



Special Education Advisory Panel (SEAP)

Annual Report

July 23, 2014

**Developed by the Special Education Advisory Panel
for the Minnesota Department of Education**

Preface

The annual report of the Minnesota Special Education Advisory Panel (SEAP) is respectfully submitted to the commissioner of the Minnesota Department of Education (MDE). The reporting period is July 1, 2013, through June 30, 2014. The annual report is a summary of the panel activities and recommendations during the reporting period. SEAP provides a broad base of input to MDE staff regarding policies, practices and issues related to the education of children and youth with disabilities ages birth through 21, and advises MDE's Divisions of Special Education and Compliance and Assistance on the education of children and youth with disabilities.



Members of the 2013 – 2014 Special Education Advisory Panel with MDE Assistant Commissioner Elia Bruggeman and Special Education Division Director Barbara L. Troolin

Duties

As established in accordance with 34 CFR 300.167-300.169 (2006), the Special Education Advisory Panel (SEAP) of the state of Minnesota must:

1. Advise the State Education Agency (SEA) 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 SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
4. Advise the SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act; and,
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
6. The SEA, after deleting personally identifiable information, must provide SEAP with the due process hearing findings and decisions and make those findings and decisions available to the public (34 CFR 300.513(d) and 300.514(c)).

Acknowledgements

MDE acknowledges and thanks the following staff for their contribution to this report and the work of the SEAP:

Barbara L. Troolin, Ph.D., Director, Special Education Division

Diane McCarron, SEAP Chair, 2013–2014

Debra Price-Ellingstad and Cindy Shevlin-Woodcock, SEAP Coordinators

Doug Gray, Communications Specialist

The SEAP is funded by federal funds obtained by MDE through Special Education — Grants to States CFDA 84-027A of the Individuals with Disabilities Education Improvement Act (IDEA 2004) and amendments thereto.

Reflections: SEAP Chair Diane McCarron

It was a privilege and honor to be chair of the Special Education Advisory Panel for 2013-2014. This diverse group of people comes from many backgrounds and regions of the state. The committee represents parents, educators, advocates and other professionals and brings a wealth of experience, divergent viewpoints and a concern for the education of all children with disabilities in the state of Minnesota.

During this year, SEAP met for five sessions focusing on their six mandated duties. Throughout the year SEAP was able to learn about, discuss, and provide comment regarding the following topics:

- A training being developed to assist IEP team members in managing conflict.
- Transition from the Minnesota Comprehensive Assessment (MCA)-modified to MCA III for all students.
- MDE's work under Phase I of the Office of Special Education Programs (OSEP) Results Driven Accountability (RDA) process.
- Districts' progress in reducing the use of restrictive procedures.
- Recommendations for special education case load and rule alignment report submitted to the legislature.
- An introduction to the 2014 State Performance Plan/Annual Performance Report (SPP/APR).
- Special education funding changes.
- Online learning.
- Minnesota Olmstead Decision planning process

At each meeting, SEAP members listened with passion and purpose. Members asked insightful questions and provided varied responses to the information presented.

SEAP's work was supported and encouraged through the leadership of Cindy Celany, Debra Price-Ellingstad, Cindy Shevlin-Woodcock, Barbara Troolin, and all of the MDE staff. Their efforts have thoughtfully guided this committee and our work.

I thank the SEAP members for their consistent hard work and courage in offering advice to the department and their willingness to volunteer to serve on other committees as representatives of SEAP. On behalf of the Minnesota Special Education Advisory Panel, it is with great honor that I present this SEAP Annual Report.

Diane McCarron, Chair

Director's Letter

Dear Colleagues:

Each year, we take time to reflect on what our Special Education Advisory Panel has accomplished. In reviewing the work from last year, it is amazing how much ground was covered, what rich discussions we experienced and what great ideas were shared from the various presentations throughout the year. Some of our work plan is similar to past years, however, federal and state expectations have been changing. Some of us that have been around awhile are seeing a much needed trend that looks and feels different. It is about results.

At the federal level, the Office of Special Education (OSEP) has been articulating their shift in thinking. OSEP has a vision to create a balance between improved results and outcomes for students while considering compliance. This more balanced approach of Results Driven Accountability (RDA) will help better define program effectiveness in special education. OSEP is also clear that students with disabilities are part of, not separate from, the general education population. Special education accountability should strengthen and compliment other reforms like our Elementary and Secondary Education Act flexibility waiver. Several leaders have stated, "What we focus on is what improves." By February 2015, all states must develop a State Systemic Improvement Plan, to work on a targeted area for multiple years. SEAP has been an integral part of this evolving discussion and planning and will continue to do so.



