.6% |
| Osceola | 76.1% |
| Pasco | 77.9% |
| Polk | 75.7% |
| Sarasota | 77.8% |
| Seminole | 81.8% |

| Medium Districts | |
|------------------|-------|
| Clay | 80.4% |
| Highlands | 75.4% |
| Indian River | 75.7% |
| Martin | 78.4% |
| Sumter | 76.4% |

Comparison of Compliance Indicators for 2016 to 2017

2016 Part B Results

| Part B Compliance Indicator² | Performance (%) | Full Correction of Findings of Noncompliance Identified in Federal Fiscal Year (FFY) 2013 | Score |
|--|------------------------|--|--------------|
| Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements. | 0 | N/A | 2 |
| Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. | 0 | N/A | 2 |
| Indication 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification. | 0 | N/A | 2 |
| Indicator 11: Timely initial evaluation | 98.1 | Yes | 2 |
| Indicator 12: IEP developed and implemented by third birthday. | 100 | N/A | 2 |
| Indicator 13: Secondary transition | 90.55 | Yes | 2 |
| Timely and Accurate State-Reported Data | 95.24 | | 2 |
| Timely State Complaint Decisions | 100 | | 2 |
| Timely Due Process Hearing Decisions | 100 | | 2 |
| Longstanding Noncompliance | | | 2 |
| Special Conditions | None | | |
| Uncorrected identified noncompliance | None | | |

2017 Part B Results

| Part B Compliance Indicator ² | Performance (%) | Full Correction of Findings of Noncompliance Identified in FFY 2013 | Score |
|--|-----------------|---|-------|
| Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements. | 0 | N/A | 2 |
| Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification. | 0 | N/A | 2 |
| Indication 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification. | 0 | N/A | 2 |
| Indicator 11: Timely initial evaluation | 97.05 | Yes | 2 |
| Indicator 12: IEP developed and implemented by third birthday. | 100 | N/A | 2 |
| Indicator 13: Secondary transition | 90.38 | Yes | 2 |
| Timely and Accurate State-Reported Data | 86.74* | | 1 |
| Timely State Complaint Decisions | 100 | | 2 |
| Timely Due Process Hearing Decisions | 100 | | 2 |
| Longstanding Noncompliance | | | 2 |
| Special Conditions | None | | |
| Uncorrected identified noncompliance | None | | |

*2017 - Timely and Accurate State-Reported Data: 86.74%: Florida reported to the Office of Special Education Programs (OSEP) that it had not established new achievement levels for the alternate assessment. Only students who took the assessment, received a valid score, and were assigned a proficiency level can be counted as participants; therefore, OSEP could not determine whether Florida met its target and points not assigned.

2017 State Determination, Part Two

Performance Matrix

- Percentage of fourth and eighth grade SWD participating in statewide assessments
- Percentage of fourth and eighth grade SWD scoring basic or above on National Assessment of Educational Progress (NAEP)

- Percentage of fourth and eighth grade SWD included in NAEP testing
- Percentage of SWD dropping out
- Percentage of SWD graduating with a regular high school diploma

Comparison of 2016 to 2017 – Part B Results

2016 Part B Results Matrix

Reading Assessment Elements

| Reading Assessment Elements | Performance (%) | Score |
|--|-----------------|-------|
| Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments | 87.36 | 1 |
| Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments | 81.56 | 1 |
| Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 44 | 2 |
| Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 93 | 1 |
| Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 42 | 2 |
| Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 86 | 1 |

Math Assessment Elements

| Reading Assessment Elements | Performance (%) | Score |
|--|-----------------|-------|
| Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments | 88.71* | 1 |
| Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments | 82.08* | 1 |
| Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 66 | 2 |
| Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 91 | 1 |
| Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 29 | 2 |
| Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 89 | 1 |

Exiting Data Elements

| Exiting Data Elements | Performance (%) | Score |
|--|------------------------|--------------|
| Percentage of Children with Disabilities who Dropped Out | 19 | 1 |
| Percentage of Children with Disabilities who Graduated with a Regular High School Diploma ¹ | 60 | 0 |

* Performance of fourth grade and eighth grade students – 2016 SEA Determination assessments were based on the 2015 FAA (2015 last year of FAA, but first year of FSA).

2017 Part B Results Matrix

Reading Assessment Elements

| Reading Assessment Elements | Performance (%) | Score |
|--|-------------------------|--------------|
| Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments | Not Valid and Reliable* | 0 |
| Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments | Not Valid and Reliable* | 0 |
| Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 44 | 2 |
| Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 93 | 1 |
| Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 42 | 2 |
| Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 86 | 1 |

Math Assessment Elements

| Reading Assessment Elements | Performance (%) | Score |
|--|-------------------------|--------------|
| Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments | Not Valid and Reliable* | 0 |
| Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments | Not Valid and Reliable* | 0 |
| Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 66 | 2 |
| Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 91 | 1 |

| | | |
|--|----|---|
| Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress | 29 | 2 |
| Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress | 89 | 1 |

Exiting Data Elements

| Exiting Data Elements | Performance (%) | Score |
|--|-----------------|-------|
| Percentage of Children with Disabilities who Dropped Out | 19 | 1 |
| Percentage of Children with Disabilities who Graduated with a Regular High School Diploma ¹ | 60 | 0 |

*Performance of fourth grade and eighth grade students - Not Valid and Reliable
 "State reported to OSEP that it had not established new achievement levels for the alternate assessment." Because of this, Florida lost points.

(The following disproportionality material was re-presented for clarification purposes)

Disproportionality and CCEIS

Snapshot of Disproportionality Regulations

- Requires state to establish a standard methodology for determining significant disproportionality.
 - Provides flexibility that states may consider in making the determination of significant disproportionality.
- Requires district to identify and address the root causes of significant disproportionality.
- Requires district to address a policy, practice or procedure it identifies as contributing to significant disproportionality.
 - Prohibits state or district from developing policies, practices or procedures that violate IDEA and Child Find.
- Requires district to use 15 percent of IDEA allocation to address disproportionality
 - Allows CCEIS funds to be used for children not receiving special education and children with disabilities.

What are CEIS?

- Early intervening services
 - Services provided to students not identified who need additional academic and behavioral supports to succeed in the general education environment.
 - May include professional development and educational and behavioral evaluations, services, and supports.

- CEIS
 - Voluntary for students not currently identified in kindergarten through Grade 12
 - Districts can use up to 15 percent of IDEA allocation.
- CCEIS
 - Mandatory if identified as having significant disproportionality.
 - Districts must use 15 percent of IDEA allocation.

What is Significant Disproportionality?

- Disparities in particular outcomes for different racial or ethnic groups
 - The risk (or likelihood) of a particular outcome is significantly greater for one racial or ethnic group when compared to all others.
- Examine disparities in outcome in three broad areas for each racial or ethnic group:
 - Identification of children as SWD.
 - Incidence, duration, and type of disciplinary actions.
 - Placement of SWD in a more restrictive setting.
- Determined by comparing risk of a particular outcome in one group to the risk in all other groups (e.g., EBD risk for black students to EBD risk for all other students).

How is Significant Disproportionality Measured?

- Risk (risk index) – likelihood of a particular outcome for a specified racial or ethnic group.
 - Calculated by dividing the number of students in a specified racial or ethnic group experiencing a particular outcome by all the students in that group.
- Risk ratio – comparison of risk between one racial or ethnic group and risk for all other racial and ethnic groups.
 - Calculated by dividing risk for one group by the risk for all other groups combined.
- Risk ratio threshold – state-determined risk ratio over which disproportionality is considered significant.

Risk Ratio Calculation – EBD Identification (Black)

- Numerator = number of black students identified with EBD divided by total number of black students (x 100)

$$5,921 \div 628,754 = 0.0094 \text{ (0.94\%)}$$
- Denominator = number of all other races identified with EBD divided by total number of all other races (x 100)

$$9,281 \div 2,188,070 = 0.0042 \text{ (0.42\%)}$$

- Risk ratio
 $0.0094 \div 0.0042 = 2.38$
- Black students are over twice as likely to be identified as students with EBD as all other students.

Disproportionality – State Responsibility

- Collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in:
 - Identification of SWD
 - Placement in particular educational settings
 - Incidence, duration and type of disciplinary removals from placement, including suspensions and expulsions
- Establish a standard methodology for determining disproportionality (with input from stakeholders).
- Review and revise policies, practices and procedures.
- Require LEAs with significant disproportionality to reserve 15% for the provision of CCEIS.

Risk Ratio Comparisons by Outcome and Race and Ethnicity

| Outcomes | Race and Ethnicity |
|--|----------------------------------|
| Identification (<u>total</u> SWD, InD, EBD, SLD, SI/LI, OHI, ASD) | White |
| ISS < 10 days | Hispanic or Latino of any race |
| ISS > 10 days | Black or African American |
| OSS < 10 days | Asians |
| OSS > 10 days | American Indian or Alaska Native |
| Total Disciplinary Removals | Native Hawaiian/Pacific Islander |
| SWD Inside Regular Class < 40% of the day | Two or more races |
| SWD in Separate Schools or Facilities | |

Trends in Number of Disciplinary Incidents – Black

- In 2010, there were 128,881 removals.
- In 2017, there were 72, 951 removals.

Trends in Number of Students Identified with EBD

- In 2011, 8,459 black students identified with EBD.
- In 2016, 5,921 black students identified with EBD.

Other Trends Reviewed

- Discipline Risk Ratios for Black Students
- EBD Risk Ratio for Black Students

State-Determined Standard Methodology for Determining Significant Disproportionality

- Reasonable risk ratio threshold (3.0)
- Reasonable minimum cell size – risk for group (numerator in the risk ratio calculation)
 - Cannot be greater than 10
- Reasonable minimum N-size – risk for all other groups (denominator in the risk ratio calculation)
 - Cannot be greater than 30
- Flexibility – Multiple years (up to three)
- Flexibility – Reasonable progress (amount must be specified)

Bureau Recommendations

- Set risk ratio threshold at **3.0**
- Set cell size (number in subgroup) at **10** for discipline and **5** for identification
- Set N size at 30 (number in all other groups)
- Limit determination of significant disproportionality to districts that exceed risk ratio threshold for three consecutive years and
- Failed to make reasonable progress in lowering risk/risk ratio/alternate risk ratio by 0.10 in each of the two previous years

Numbers of Districts Identified

| Outcome | Current | Proposed Without Flexibility | Proposed With Three Years | Proposed with Three Years and Reasonable Progress |
|-----------------------------|----------------|-------------------------------------|----------------------------------|--|
| EBD Identification | 3 | 8 | 6 | 5 |
| InD Identification | 1 | 6 | 2 | 2 |
| ISS > 10 days | 5 | 8 | 4 | 4 |
| OSS > 10 days | 5 | 20 | 10 | 10 |
| ISS < 10 days | N/A | 1 | 0 | 0 |
| OSS < 10 days | N/A | 3 | 0 | 0 |
| Total Disciplinary Removals | N/A | 15 | 6 | 4 |

Significant Disproportionality Under Current Measures – Nine Districts

Alachua, Calhoun, DeSoto, Glades, Manatee, Pinellas, Sarasota, St. Johns and Sumter.

Significant Disproportionality Without Flexibility – 35 Districts

Alachua, Brevard, Broward, Calhoun, Duval, Escambia, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hendry, Hernando, Hillsborough, Indian River, Lake, Lee, Levy, Madison, Manatee, Martin, Okaloosa, Orange, Palm Beach, Pinellas, Polk, Sarasota, Seminole, St. Lucie, St. Johns, Sumter, Taylor, Volusia, Walton and Washington.

Significant Disproportionality Using the Three-Year Rule – 20 Districts

Alachua, Broward, Duval, Gadsden, Glades, Hillsborough, Indian River, Lee, Manatee, Martin, Orange, Palm Beach, Pinellas, Sarasota, Seminole, St. Lucie, St. Johns, Sumter, Taylor and Washington.

Significant Disproportionality with Three-Year Rule and Reasonable Progress – 18 Districts

Alachua, Broward, Duval, Gadsden, Hillsborough, Indian River, Lee, Manatee, Martin, Orange, Palm Beach, Pinellas, Seminole, St. Lucie, St. Johns, Sumter, Taylor and Washington.

Stakeholder Input (Poll Everywhere?)

- Should the Risk Ratio Threshold be **3.0**?
- Should the cell size be **10**?
- Should the N size be **30**?
- Should the SEA limit determination to districts that exceed risk ratio threshold for **three** consecutive years?
- Should the SEA limit determination to districts that fail to make reasonable progress in lowering risk in each of the two previous years?

Polling Results

- 1) Should Florida consider reasonable progress when making initial determinations of significant disproportionality?
Yes: 77%
No: 23%
- 2) Should Florida use three consecutive years of data when determining significant disproportionality?
Yes: 63%
No: 38%
- 3) Should the risk ratio denominator be 30 (N size)?
Yes: 90%
No: 10%

- 4) Should the risk ratio numerator be 10 (cell size)?
Yes: 90%
No: 10%
- 5) The risk ratio threshold for discipline should be?
3.0: 5%
2.5: 23%
2.0: 73%
- 6) The risk ratio threshold for identification should be ...
3.0: 25%
2.5: 15%
2.0: 60%
- 7) The risk ratio threshold for placement should be ...
3.0: 38%
2.5: 10%
2.0: 52%
- 8) What should the risk ratio threshold be?
3.0: 48%
2.5: 43%
2.0: 10%
- 9) What should the standard for reasonable progress be?
Reduction of risk ratio by 5% each year: 19%
Reduction of risk ratio by 10% each year: 48%
Reduction of risk ratio by 15% of each year: 33%

Next Steps

Implementation Timeline

- Regulations are effective July 1, 2018, affecting the FY 2018-19 grant.
- Data used to determine significant disproportionality will be based on the current year's (2016-17) data.
- State may delay inclusion of children aged 3-5 in CEIS until July, 1, 2020.

Tasks Ahead

- Obtain stakeholder input.
 - SAC
 - Public hearings
 - LEAs

- Maintain communication with LEAs.
- Determine and communicate final policy to all stake holders by December 2017.
- Review and revise system for oversight of LEAs.
- Continue to provide support to LEAs from FDOE personnel and State projects.

Discretionary Projects that Support CEIS

- Florida Positive Behavior Support Project, <http://flpbs.fmhi.usf.edu>
- SEDNET, <http://sednetfl.info>
- PS/Rtl, <http://www.floridarti.usf.edu>
- FIN, www.floridainclusionnetwork.com/
- FDLRS, <http://www.fdlrs.org>
- ISRD, <http://isrd.nefec.org>

Tuesday, July 25, 2017

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

Members

Berry, Keith
Blades, Laurie
Bustos-Alban, Lauren
Clark, James
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Mazyck, Laura
Miller, Lisa
Noonan, Carmen
Noonan, Patrick
Pasley, Cassandra
Raines, Debra
Rehmet, Chris
Riley, Tamar
Roberts, Grace
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley
Stevens, Tracy
Tucker, Kara
Verra-Tirado, Monica
Ward, Sheila

Designees

Ardis, Shelley (for Tracie Snow)
Forsyth, Skip (for Karen Barber)
Hickman, Antione (for Sonja Clay)

FDOE/DPS/BEESS Representatives

Davis, Risa, program specialist
Gaitanis, Victoria, program specialist
Katine, April, educational program director (SAC liaison)
Kowalczyk, Aimee, parent services (SAC liaison)
Metty, Wendy, program specialist

Moore, Beth, senior administrator
Musgrove, Karrie, program specialist
Weller-White, Betty, program specialist
Wheeler, David, program specialist
White, Judy, educational program director
Williams, Curtis, educational program director
Willis-Doxsee, Heather, Just Read, Florida!

Guests

Boehme, Cathy, Florida Education Foundation
Elbaum, Batya, ESE Parent Survey Project
Everett, Meghan, Florida Inclusion Network, executive director
Petrick, Robin, Florida Inclusion Network, facilitator
Tricquet, Eydie, Florida Diagnostic Learning Resource System, manager

Small Groups Continued to Meet from 10:30 a.m. to 1 p.m.

K-12 Standards Small Group

Karrie Musgrove, Mary Walsh, Tamar Riley, Kimberley Spire-Oh, James Clark, Shelley Ardis, Ann Siegel, Meghan Everett, Heather Willis-Doxsee

A handout was provided related to updates regarding concerns shared last year.

- Topic 1 – ESE paraprofessionals having a lack of training opportunities for working with SWD.
 - A course has been created and is now available. The link was provided on the handout.
 - Memos have gone out through BEESS weekly.
- Topic 2 – Charter Schools Concerns
- Topic 3 – Recognition of ESE Best Practices
 - A BEESS Middle Grades Math Team had been tasked to work with districts in tiers with findings related to Grades 6-8 Math. The team found districts in need and districts with success. The districts that did well partnered with districts in need. One district presented at 2016 AMM Conference.

New Discussions

FIN is interested in utilizing data that identifies districts using best practices that have been selected as mentors and models for districts in need.

Tracking Students Attendance in Charter Schools

- How can we access data about charter schools and their results?
- What are the flows of data collected from and about charter schools?
- How many students are coming back to the district schools from a charter?
- Can look at FEFP or full-time equivalent for counts in districts, schools and charters?

- There is a technical assistance paper (TAP) available about student placement in a private school that could be referenced at the website that has information about various scholarships (<http://info.fldoe.org/docushare/dsweb/Get/Document-4455/k12-07-105memo.pdf>).

Parent Information About the IEP and Private Schools

Language specific to students' and their IEPs when they select to transfer to private schools. Parents do not understand their release of protections of the IEP. Parents need to understand that the rights do not go to the private school placements.

Measurement of Student Performance PreK – Grade 3 (PreK-3)

Updating the SP&P related to MTSS and the Reading Plan to help districts learn how to have programs and tools to ensure students are getting supports they need to ensure success for students as young as possible.

How can schools be more responsive, more quickly, when students in these PreK-3 grade levels are not making progress expected? What is written in their plans? There is monitoring authority over the SP&P and Reading Plans. Which districts have strong plans which could be used as models? Osceola has a good SP&P.

Coming from Just Read, Florida!

What should be included in a dyslexia screener? What IDEA recommends? There are a few areas that are not included on the FLKRS screener, STAR Early Literacy Assessment. Just Read, Florida! will provide information on additional screeners, a decision-making tree based on some outcomes on various screenings; will discuss aligning resources with the focus on PreK-2; and will have more supports and a team focusing on early literacy. District reading contacts will be the audience for calls and trainings.

At the point of decision that the student has a reading deficiency, the school should quickly develop an intervention program. They are looking at how the teachers have the data made available and match students to appropriate interventions. Once a student is screened within the first 30 days of school (via FLKRS and the additional screening instruments) resources will also be shared. Will students be evaluated at other times when they enter kindergarten? Schools would have to contract for additional administrations of the STAR Early Literacy Assessment through the publisher. The Just Read, Florida! website can be found at <http://www.fldoe.org/academics/standards/just-read-fl/resources.stml>.

This past summer there were discussions at sites that had high numbers of Grade 3 reading programs to look at what happened K-2. It was discovered that some schools may not have strong core instructional K-2 programs, which led to the lower outcomes for their students in Grade 3.