At the state level, there are more discussions around Results Based Accountability (RBA). Same tune, different singers. Note the same words – being accountable for results. In the future, expect many more discussions about outcomes for students. It's why we're here doing the work we do. Thanks so much to our SEAP members for their leadership and participation in this important endeavor.

Barbara L. Troolin, Ph.D.
Director of Special Education

Division Vision:

All children get necessary support for healthy development and lifelong learning.

Overview

The Minnesota Special Education Advisory Panel (SEAP) provides policy guidance for the Minnesota Department of Education (MDE) divisions of Special Education Policy and Compliance and Assistance with respect to special education and related services for children and youth with disabilities in Minnesota. The federal Individuals with Disabilities Education Act (IDEA) and state law establish SEAP and outline its duties.

SEAP members are appointed by the Commissioner of Education as the governor's designee. SEAP members include parents, individuals with disabilities, educators, teacher trainers, advocates, special education administrators and staff from MDE and other state agencies, bringing their diverse perspectives together to make recommendations on special education issues. For a list of SEAP members for 2013–14, see Appendix A. For a list of disability groups on which SEAP members also serve, see Appendix B.

Annual Workplan

The duties assigned to SEAP via federal legislation are discussed on an annual basis. An annual work plan is developed as a tool to guide the work of SEAP. This year, SEAP focused on six areas:

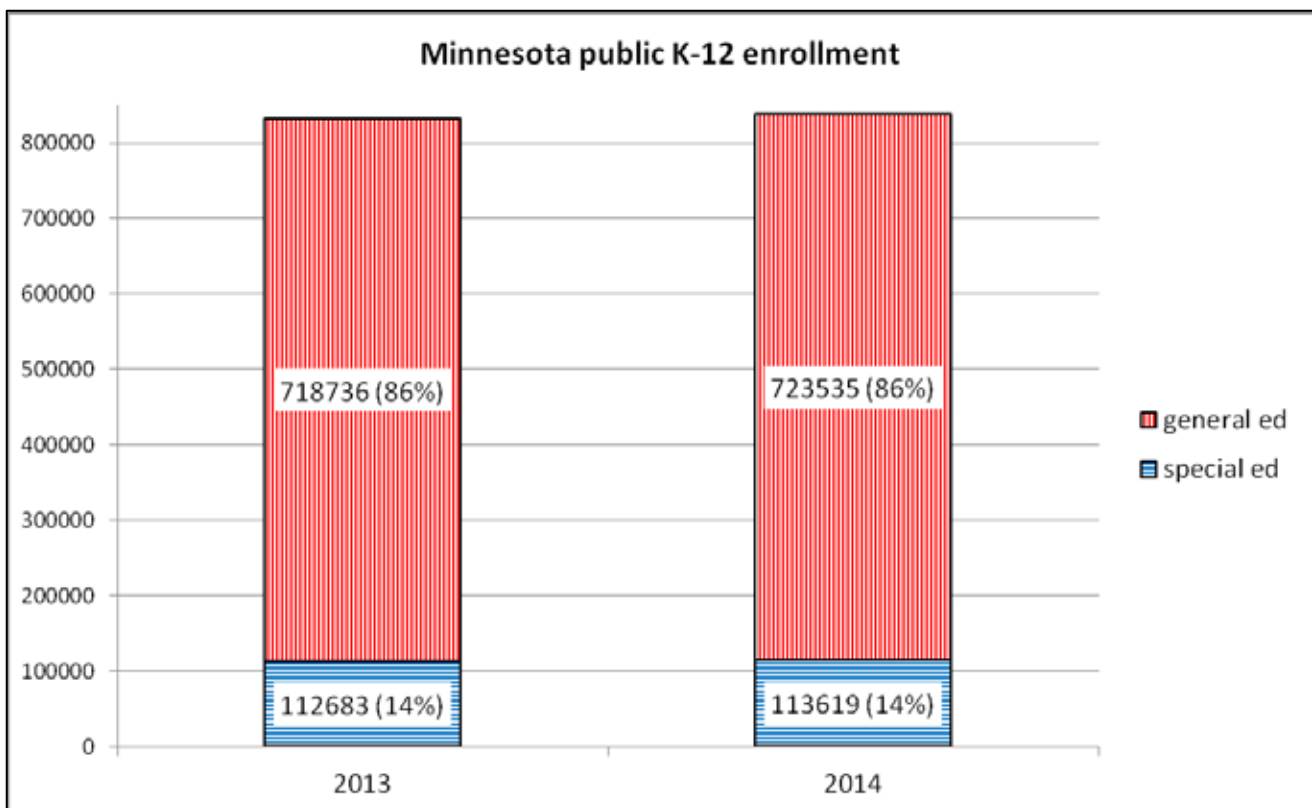
1. Advise the Special Education Division of unmet needs within the state in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
3. Advise the Special Education Division in developing evaluations and reporting on data to the secretary under section 618 of IDEA.
4. Advise the Special Education Division in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA.
5. Advise the Special Education Division in developing and implementing policies relating to the coordination of services for children with disabilities (IDEA, 34 CFR § 300.167-300.169).
6. The Minnesota Department of Education, after deleting personally identifiable information, must provide SEAP with the due process hearing decisions and findings and summarize state complaint decisions (34 CFR § 300.513(d) and 300.514(c)).