The K12 Reading Plan this year included pulling together the reading curriculum director, ESE director, English Language Learners director and others. They are cross-

walking the SP&P, K12 Reading Plan, and the decision-making trees. Also looking at the district and school improvement plans.

The BEESS Strategic Plan team is focusing on putting districts in tiers-based Grades 3 and 6-8 data to provide more intensive supports. The team will explore their capacity, their programs, etc.

With HB 7069, principals will feel more pressures. Are there topics that can be leveraged to help ESE students as well as any others who are scoring at Level 1.

Training Suggestion

Develop some video scenarios of school’s going through the decision-making process related to FLKRS outcomes (case studies) to provide as trainings for teachers, reading coaches, school-based teams, school-based administrators and district-level staff.

BEESS Next Steps

BEESS will identify the district in Tier 3 and send out PS-Rtl teams to go to the districts and do problem-solving activities. Focus questions are asked ahead of time and teams on-site to facilitate the programs.

Green Sheet: Information is being written for proposal at the business meeting to request language be added to the School Choice website(s) that provide parents information about giving up IDEA rights when they remove their child from a public school. It is suggested that there is also a link to the TAP. The green sheet was developed and read aloud to the group.

Transition/Postsecondary Group

- General Discussion
- Reviewed 16-17 progress on strategic plan
- State Secondary Transition Interagency Committee work, e.g., new parent product, extended transition programs document
- Discussed evidence-based practices (there is a need to communicate what is learned at conferences and trainings) (implement deeply)

Post-School Outcomes Discussion

| Positive | Barriers |
|--|--|
| <p>Workforce Implementation Opportunity Act</p> <ul style="list-style-type: none"> • Pre-ETS (employment transition services) • STAR Program <ul style="list-style-type: none"> – 15-21 with disability – IEP or Section 504 plan – Do not have to be VR eligible – Skills, work experience and self-advocacy | <p>Communication with parents and other stakeholders – no trickle down</p> <p>Planning process should be as a family. TIEP is a venue but often misunderstood</p> <p>Academic bias</p> <p>Career and technical education can be hard to get in</p> |

| | |
|--|---|
| <ul style="list-style-type: none"> - Adding postsecondary component <p>Standard diploma for all</p> <p>Improved transition practices (Florida Developmental Disabilities Council)</p> <ul style="list-style-type: none"> • Resources | <p>Counselors overworked, when can planning be done</p> |
| <p>Suggestions</p> <p>Collaborate with parent centers</p> <p>More resources needed</p> <p>Use federal dollars better (Perkins)</p> <p>Investigate use of student led IEPs</p> | |
| <p>Question</p> <p>What can we do for those who have special diploma (perhaps inappropriate) and are now adults?</p> <p>VR will evaluate (but goal is to work, not go asking just for a recent evaluation)</p> <p>GED®</p> | |

Family Engagement and Advocacy SAC Subgroup Minutes

Members in attendance:

- Rich LaBelle
- Keith Berry
- Lauren Bustos-Alban
- Laura Mazyck
- Chris Rehmet
- Terry Roth
- Lisa Rowland

Others in attendance:

- Dr. Batya Elbaum
- April Katine
- Aimee Kowalczyk

Rich LaBelle called the meeting to order. Dr. Batya Elbaum provided an overview of the ESE Parent Survey per member's request.

Discussion ensued about the ESE Parent Survey items. The group discussed that the survey items were developed to meet a compliance-based system. The State is now moving toward an impact driven system. These items may need to be updated or changed to change with the State.

The group discussed further and explored closing gaps in the return rate as well as addressing transition questions within the survey. The group discussed the following recommendations:

- Keep additional items on the online version
- Add a QR code in the cover letter to parents
- Include the URL in the cover letter with the wording “if you have a child 14 or older and would like to provide feedback, please go to ...”
- Provide reminder texts to parents for survey open period
- Provide text to parents providing the link to survey results
- Use Facebook live with the Family Network on Disabilities to promote survey and answer questions
- Would like to add a resource PDF that is on the ESE Parent Survey page. “For Resources ...”

The group voiced concerns over disproportionality and discussion ensued. The group considered crafting a letter of recommendation to the Commissioner of Education to encourage addressing the issue. The subgroup shared this concern with all SAC members during report out.

**SAC Access Group Notes
July 24, 2017**

Attendees

| | |
|----------------|--------------------------------------|
| Vicki Gaitanis | FDOE |
| Lisa Miller | Polk Advisory/Parent |
| Beth Moore | FDOE |
| Robin Petrick | FDLRS/FIN |
| Debra Rains | Private School Representative/Parent |
| Grace Roberts | Parent |
| Laura Sokalski | Parent |
| Tracy Stevens | Parent |
| Eydie Tricquet | FDLRS/FIN |

Topic: Inclusion of Access students in general education classrooms.

There are two modules now available for professional development created by FIN and the Access project, Including Students with Significant Cognitive Disabilities 1 and 2. The Teaching Students with Disabilities 20 hour module on the Professional Development Alternatives website is another resource. In the coming year, there will be a leadership module that will be housed on the Professional Development Portal that will be a benefit to supporting principals and other district leaders in their understanding of inclusive practices.

FIN/FDLRS reported that work is being done to build inclusive schools, providing support for general education and ESE teachers to work together. They are seeing teachers continuing to increase their knowledge for differentiation with UDL.

FIN explained the BPIE timeline and shared how they have helped districts see how BPIE sections effect their indicators.

Vicki shared information about the historical timeline of LRE, the LRE TAP and went through the BEESS Five-Year LRE Strategic Plan. She also shared the handout, Inclusion: 2016-2017 Review.

Parents discussed opportunities for center school students to interact with general education students.

A final conversation was around curriculum for access students.

Access Group Notes (Day two)

Attendees

| | |
|----------------|--------------------------------------|
| Vicki Gaitanis | FDOE |
| Lisa Miller | Polk Advisory/Parent |
| Beth Moore | FDOE |
| Debra Rains | Private School Representative/Parent |
| Grace Roberts | Parent |
| Laura Sokalski | Parent |
| Tracy Stevens | Parent |

Vicki Gaitanis shared and discussed the BEESS One-Year LRE Strategic Plan.

Wendy Metty, FDOE graduation/postsecondary transition program specialist joined the group to share information on graduation and opportunities for students with significant cognitive disabilities. She shared the history of graduation in Florida, information about the expansion of Project Search, Respect's micro-enterprise funding grants available to individuals with disabilities interested in starting or building their own business and information about Vocational Rehabilitation. She also shared resources from Project 10, such as the Early Warning System, the Secondary Transition Guide and a matrix of extended transition programs.

There was a discussion about transportation barriers and opportunities to possibly overcome them with ride-share or Uber.

The Access Group charted the following items:

- FDLRS and FIN collaboration with BPIE (Districts)
- Online Modules/Collaborative teaching
- Leadership Module coming in Dec. (PD Portal)
- Suggested collaboration with Access and Project 10
- Concern with dissemination of information to classrooms from FDLRS and FIN

BUSINESS MEETING—1 p.m.

1. The chair (Kara) opened the phone for public comment. There was no public comment.
2. The chair (Kara) determined quorum
3. Sheila Ward moved to accept the minutes from the December 2016 SAC meeting. Cindy Jones seconded the minutes. Motion carried.
4. Kimberley Spire-Oh moved to recommend that the Choice office for FDOE add the following statement to each of the pages on the FDOE School Choice Office's web pages where scholarships that do not ensure children who attend private schools or other services through the choice of that scholarship lose their IDEA rights. The statement is as follows: "While the state's School Choice programs were developed to give parents the maximum amount of choice in choosing the right school setting for their children, it is important to understand that enrollment of a student in a private school forfeits any guaranteed educational protections to that child under federal law, including the Individuals with Disabilities Education Act. It is advised that a parent understand the potential ramifications of the concept prior to enrolling their child in a private school. For more information, please see the following technical assistance paper: DPS: 2011-23, Students with Disabilities Enrolled by Their Parents in Private Schools."

MEETING ADJOURNED

State Advisory Committee for the Education of Exceptional Students

STATE ADVISORY COMMITTEE MEETING REPORT

December 4-5, 2017

Florida Department of Education (FDOE)
K-12 Public Schools
Bureau of Exceptional Education and Student Services (BEES)

**State Advisory Committee for the
Education of Exceptional Students (SAC)
Double Tree Hotel**

**Tallahassee, Florida
December 4-5, 2017
Meeting Report**

Monday, December 4, 2017

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

Members

(See SAC Membership List 2017, SAC Designee List and SAC Representation Chart, SAC Member Notebook, Tab 2)

Barber, Karen
Berry, Keith
Brown, Jerry
Cheeseborough, Thea
Ehrl, Hannah
Escallon, Enrique
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Lopez-Sequenzia, Sarah
Mazyck, Laura
Miller, Lisa
Nett, Carol
Raines, Debra
Rankin, Tom
Rehmet, Chris
Riley, Tamar
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Scott, Casey
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley

Tucker, Kara
Verra-Tirado, Monica
Vinot, Kendell
Ward, Sheila

Designees

McCaskill, Monique (For Johana Hatcher)
Bigos, Jennifer (for Antoine Hickman)
Hajdukiewicz, Marcy (for Cassandra Pasley)

FD OE/DPS/BE ESS Representatives

Brattain, Jessica, program specialist
Eliassaint, Kenny
Freeman, Sean, program specialist
Katine, April, educational program director (SAC liaison)
Kowalczyk, Aimee, parent services (SAC liaison)
Metty, Wendy, program specialist
Musgrove, Karrie, program specialist
White, Judy, educational program director
Whitfield, Christy, Just Read Florida!/BE ESS
Williams, Curtis, educational program director
Willis-Doxsee, Heather, Just Read, Florida!

Guests

Ehrli, Joe
Hecke, Wenzel

Welcome and Introductions, Overview of Agenda and Meeting Materials Roles and Responsibilities/Way of Work

Kara Tucker, committee co-chair, welcomed everyone and asked the members to give a brief introduction for the new members.

Catherine Rudniski reviewed the roles and responsibilities.

Monica Verra-Tirado provided preliminary LRE data to the committee.

Bureau Update provided by Monica Verra-Tirado

Moving from Access to Attainment: Statewide Equity and Excellence

Increase Number of Students Graduating College and Career Ready

- Improve Graduation Rate
- Decrease Dropout Rate
- Improve Post-School Outcomes Results

Theory of Presuming Competence: Least Dangerous Assumption

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

– Anne Donnellan, 1984 as quoted by Cheryl Jorgensen, 2005

Florida's Students with Disabilities by Eligibility Category, Fall 2016

Specific Learning Disability – 37%

Speech Impaired – 13%

Language Impaired – 11%

Autism Spectrum Disorder – 10%

Other Health Impaired – 9%

Other – 9%

Intellectual Disability – 7%

Emotional Behavioral Disability – 4%

SWD as Percent of Total Population

In 2017-18 13.6% was the percent of the total population.

Regular class placement for students with disabilities was 75.2% for the state.

Regular Class Placement: 2005-06 to 2017-18*

State Improvement -13.2 point increase since 2007-08

District Improvement – (* preliminary survey 2 data)

- 7 districts > 70% in 2005-06
- 52 districts > 70% in 2013-14
- 57 districts > 70% in 2014-15
- 60 districts > 70% in 2015-16
- 61 districts > 70% in 2016-17
- 57 districts > 70% in 2017-18*

District Variability

- 3 districts < 55% in 2013-14
- 2 districts < 55% in 2014-15
- 2 districts < 55% in 2015-16
- 3 districts < 55% in 2016-17
- 2 districts < 55% in 2017-18*
- 9 districts > 85% in 2013-14
- 10 districts > 85% in 2014-15
- 12 districts > 85% in 2015-16
- 12 districts > 85% in 2016-17
- 10 districts > 85% in 2017-18*

Standard Diploma Graduation Rates

Federal Uniform- all students – 2015-16 – 80.69%

Federal Uniform- students with disabilities – 2015-16 – 61.55%

Standard Diploma Rate – 2015-16 – 61.72%

Graduates with Disabilities- 2016-17

Standard Diploma 39%

Standard with a waiver 29%

Standard with ACT/SAT 11%

Special Diploma 21%

Standard Diploma Rate: 2005-06 to 2016-17

State Improvement

- 26.8 point increase between 2005-06 and 2016-17

District Improvement

- 19 districts > 50% in 2005-06
- 36 districts > 50% in 2011-12
- 52 districts > 50% in 2012-13
- 55 districts > 50% in 2013-14
- 63 districts > 50% in 2014-15
- 64 districts >= 50% in 2016-17

District Variability

- 2 districts < 30% in 2011-12
- 5 districts < 30% in 2012-13
- 3 districts < 30% in 2013-14
- 1 districts < 30% in 2014-15
- 0 districts < 30% in 2016-17
- 3 districts > 90% in 2011-12
- 4 districts > 90% in 2012-13
- 4 districts > 90% in 2013-14
- 5 districts > 90% in 2014-15
- 7 districts > 90% in 2016-17

Number of Students Earning Special Diploma

Students who entered the 9th grade in 2013-14 are the last cohort eligible to earn a special diploma.

| Year | Number of Students |
|---------|--------------------|
| 2009-10 | 5,227 |
| 2010-11 | 5,545 |
| 2011-12 | 5,066 |
| 2012-13 | 4,749 |
| 2013-14 | 4,229 |
| 2014-15 | 4,383 |
| 2015-16 | 4,266 |
| 2016-17 | 4,114 |

Students with Disabilities Dropout Rate 2012-13 through 2016-17 (source edfacts file 0009)

- 2012-13 – 20.3%
- 2013-14 – 19.2%
- 2014-15 – 18.7%
- 2015-16 – 17.3%
- 2016-17 – 15.9%

SWD Dropout Rate: 2012-13 to 2016-17

State Improvement

- 4.4% point decrease between 2012-13 and 2016-17

District Improvement

- 50 districts < 20% in 2012-13
- 59 districts < 20% in 2016-17

District Variability

- 9 districts > 30% in 2012-13
- 7 districts > 30% in 2013-14
- 6 districts > 30% in 2014-15
- 6 districts > 30% in 2015-16
- 4 districts > 30% in 2016-17
- 15 districts < 5% in 2012-13
- 14 districts < 5% in 2013-14
- 14 districts < 5% in 2014-15
- 20 districts < 5% in 2015-16
- 17 districts < 5% in 2016-17

Florida Education and Training Placement Information Program (FETPIP)

- FETPIP's method of data collection replaces conventional survey-type techniques, and provides information in an accurate and cost effective manner.
- The follow-up studies are conducted annually by matching records of the student graduates, completers or exiters from the numerous public and independent organizations with information resources available to FETPIP

Post-School Outcomes for SWD (Performance) – 2015-16

Higher Education – 27.8%

Higher Education or Competitively Employed – 43.8%

Employed or Continuing Education – 56.2%

Academic Results

2017 English Language Arts – FSA Grades 3-10 (by achievement level, SWD)

Level 3 and above – 20%

Level 4 and above – 7%

Level 1 – 55%

2017 English Language Arts – FSA Grades 6-8 (by achievement level, SWD)

Level 3 and above – 17%

Level 4 and above – 6%

Level 1 – 59%

2017 English Language Arts – FSA Grades 6-10 (by achievement level, SWD)

Level 3 and above – 17%

Level 4 and above – 7%

Level 1 – 61%

Percentage of Students with Disabilities (SWD) at or Above *Basic* and at or Above *Proficient* on NAEP Reading, Grade 4

There was a significant *gain* in the percentage of Florida’s grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading between 1998 and 2013.

Between 1998 and 2013, the gains in the percentages of Florida’s grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading were significantly *greater* than the changes of their national counterparts.

Between 2011 and 2013, the percentage of Florida’s grade 4 public school students with disabilities (SD) scoring at or above *Proficient* improved from being not significantly different from the nation’s to significantly greater than the nation’s.

Mathematics – FSA and EOCs Grades 3-8

Level 3 and above – 28%

Level 4 and above – 11%

Level 1 – 51%

Mathematics – FSA and EOCs Grades 3-5

Level 3 and above – 32%

Level 4 and above – 14%

Level 1 – 47%

Mathematics – FSA and EOCs Grades 6-8

Level 3 and above – 22%

Level 4 and above – 8%

Level 1 – 56%

Mathematics – Algebra 1 EOC

Level 3 and above – 27%

Level 4 and above – 9%

Level 1 – 62%

Mathematics – Geometry EOC

Level 3 and above – 21%

Level 4 and above – 6%

Level 1 – 62%

Mathematics – Algebra 2 EOC

Level 3 and above – 26%

Level 4 and above – 9%

Level 1 – 55%

Percentage of Students with Disabilities (SD) at or Above *Basic* and at or Above *Proficient* on NAEP Mathematics, Grade 4

There was a significant *gain* in the percentage of Florida's grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading between 1998 and 2013.

Between 1998 and 2013, the gains in the percentages of Florida's grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading were significantly *greater* than the changes of their national counterparts.

Between 2011 and 2013, the percentage of Florida's grade 4 public school students with disabilities (SD) scoring at or above *Proficient* improved from being not significantly different from the nation's to significantly greater than the nation's.

Percentage of Students with Disabilities (SWD) at or Above *Basic* and at or Above Proficient on NAEP Mathematics, Grade 8

There was a significant *gain* in the percentage of Florida's grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading between 1998 and 2013.

Between 1998 and 2013, the gains in the percentages of Florida's grade 4 public school students with disabilities (SD) performing at or above *Basic* and at or above *Proficient* on NAEP Reading were significantly *greater* than the changes of their national counterparts.

Between 2011 and 2013, the percentage of Florida's grade 4 public school students with disabilities (SD) scoring at or above *Proficient* improved from being not significantly different from the nation's to significantly greater than the nation's.

Science – Grade 5

Level 3 and above – 23%

Level 4 and above – 8%

Level 1 – 51%

Science Combined – Grade 8 (Statewide Science Assessment and Biology 1 EOC)

Level 3 and above – 18%

Level 4 and above – 7%

Level 1 – 54%

Biology 1 EOC

Level 3 and above – 31%

Level 4 and above – 8%

Level 1 – 32%

Social Studies – Civics EOC

Level 3 and above – 37%

Level 4 and above – 14%

Level 1 – 33%

Social Studies – U.S. History EOC

Level 3 and above – 40%

Level 4 and above – 18%

Level 1 – 34%

Suspension and Expulsion

State Change

0.64 point decrease between 2005-06 and 2015-16

District Change

- 55 districts < 3.0 in 2005-06
- 58 districts < 3.0 in 2011-12
- 68 districts < 3.0 in 2012-13
- 65 districts < 3.0 in 2013-14
- 66 districts < 3.0 in 2014-15
- 69 districts < 3.0 in 2015-16

District Variability

- 0 districts > 4.0 in 2013-14
- 2 districts > 4.0 in 2014-15
- 3 districts > 4.0 in 2015-16
- 31 districts < 1.0 in 2012-13
- 32 districts < 1.0 in 2013-14
- 37 districts < 1.0 in 2014-15
- 34 districts < 1.0 in 2015-16

Suspension/Expulsion (SPP Indicator 4B): 2015-16

State Performance

The state average risk ratios were < 3.0 for all ethnic categories in 2012-13 through 2015-16

District Performance

15 districts \geq 3.0 for Black or African American in 2015-16

District Variability

- 8 districts \geq 5.0 for Black or African American in 2015-16
- 6 districts < 1.0 for Black or African American in 2015-16

Disproportionality and Comprehensive Coordinated Early Intervening Services (CCEIS) Update

Timeline Going Forward

- Conduct a Public Hearing – February 2018
- Finalize & Communicate Final Policy to Stakeholders – March 2018
- Provide LEAs with a Sample Run of the Effects of the New Policy – May 2018
- Begin Enforcement of New Policy for School Year '19-20 – July 2019

There was a request from a SAC member to provide suspension data by district at the next SAC meeting.