The following summarizes the valuable input and discussions SEAP provided on a variety of topics related to its work plan.

Special Education in Minnesota

By federal law, public schools must provide individualized special education and related services to eligible children with disabilities. Special education is specially designed instruction, provided at no cost to parents, to meet the unique needs of a child with a disability. It may include instruction in the classroom, home, hospitals, institutions and other settings.

On December 1, 2013, 129,669 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of 0.7 percent from the 128,812 Minnesota children receiving special education services in 2012–13. Of those, 113,619 were enrolled in grades K-12 in Minnesota public schools, 14 percent of the total statewide public school K-12 enrollment of 837,154.



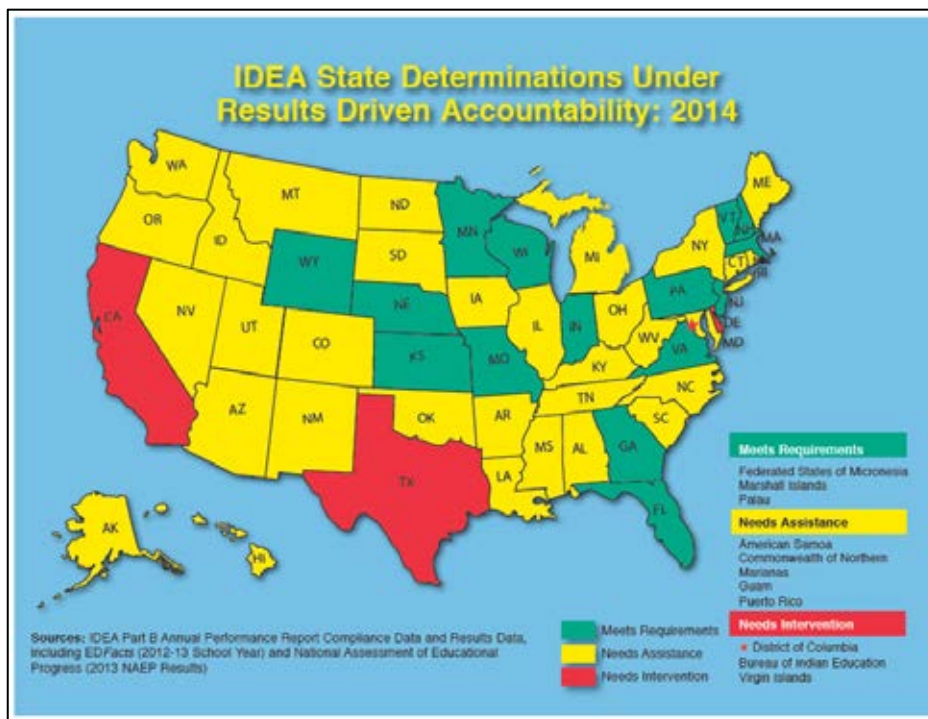
Compared to December 1, 2012, there were increases in the number of students in seven of the 14 disability categories: Deaf-Blind, Severely Multiply Impaired, Blind/Visually Impaired, Autism Spectrum Disorders (ASD), Traumatic Brain Injury, Other Health Disabilities (OHD) and Developmental Delay. The number of students in the categories of Specific Learning Disabilities and Emotional Behavioral Disorders (EBD) remained relatively stable. There were decreases in the number of Minnesota students in the remaining five categories: Developmental Cognitive Disability-Mild/Moderate, Developmental Cognitive Disability-Severe/Profound, Deaf/Hard of Hearing (DHH), Physically Impaired and Speech/Language Impaired.

State Performance Plan/Annual Performance Report

The U.S. Department of Education's (US DOE) Office of Special Education and Rehabilitative Services (OSERS) released state determinations on implementation of IDEA for Part B and Part C for fiscal year 2012. Amendments to IDEA in 2004 require each state to develop a State Performance Plan (SPP) that evaluates the state's efforts to implement the requirements and purposes of IDEA and describes how the state will improve its implementation. The Part B SPP (services for students ages 3-21) includes improvement activities for 18 indicators such as graduation rate, dropout rate, participation and performance on assessments, and meeting evaluation timelines. The Part C SPP (services for students ages Birth-2) includes improvement activities for 12 indicators such as ensuring positive outcomes for infants and toddlers with disabilities, timely provision of services, meeting evaluation timelines and provision of services in natural environments.

IDEA also requires each state to report annually on its performance under the SPP. Specifically, each state must report in its Annual Performance Report (APR) the progress it has made in meeting the targets established in its SPP. IDEA details four categories for determination. A state's determination may be:

- Meets the requirements and purposes of IDEA.
- Needs assistance in implementing the requirements of IDEA.
- Needs intervention in implementing the requirements of IDEA.
- Needs substantial intervention in implementing the requirements of IDEA.



For the first time in 2014, US DOE used both compliance and results data, giving each equal weight in making each state's Part B determination. US DOE used only compliance data for Part C determinations this year but plans to also use results data in making determinations in 2015. OSEP's previous accountability system placed a heavy emphasis on compliance and there has

been noted improvement in compliance over the past seven years in states across the country, including Minnesota. OSEP's new RDA accountability framework includes both educational results and functional outcomes for students with disabilities and results with the compliance requirements of IDEA. With this year's IDEA determinations, US DOE used multiple outcome measures that include students with disabilities' participation in state assessments and proficiency gaps between students with disabilities and all students, as well as performance in reading and math on the National Assessment of Educational Progress (NAEP). The use of student testing and other outcome measures is a major shift from years past and affected many states' standings related to their overall determination.

Last year, using only compliance data, 38 states met the "Meets Requirements" determination. This year, using the RDA framework, only 15 states met the "Meets Requirements" determination, Minnesota being one of them.

This year, Minnesota received a determination of "Meets Requirements" for our Part B determination with a RDA percentage of 82.95 percent (at least 80 percent is the "Meets Requirements" threshold). The state also received a "Meets Requirements" for Part C with 100 percent.

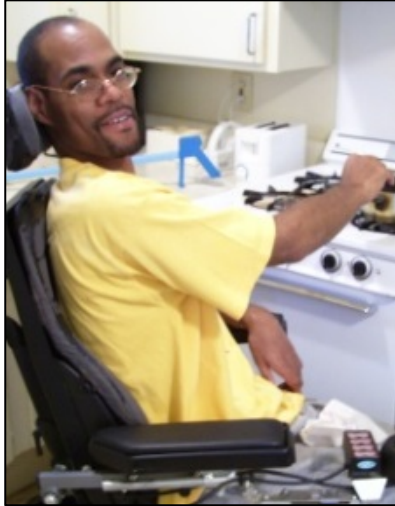
With OSEP's new RDA framework comes a new six-year SPP-APR cycle. As a result, the SPP-APR for federal fiscal years 2013 through 2018 incorporates new indicators (B-17 and C-11) that require states to develop a State Systemic Improvement Plan (SSIP).

The SSIP focuses on improving results for students with disabilities in three phases over the six-year period. The first phase of SSIP development includes data analysis, identification of a focus for improvement, infrastructure analysis, stakeholder involvement and building a theory of action. This information will be reported as part of the SPP-APR due in spring 2015. Future phases involve infrastructure development, support for evidence-based practices and an evaluation plan, as well as ongoing implementation evaluation and plan revisions as necessary. The expected overall goal for the SSIP is to increase the capacity of district programs to implement, scale up and sustain evidence-based practices that will result in improved outcomes for students with disabilities.