There was a request from a SAC member to provide the disproportionality report at each SAC meeting.

Sheila Ward from Vocational Rehabilitation provided the following presentation on an update on the Workforce Innovation Opportunity Act (WIOA)

Florida Vocational Rehabilitation

Increasing Student's Transition Outcomes

Sheila Ward, M.Ed., VR Senior Consultant

VR: a division under the FLDOE that is able to help people with disabilities enhance their independence through employment.

- Practice – Plan – Prepare
- Find job
- Maintain employment

VR Transition Youth Programs

- Prepare youth for employment
- Help students transition from high school to
- Career/Technical school,
- College or University, or
- Directly into employment
- Supplement school district's transition work
- Engage students in practical, hands-on activities

Purpose

- Early Preparation of Youth
- Collaboration Between Agencies
- Increased Access and Delivery of Services

Pre-ETS

- Career Exploration Counseling
- Work Readiness Training
- Self-Advocacy Training and Peer Mentoring*
- Post-secondary Educational Counseling**
- Community-Based Work Experiences

(* Service being added, rolling out in February 2018;

** Service being expanded to include Star)

Pre-ETS are available until the student ...

- Reaches his/her 22nd birthday
- Is no longer participating in Pre-ETS
- Requests the case to be closed
- Exits high school
- Exits post-secondary school

Please remember that STAR students needing additional supports to access or benefit from Pre-ETS can apply to VR for these VR services!

Pathway Choices to Services

Preparing for Employment

STAR

- Must have documentation as a student with disability
- Referral from school or self-referred
- No application to VR or eligibility determination required
- Pre-ETS only

VR Application

- Must have a disability that interferes with preparing for employment
- VR Application and eligibility determination
- May receive Pre-ETS and other needed services

Qualifications and VR Eligibility

STAR Qualifications

- Ages 14-21
- Students currently in high school or post-secondary education
- Documented disability
- IEP
- 504 Plan
- Other school documentation stating he or she is a student with a disability

Eligibility Criteria

- Physical/Mental Disability
- Cognitive/Developmental Disability
- Impediment to Preparing for or Maintaining Employment
- Need for and Benefit from VR Services
- Presumption of Benefit from SSI and SSDI Beneficiaries

Order of Selection

- Used when resources are not sufficient to serve all
- Three Categories – Category 1, 2 and 3 (1 most significant)
- Students – mostly Categories 1 and 2

VR Referral Process:

1. Referral should be discussed during or prior to TIEP meeting
2. VR application must be signed by parent/guardian or Age of Majority Student
3. Eligibility determination (up to 60 days)
4. Plan development (up to 90 days)
5. Identification of vocational goal, services, providers and payers
6. Employment (90 to 150 days to stable work)
7. Successful case closure

VR Application

Any time a VR application is filled out, a signature is required from the applicant if they are 18 or above. A signature of a parent and/or guardian is required if they are under 18.

VR Transition Youth

<http://www.rehabworks.org/stw.shtml>

Page Includes:

- Program and application information
- Resources

Office Directory

VR Now has Seven Areas

http://www.rehabworks.org/office_directory.shtml

VR Framework of Transition Services

- Components of Transition
 - Networking
 - Hands-on Training
 - Social Skills

- Students Need to
 - Explore abilities, interests, and their connection to career fields
 - Develop a concept of work – it takes 3!
 - Work during high school – it is a better indicator of post-secondary success
 - Navigate the community – to achieve independence
 - Early involvement with VR
 - More time to prepare for the world of work
 - More time to build their resume
- What Employers Want
 - Experience
 - Work History
 - KSAs
 - Soft/Social skills
 - Someone They Know
 - Employer References
 - Formal Education

Educated and Skilled Applicants/Employees

About 65% of entry level jobs require formal education beyond HS.

50% of entry level jobs require an AA, Career/Technical and Certificate Programs.

It is important for students to understand what level of education is required and not required for certain jobs.

Knowing Which Pathway to Choose

- STAR path for students who ...
 - Are self-directed
 - Require no additional services or supports to access and participate in Pre-ETS
 - Have a Specific Learning Disability or 504 Plan
- VR path for students who ...
 - Require services or supports to access or participate in Pre-ETS
 - Require other services besides Pre-ETS
 - Have a clear picture of their post-secondary needs and goals

VR Eligible Students may receive Pre-Employment Transition Services and potential services that may include:

- Job Placement
- Supported/Customized Employment
- Self-Employment
- Time-limited Medical or Mental Health Treatment
- Post-secondary Education and Training assistance

- Support Services
 - Assistive Technology and Services
 - Transportation
 - Uniforms/Interview clothing

Intensive Services for VR Students with the Most Significant Disabilities

- Discovery
- Project SEARCH
- Third Party Cooperative Arrangements (TPCA)
- Inclusive Post-secondary Education (IPSE) Programs

Other Transition Programs

- High School High Tech: The Able Trust
- Pre-Employment Transition Services: Summer Youth Program

WIOA Section 511

The Big Change:

- 14 (c) Entities
- Requirement
- Process
- Documentation
- Outcomes

The Big Change

Youth 24 and under cannot participate in Subminimum Wage Employment without: applying to VR first

Workforce Innovation Opportunity Act

To ensure individuals are made aware of their options and provide them an opportunity to make informed choice decisions about employment

14(c) Entities

- Possess a 14 (c) wage certificate issued by the Federal Department of Labor
- Includes sheltered workshops
- Adult Day Training Programs
 - May or may not include sheltered employment

Youth with Disabilities 24 and Younger

May NOT enter into Subminimum Wage Employment unless the youth has completed the following:

- Transition services under IDEA and/or
- Pre-ETS under WIOA → through VR
- Career Counseling and Information Referral Service (CCIR) → Through VR

LEAs are requirement to provide VR documentation of Transition Services

- Must submit an application to VR

If found ineligible, VR must clearly document:

- Why found ineligible
- All appropriate work options provided

(In Progress Notes and Final Summary)

If found eligible, VRC and Customer must complete an IPE

If customer refuses recommendations, the VRC:

- Gathers and providers appropriate documentation within 10 calendar days
- Closes the case

Required LEA Documentation

Name of Youth

Description of Transition Service or Activity completed, including name of provider, date of services completed, and signature of personnel documenting the completion

Signature of person transmitting the documents

Date and method of delivery (hand-delivered, faxed, emailed, etc.) by which the document was transmitted to the youth or VR Counselor

Youth with Disabilities 24 and Younger

- If recommendations are accepted, Customer will work towards employment outcome for a reasonable amount of time
- If successful, VR Case will be closed
- In unsuccessful, VR Staff will provide documentation to 14 (c) entity and close the case

Your VR Employment Programs Contacts

Carmen Dupoint

Carmen.Dupoint@vr.fldoe.org

850-245-3299

Pre-ETS, DJJ, Summer Youth Program, High School High Tech, Inclusive Postsecondary Education, Vendor Liaison

Jan Pearce

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850-245-3302

Supported and Customized Employment, Discovery, WIOA 511, Pre-ETS

Regina Rice

Regina.Rice@vr.fldoe.org

850-245-2471

Project SEARCH, Self-Employment, Pre-ETS, Career Source, CAPE, Apprenticeships, Individual Placement & Support, Peer Specialist Program

Sheila Ward

Sheila.Ward@vr.fldoe.org

850-245-3347

Pre=ETS, STAR, Self-Advocacy Training Service, Third Party Cooperative Arrangements, VR/SD Liaison

General Transition Questions:

VRTransitionYouth@vr.fldoe.org

One SAC member asked that Sheila be invited to present data by district of STAR referrals by district.

Just Read Florida Presentation on Dyslexia presented by Heather Willis-Doxsee and Christine Whitfield

Myth or Truth?

1. Dyslexia is not linked to having a low IQ.
2. Dyslexia involves seeing things backwards and is a visual impairment.
3. Dyslexia is more prevalent in:
 - Boys
 - Higher socioeconomic groups
4. Dyslexia often occurs with other disorders.
5. Dyslexia can be outgrown.
6. Dyslexia is caused by a lack of phonics instruction.
7. Dyslexia is a language-based learning disability that is neurobiological in origin.

| Myths | Truths |
|---|--|
| 2. Dyslexia involves seeing things backwards and is a visual impairment. | 1. Dyslexia is not linked to having a low IQ. |
| 3. Dyslexia is more prevalent in: <ul style="list-style-type: none"> • Boys • Higher socioeconomic groups | 4. Dyslexia often occurs with other disorders. |
| 5. Dyslexia can be outgrown. | 7. Dyslexia is a language-based learning disability that is neurobiological in origin. |
| 6. Dyslexia is caused by a lack of phonics instruction. | |

Definition adopted by the International Dyslexia Association:

Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

Dyslexia and the IDEA

34 CFR 300.8(c)(10)

Dyslexia is included in the definition of a specific learning disability under IDEA:

(10) Specific learning disability. (i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Timeline of Typical Reading Development

Infancy – Sounds and language processing- visual processing.

Pre-kindergarten – phonological processing & letter recognition

Kindergarten and 1st grade – grapheme-phoneme mapping, reading of single words and reading sentences and connected text

The Dyslexia Paradox

Infancy

Pre-kindergarten and Kindergarten – Window for most effective intervention

Kindergarten and 1st grade/ Elementary – Typical window for a dyslexia diagnosis

Typically, dyslexia is not diagnosed until a child has failed to learn to read as expected, usually in third grade or later. As a result, children with dyslexia must often make up a large gap in reading ability and experience to reach the level of their typically reading peers. A meta-analysis comparing intervention studies offering at least 100 sessions reported larger effect sized for intervention studies conducted with kindergarten and first

graders than with children in 2nd and 3rd grades (Wanzek & Vaughn, 2007). Another study found that when “at risk” BEGINNING readers receive intensive instruction, 56% to 92% of at-risk children across six studies reached the range of average reading ability (Torgesen, 2004).

2017 Florida Statutes and Intervention Requirements

- s. 1002.69(2) F.S.
 - ... concerning each student’s readiness for kindergarten ... data from the screening, along with other available data, must be used to identify students in need of intervention and support pursuant to s. 1008.25(5).
- Alignment to K-12 Reading Plan:
 - DT1 must include information on how the Florida Kindergarten Readiness Screener will be used to plan intervention for students scoring in the following performance levels:
 - 1) Scaled score of 497-529
 - 2) Scaled score of 438-496
 - 3) Scaled score of 437 and below

FLKRS and Dyslexia Screener Crosswalk

| Recommended areas to be assessed by the International Dyslexia Association (IDA) https://dyslexiaida.org/dyslexia-assessment-what-is-it-and-how-can-it-help/ | Areas assessed by the FLKRS Assessment: Star Early Literacy Assessment http://www.fldoe.org/core/fileparse.php/18494/urlt/FLKRS050317Webinar.pdf (see p. 28) |
|---|--|
| Phonological or Language-Based Memory | ✓ |
| Rapid Automatic Naming | X |
| Receptive Vocabulary | ✓ |
| Phonics Skills | ✓ |
| Decoding | ✓ |
| Oral Reading Fluency | X |
| Spelling | X |
| Writing | X |

This crosswalk was created using the International Dyslexia Association’s recommendations for skills to be included when assessing for dyslexia. Areas that are addressed on the STAR Early Literacy Assessment (the new assessment used for FLKRS) are noted with a checkmark. This crosswalk contains recommendations for

screening students who might be at risk of having a reading disability such as dyslexia, and does not serve as a recommendation for an assessment to be used to provide a formal diagnosis of dyslexia. This information should be used to match interventions to students. Additional information may be needed through the administration of a diagnostic reading assessment in order to determine the specific skills needing to be targeted.

Instructional Implications

Structured Literacy—the new term on the block.

- Structured Literacy is a new term being used to describe best practices in instruction for students with reading disabilities, including students with dyslexia.
- Structured Literacy prepares students to decode words in an explicit and systematic way.
- Structured Literacy includes instruction in:
 - Phonology
 - Sound-Symbol Association
 - Syllable Instruction
 - Morphology
 - Syntax
 - Semantics

Multisensory Instruction

- The International Dyslexia Association defines multisensory instruction as: Multisensory learning involves the use of visual, auditory, and kinesthetic-tactile pathways simultaneously to enhance memory and learning of written language.
- <https://dyslexiaida.org/multisensory-structured-language-teaching/>

Simultaneous Multisensory Instruction

- The International Dyslexia Association defines simultaneous multisensory instruction as:
Simultaneous, Multisensory (VAKT): Teaching uses all learning pathways in the brain (i.e., visual, auditory, kinesthetic tactile) simultaneously or sequentially in order to enhance memory and learning.
- <https://dyslexiaida.org/multisensory-structured-language-teaching/>

2017 Florida Statutes Reminders

2017 Florida Statutes and Intervention Requirements

- s. 1001.215(3) F.S.
 - Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, reading coaches, and school principals on effective content-area-specific reading strategies; the integration of content-rich

curriculum from other core subject areas into reading instruction; and evidence-based reading strategies identified in ¹subsection (8) to improve student reading performance. For secondary teachers, emphasis shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.

- s. 1001.215(8) F.S.
 - Work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.
 - Reading intervention includes evidence-based strategies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

- s. 1011.67(2) F.S.
 - Beginning July 1, 2021, for core reading materials and reading intervention materials used in kindergarten through grade 5, that the materials meet the requirements of s. 1001.215 (8). This paragraph does not preclude school districts from purchasing or using other materials to supplement reading instruction and provide additional skills practice.

- s. 1008.25(4) F.S.
 - ASSESSMENT AND SUPPORT—
 - (c) A student who has a substantial reading deficiency as determined in paragraph (5) (a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary.

- s. 1008.25(5) F.S.
 - (a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading—based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessment; or teacher observations,—must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions.

- s. 1008.25(5) F.S.
 - (a) The student’s reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial deficiency in reading.

- s. 1008.25(5) F.S.
 - (c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:
 - 1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student’s difficulty in learning and lack of achievement in reading.
 - 2. A description of the current services that are provided to the child.
 - 3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

- s. 1008.25(5) F.S.
 - (c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:
 - 4. That if the child’s reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.
 - 5. Strategies, including multisensory strategies, through a read-at-home plan that the parent can use in helping his or her child succeed in reading.

- s. 1008.25(6) F.S.
 - (b) ... A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties ...

- s. 1008.25(7) F.S.
 - (a) Students retained under paragraph (5) (b) must be provided intensive interventions in reading to ameliorate the student’s specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:
 - 1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.
 - 2. Participation in the school district’s summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.

- s. 1008.25(7) F.S.
 - (a) Students retained under paragraph (5) (b) must be provided intensive interventions in reading to ameliorate the student’s specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:
 - 3. A minimum of 90 minutes daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:
 - Integration of content-rich texts in science and social studies within the 90-minute block.
 - Small group instruction.
 - Reduced teacher-student ratios.
 - More frequent progress monitoring.
 - Tutoring and monitoring.
 - Transition classes containing 3rd and 4th grade students.

- s. 1012.98(4) F.S.
 - (b) 11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs ...

- s. 1012.98(4) F.S.
 - (b) 11 ... The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Each district must provide all elementary

grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

- s. 1012.585(3) F.S.
 - (f) An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or the equivalent in-service points in the use of explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies.
- s. 1004.04(2) F.S.
 - (b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:
 - 3. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- s. 1004.85(3)(a) F.S.
 - 1. ... The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:
 - c. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.

Theory of Action

Monica Verra-Tirado, bureau chief, went over the SSIP Foundation's Theory of Action.

The six key practices of the Theory of Action are:

- 1) Use data well.
- 2) Focus goals.
- 3) Select & implement shared instructional practices.
- 4) Implement deeply.
- 5) Monitor & provide feedback.
- 6) Inquire and learn.

If FDOE leads with the six key practices to implement multi-tiered systems of supports to districts based on needs and resulting in continuous improvement, then Local Education Agency (LEA) will use the six key practices to implement the multi-tiered

system of supports to schools based on needs and resulting in continuous improvement. Schools will then use the six key practices for students, resulting in continuous improvement, and students will engage, progress, graduate college, and be career and life ready.

Monica then discussed the Logic Model and how it implements the Theory of Action, as well as the evaluation of district implementation of key practices.

In the years 2016 and 2017, the reported level of application of the six key practices varied. “Use data well”, “focus goals”, “shared instructional practices” and “inquire and learn” were all applied at medium or high levels over the two years, but “implement deeply” and “monitor and provide feedback” were **low** for both years.

The table groups proceeded to do an exercise to exam one key practice, briefly discuss each question/practice, go to charts of questions/practices, and use red, green, and blue dots to signify whether a question/practice was 1st important, 2nd important, or 3rd important, respectively.

Based on the top three practices selected, the groups discussed the following questions:

- What information and skills are needed to move this practice forward?
- What processes need to be in place to support acquisition of knowledge and skills for those involved?

Timeline Going Forward:

February 2018 – Conduct a Public Hearing

March 2018 – Finalize & Communicate Final Policy to Stakeholders

May 2018 – Provide LEAs with a Sample Run of the Effects of the New Policy

July 2019 – Begin Enforcement of New Policy for School Year (2019-20)

ESE Parent Survey

- Indicator 8: The percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
- 26-Item Survey
- PreK and K-12
- Open February 1st – May 30th
- English, Spanish and Haitian Creole Surveys
- Paper Surveys
 - Over 300,000 Scan Tron surveys printed
- Online Survey Option
 - Accessible by computer and smart phone

| Fiscal Year | PreK | | K-12 | |
|-------------|-----------------|-----------------|-----------------|-----------------|
| | Total Responses | Response Rate % | Total Responses | Response Rate % |
| 2016-17 | 4,399 | 18.2% | 33,194 | 9.4% |
| 2015-16 | 4,195 | 17.5% | 34,155 | 10.0% |
| 2014-15 | 2,717 | 11.8% | 20,016 | 6.0% |
| 2013-14 | 3,189 | 13.8% | 21,784 | 6.6% |
| 2012-13 | 1,827 | 7.9% | 9,261 | 2.8% |

What Did We Learn From the 2016-17 Survey?

Pre-K Areas of Success

- Item 11 – Preschool staff respect my culture
- Item 4 – My child’s evaluation was written in words I understand
- Item 8 – ESE staff are available to speak with me

Pre-K Areas of Needed Support

- Item 7 – Provided information on how to get other services (e.g., PTIs, parent support, WIC and food stamps)
- Item 20 – Offered training about preschool education
- Item 25 – Connect families with one another for mutual support

K-12 Areas of Success

- Item 2 – Parents reported that written information received was understandable
- Item 5 – Parents reported that the IEP tells how progress toward goals will be measured
- Item 8 – Parents reported that teachers are available to speak with parents

K-12 Areas of Needed Support

- Item 23 – The schools provide information on agencies that can assist my child in the transition from school
- Item 20 – The school offers parents training about ESE
- Item 16 – I was offered special assistance (such as child care) so that I could participate in the Individualized Educational Program (IEP) meeting

Using the Data

The 3 lowest scoring items were compared for 2015-16 and 2016-17 for the Pre-K and K-12 surveys.

Pre-K Comparison

Item 7 – People from preschool special ed. ... provide me with information on how to get other services (for example, child care, parent support, respite, regular program, W I C, food stamps). Percent was a 71.2% for 2015-16 and improved to 69.6% in 2016-17.

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 73.1% | 72.7% | -0.4% |

Item 20 – People from preschool special education offer parents training about preschool special education.

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 70.0% | 69.6% | 0.4 decrease |

Item 25 – People from preschool special education connect families with one another for mutual support.

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 65.8% | 67.0% | 1.2% Increase |

Item 23 – The school provides information on agencies that can assist my child in the transition from school.

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 69.6% | 71.2% | 1.69% Increase |

Item 20 – The school offers parents training ESE

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 62.26% | 63.7% | 1.4% Increase |

Item 16 – I was offered special assistance so that I could participate in the IEP meeting.

| 2015-16 | 2016-17 | Difference |
|----------------|----------------|-------------------|
| 61.5% | 62.6% | 1.9% |

Restraint and Seclusion

Data Review

Monthly

- Export, review, analyze and document restraint/seclusion data from state web-based reporting system
 - Provide restraint/seclusion data disaggregated by race and ethnicity
 - Provide restraint/seclusion data disaggregated into district size-alike groups
- Calculate number of district students restrained or secluded divided by district students with disabilities population
 - Compare this district percentage rate to state average percentage rate
 - Districts are contacted for rates two times or more of that month's state average rate
 - Districts are asked to submit reasons for increase and decrease based on their data review and actions taken related to these rates
 - This information is documented and may be shared with districts statewide

Quarterly

- Quarterly data is compiled and distributed to district ESE directors

Yearly

- Districts are monitored and/or visited based on their restraint and seclusion rates

2015-16 and 2016-17 Restraint Data Comparison*

- August 1, 2016 through July 31, 2017:
 - 8,770 incidents of restraint involving 3,239 students, 0.85% restrained
- August 1, 2015 through July 31, 2016:
 - 7,696 incidents of restraint involving 3,437 students, 0.93% restrained
 - For 2016-17, increase of 10,436 students with disabilities in the Florida population
- For 2016-17, increase of 1,074 incidents of restraint
- For 2016-17, decrease of 198 students restrained
- For 2016-17, 0.08% decrease of students restrained
- *Comparisons between Aug.1, 2015 – July 31, 2016 to Aug. 1, 2016 – July. 31, 2017

Restraint by Grade 2016-17

- Grades PK-3: 49%
- Grades 4-8: 38%
- Grades 9-12: 13%

Restraint by Exceptionality 2016-17

- Emotional/Behavioral Disability (EBD): 42%
- Other: 22%
- Autism Spectrum Disorder (ASD): 24%
- Intellectual Disability (IND): 7%
- Specific Learning Disability (SLD): 4%

Types of Restraint 2016-17

- Standing: 42%
- Prone: 25%
- Seated: 15%
- Immobilization while in transport: 10%
- Supine: 5%
- Mechanical: 3%

Crisis Management Strategies Used 2016-17

- Crisis Prevention Institute (CPI): 40%
- Professional Crisis Management (PCM): 35%
- Other: 12%
- Techniques for Adolescent and Child Handling (TEACH): 7%
- Safe Crisis Management (SCM): 3%
- Techniques for Effective Aggression Management (TEAM): 2%
- Violence Intervention Techniques and Languages (VITAL): 1%

2015-16 and 2016-2017 Seclusion Data Comparison*

Seclusion:

- August 1, 2016 through July 31, 2017:
 - 1,351 incidents of seclusion involving 503 students, 0.13% students secluded
- August 1, 2015 through July 31, 2016:
 - 1,563 incidents of seclusion involving 638 students, 0.17% students secluded
 - For 2016-17, increase of 10,436 students with disabilities in the Florida population
- For 2016-17, decrease of 212 incidents of seclusion
- For 2016-17, decrease of 135 students secluded
- For 2016-17, decrease of 0.04% of students secluded
- *Comparisons between Aug. 1, 2015 – July. 31, 2016 to Aug. 1, 2016 – July. 31, 2017

Seclusion by Grade 2016-17

- Grades PK-3: 40%
- Grades 4-8: 46%
- Grades 9-12: 14%

Seclusion by Exceptionality 2016-17

- EBD: 55%
- ASD: 18%
- Other: 15%
- IND: 9%
- SLD: 3%

Small Group Work

- The SAC decided to add two new groups, early childhood and social emotional, to their small group work. The members broke into their new groups. They are:

Early Childhood (TBD – DOE Liaison)

- Hannah Ehrli
- Cassandra Paisley
- Laura Mazyck

Social Emotional (TBD – DOE Liaison)

- Terry Roth
- Lisa Rowland
- Ann Siegel
- Laurie Blades

Transition (Wendy Metty – DOE Liaison)

- Rick Lockenbach
- Sheila Ward
- Thea Cheeseborough
- Cecilia Rueda-Hill
- Catherine Rudniski Kara Tucker
- Enrique Escallon
- Carmen Noonan

Parent Involvement and Engagement (Aimee Kowalczyk – DOE Liaison)

- Rich LaBelle
- Carol Nett
- Karen Barber
- Kendal Vinot

- Keith Berry
- Monique McCaskill

K-12 Access (Jessica Brittain – DOE Liaison)

- Lisa Miller
- Debra Rains
- Jerry Brown
- Sarah Sequenzia-Lopez
- Dawn Brook

K-12 (Karrie Musgrove – DOE Liaison)

- Kimberly Spire-Oh
- Tamar Riley
- Antoine Hickman
- Grace Roberts

Tuesday, December 5, 2017

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

Members

Barber, Karen
Berry, Keith
Brown, Jerry
Ehrl, Hannah
Escallon, Enrique
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Lopez-Sequenzia, Sarah
Miller, Lisa
Nett, Carol
Raines, Debra
Rankin, Tom
Rehmet, Chris
Riley, Tamar
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Scott, Casey
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley
Tucker, Kara
Vinot, Kendell
Verra-Tirado, Monica
Ward, Sheila

Designees

McCaskill, Monique (for Johana Hatcher)
Bigos, Jennifer (for Antoine Hickman)
Hajdukiewicz, Marcy (for Cassandra Pasley)

FDOE/DPS/BEES Representatives

Brattain, Jessica, program specialist
Eliassaint, Kenny
Freeman, Sean, program specialist
Katine, April, educational program director (SAC liaison)
Kowalczyk, Aimee, parent services (SAC liaison)

Metty, Wendy, program specialist
 Musgrove, Karrie, program specialist
 White, Judy, educational program director
 Whitfield, Christy, Just Read Florida!/BEES
 Williams, Curtis, educational program director
 Willis-Doxsee, Heather, Just Read, Florida!

Guests

Ehrli, Joe
 Hecke, Wenzel

Small Groups Continued to Meet from 10:30 a.m. to 1 p.m.

PreK-12 Transition Plan

- EC (Birth-Grade 3)
- Elementary-Middle School
- Middle School-High School
- High school-Employment/PSE/PST

Implementation Ideas

1. IEP/504 packets at each level with information on:
 - Resources
 - Options
 - Programs
 - Parental Trainings
 - Increase/strengthen parental engagement, communication, involvement (cultural diversity)
 - SSTIC Resources (Websites)
 - Natural Supports
 - Disability Exceptionality Supports
2. Transition “fairs” at each level with information and agency rep. (where parents visit each resource to gain information/resources)
3. Transition resource training for ESE and guidance staff
 - Maybe add to Project 10 training
 - Create new one based on indicated levels
4. Counselors/Admin/Teacher Prep Programs
5. Student-Led IEPs
6. CTE participation

Industry Certifications

(2015-2016)

| | | | |
|---------|-------|-----|------|
| 140,521 | 4,641 | SWD | 3.3% |
|---------|-------|-----|------|

(2014-2015)

| | | | |
|---------|-------|-----|------|
| 138,251 | 3,300 | SWD | 2.4% |
|---------|-------|-----|------|

- GREEN SHEET Require the surveys be reported in disaggregated by grade bands (birth-5, grades K-5, 6-8, 9-12 at the state level?)
- Disproportionality for discipline and ESE eligibility determination and placement
- Make recommendation to the department that as a state, we continue to make a deliberate effort to eradicate discrimination and disproportionality, regardless of action from the US Department of Education.
- Direct families to the LEA profile. Make data available to parents.
- FDLRS Resource guides could address
- Recommendation – Florida Department of Education should continue to focus on addressing disproportionality in the areas of discipline and ESE eligibility determination. Decrease the risk ratio.
- Use the data that identifies disproportionality.
- Family Education, training for Deans, teachers, principals, and school resource officers.
- Address disproportionality in Code of Student Conduct.
- Public hearing in February
- Review and discuss report at July meeting
- GREEN SHEET Write a letter to the State Board of Education and Commissioner of Education to review disproportionate data and identify the steps for addressing and reducing the risk ratio. Urge both groups to begin discussions with Governor.
- State Complaint Process
- Request-Need staff to provide us with a description of the entire process- Flow chart for what they review when a parent files a complaint. Specifics of what staff look for in a complaint and then what you ask the district for based on the complaint.
- Sample letters on how to request an evaluation,
- The concern on a state complaint was not the focus of the investigation.
- Recommendation – The current state complaint process does not seem to include transparency, equity and accountability.

Access Group Notes

Attendees

| | |
|------------------|--------------------------------------|
| Jessica Brattain | FDOE |
| Lisa Miller | Polk Advisory/Parent |
| Debra Rains | Private School Representative/Parent |
| Jerry Brown | Special Education Admin., DOC |
| Sarah Sequenzia | Orange County Parent Liaison/Parent |

Jessica Brattain shared information and data related to the BEESS Five-Year Strategic Plan for LRE and Access. LRE continues to move in the right direction. Access is a new group and is focusing on participation and performance on the new FSAA.

A discussion around what data is collected from private schools began. The group raised concerns related to charter schools and private schools receiving funding for students that they could not serve. Jessica Brattain will follow-up with the School Choice Office to see what is currently required and report back to the group.

Some members voiced concerns about the 1% CAP that they believed to be per district. Jessica Brattain explained that BEESS is reaching out to districts and that in some instances districts may validly have more than 1%. The group asked that the strategic plan goal verbiage be reviewed to ensure that it was clear that the 1% CAP was at the state level.

The group shared a data question related to student performance on the FSAA verse their LRE setting. For example, is a student more likely to score higher on the FSAA if they were in the general education classroom setting? Jessica Brattain will share this request and see if this level of data is available to share.

The Access Group charted the following items:

- What is required of private schools for reporting and accountability purposes and how could that data help?
- Verbiage of BEESS indicators. Correct to ensure it is clear what the purpose of the data is (1% at state level).
- Data request- SWD in the self-contained setting compared to FSAA scores

Request for presentation on the FSAA (Performance Task and Datafolio).

Pre-K – K12 Small Group

K-12 Instructional Practices

Jennifer
Kimberly
Tamar
Karrie

Pre-K Group

Marcy
Laura
Hannah
Christy

- In Pre-K, students can end up in three to four schools before K (between ESY, home school, feeder schools, etc.)
- Reviewed responses to questions from last meeting (see attachments)
- There is a core group on ELA in Tally, then there are regional experts on RTI/MTSS, FDLRS
- The team identified districts in serious need of support (single digit pass rates)
- The struggling districts have received 3 contacts from BEESS offering support

- Each district has developed a decision tree. Some do not follow theirs.
- The regional resources cannot go into schools without the districts accepting the help.
- Some were responsive to the many friendly overtures of support from BEESS
- Early alerts: there is no uniform early alert system across the state for grades K-2 (at least after the beginning of K and until FSA)
- Districts may need more training on MTSS before 3rd grade. Some are not very sophisticated.
- Need to use small-group instruction and UDL.
- Every plan is on Just Read Florida's website on K-12 Comprehensive Reading Plan (left side, orange tab)
- This year, ESE & Gen. Ed. Needed to collaborate on their plans.
- Should require documentation (specific time/date) of this collaboration and questions about how core instruction is related to intervention and specialized instruction (how it flows).
- How does the plan get disseminated from person/people developing plan down to teachers (ESE and general education)?
- Fighting against culture of segregation of ESE vs. general education
- A lot goes back to leadership (principals, administrators)
- BEESS launching training for leadership that emphasizes inclusion
- Model: ASD Pre-K on high school campus with high school students helping work in it
- Another program exists in a private ESE school where high school students volunteer
- Huge problem: Teachers certified as ESE by only passing tests without learning pedagogy
- Students have many needs outside of the classroom
- Parent University was a program that helped address some of these needs
- Focus visits: disconnect caused by inaccurate beliefs about other side by parents and schools
- Math: Three-year support for districts needing help (Tiers 3 and 2). Trying to get best practices from best districts (Tier 1) and top districts will mentor others. (see attachment)
- Held focus groups and calls and visits. Sent out books with videos about becoming content experts

Addition from flip chart (concerns):

- Suggested that board members, not just superintendents get chancellor's letters regarding tiered support to districts
- There are discrepancies between district's pupil progression plans

- Passing a test to become a certified ESE teacher is not enough- need training in field

BUSINESS MEETING—1 p.m.

1. The chair (Kara) opened the phone for public comment.
2. Joe Ehrli provided a power point entitled “No Fear”.
Joe graduated from Pace Brantley Hall Private School on a McKay scholarship because the public school wouldn’t allow him to graduate with a standard diploma. He attended Clinton’s Global Initiative University in 2015 and 2016. He decided after going to Haiti to help children with disabilities to help them know they have a friend. His goal for his business is to specifically design resources for special needs students in global inclusive settings.

Joe wanted the commit to know the following: not everyone learns the same way, some students have big medical problems. He was bullied his whole life, in college and at work included. If it weren’t for his family and friends, he wouldn’t be working or going to school. He mentioned the following quote: “You never fail until you quit”, reiterating that it is hard not to quit, but now he can help other people.

3. The chair (Kara) determined quorum
4. Rick Lockenbach moved to accept the minutes from the July 2017 SAC meeting. Hannah Ehrli seconded the minutes. Motion carried.
5. The Co-chair (Hannah) reviewed the last year and a half of green sheets to bring the committee up-to-date on where we are with each item. The committee agreed they want the Executive Committee to come up with a procedure to report back to SAC on the prior meetings green sheets.
6. Green sheets that were presented at this meeting:
 - a. Parent survey data request. Chris Rehmet moved to ask BEESS to break the response rate down by grade level in order to determine if secondary schools had enough of a response to be valid. Kendell Vinot seconded the motion. Motion passed. It was further discussed that this information would be provided to the parent subgroup and if they thought the information needed to be presented to the full SAC they would bring it up during the business meeting.
 - b. Early Childhood – birth to 8 – The new early childhood subgroup would like information on the state Early Intervention and response to the three top areas of concerns from the parent survey. What is the state doing to address those concerns? This was referred to the new Pre-k program specialist, Lenita Winkler and Carole West to report back at the next SAC meeting.
 - c. SAC discussed the desire to be able to call into the whole SAC meeting for members and public that cannot attend. There was discussion both for and against the practice of calling into the meeting. Kendall Vinot moved to recommend that BEESS explore ways to allow members and the public to gain access to the meeting. Sheila Ward seconded the motion. The motion passed.

SAC asked the SAC liaison to reach out to other boards to see how they handle this.

- d. Disproportionality – Chris Rehmet moved to continue to ask the department to hold high standards and work to eliminate disproportionality when it comes to race related to discipline. Even if the federal government does not require higher standards SAC would like the department to keep working in these areas. Kendall Vinot seconded. The motion passed. SAC asked that the Executive Committee write a letter to the Commissioner stating their recommendation on this issue.
7. SAC asked for the following presentation for their next meeting.
 - a. Presentation on restraint and seclusion. Specifically which districts use what restraint and seclusion trainings and what does each model entail? They also wanted a recommendation of best practices. It was suggested the Disability Rights might be the best agency to provide this presentation.
 - b. Presentation on FSAA data folio. An explanation of the new performance test. They also want to see an example of a portfolio.
8. SAC asked for the following information at the next meeting:
 - a. Suspension Data by District
 - b. Break down restraint and seclusion report by district. Possible compare by race and demographics for districts with more than 10 incidences.
9. Dates for the next two meetings were discussed. July 16th and 17th 2018 and December 3rd and 4th were selected.
10. Election of Officers:

Co-chair (Hannah) thanked the nominating chair, Enrique Escallon, and his committee for the work of the nominating committee. Their nominees were: Keith Berry for Co-chair and Kara Tucker for Parliamentarian. The Co-chair asked for any other nominations from the floor. There were none. The Co-chair (Hannah) asked for a motion to approve Keith Berry as Co-chair. Kimberly Spire-Oh moved to accept the nomination. Sheila Ward seconded the motion. The motion passed. The Co-chair (Hannah) asked for a motion to approve Kara Tucker as Parliamentarian. Hannah Ehrli moved to approve and Kimberly Spire-Oh seconded. The motion passed.

MEETING ADJOURNED

State Advisory Committee for the Education of Exceptional Students

STATE ADVISORY COMMITTEE BYLAWS

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

Article I. Name:

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

Article II. Authority:

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

Article III. Purpose:

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

A. Duties:

SAC duties include:

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

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

The SAC shall also perform those other duties assigned to it by the Bureau of Exceptional Education and Student Services (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 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 of 2004
P.L. 108-446**

Sec. 1412. STATE ELIGIBILITY.

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

(21) STATE ADVISORY PANEL.—

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

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

- (i) parents of children with disabilities (ages birth through 26);
- (ii) individuals with disabilities;
- (iii) teachers;
- (iv) representatives of institutions of higher education that prepare special education and related services personnel;
- (v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
- (vi) administrators of programs for children with disabilities;
- (vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- (viii) representatives of private schools and public charter schools;
- (ix) not less than 1 representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- (x) a representative from the State child welfare agency responsible for foster care; and
- (xi) representatives from the State juvenile and adult corrections agencies.

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

(D) DUTIES—The advisory panel shall—

- (i) advise the State educational agency of unmet needs within the State in the education of children with disabilities;
- (ii) comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

- (iii) advise the State educational agency in developing evaluations and reporting on data to the Secretary under section 618;
- (iv) advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under this part; and
- (v) advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.