This year, SEAP heard presentations from MDE and North Central Regional Resource Center staff on the SSIP, which sparked valuable discussions and suggestions. These discussions and feedback have been an integral part of the evolving process toward developing our SSIP and meeting other requirements of OSEP's Results Driven Accountability initiative. SEAP will continue its important advisory role and serve as a primary stakeholder group for input on this initiative as it continues over the next several years.

Minnesota's Olmstead Plan

One of the most significant recent developments for services for Minnesotans with disabilities has been the development and start of implementation of the state's Olmstead Plan. Minnesota's Olmstead Plan documents what will, and what needs to, happen to ensure individuals with disabilities receive services in the most integrated setting appropriate to their needs.



SEAP kept abreast of Minnesota's Olmstead Plan, especially as they applied to MDE. Staff of the Special Education Division who represented MDE on Minnesota's Olmstead Subcabinet regularly informed SEAP about the most recent developments for the plan, while SEAP discussions and ideas informed MDE's activities and contributions to the plan.

As part of the Olmstead Plan, MDE will work to increase the number of students with disabilities in work-related opportunities; analyze instructional programs for transition-aged youth; increase outreach and support for transition; and continue preventive intervention programs, across its own divisions and in collaboration with its external partners. As one of those partners, SEAP's continued contributions will be

invaluable as the important work of implementing Minnesota's Olmstead Plan progresses in the coming months and years.

"I don't recall a document with as far-reaching impacts since the 1995 Americans with Disabilities Act was signed. This affects all disabilities and most people and businesses."

SEAP member Bob Johnson

"This...reminds educators that graduation is not the end of the journey, rather, a portion thereof. This focus on quality of life and attainment of individual goals is essential."

SEAP member Erin Wanat

Special Education Finance

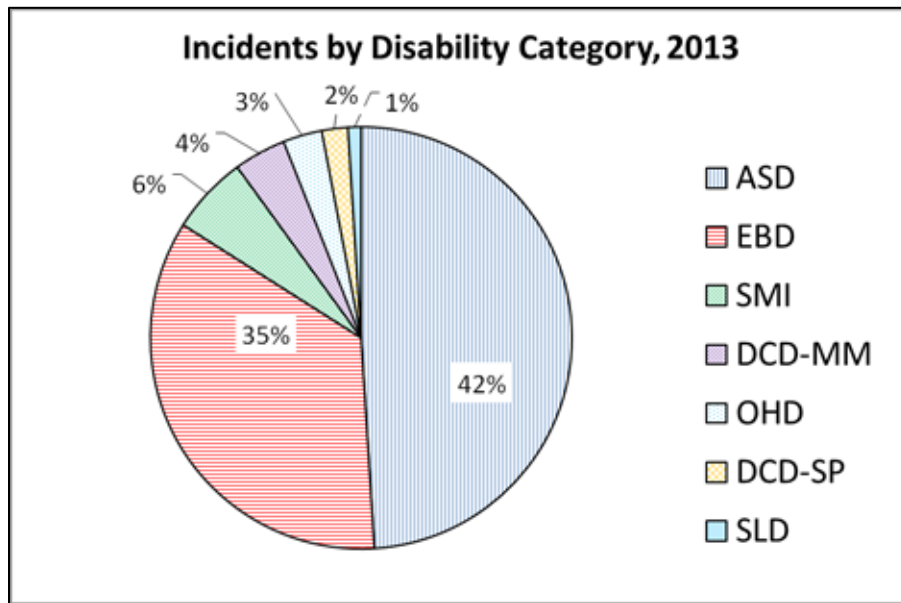


Staff from MDE's School Finance Division kept SEAP members up to date on recent changes aimed at improving and simplifying special education finance. These increased state aid for students receiving special education services by \$39 million in school year 2015-16 and \$41 million in 2016-17; provided a new category of aid to address the "cross subsidy" effect of applying general education funds to special education programs; changed calculations for excess cost aid and tuition billing; introduced a new, pupil-driven regular aid formula; and directed special education funding that formerly had to pass through traditional school districts to cooperatives and intermediate districts.

SEAP members appreciated this information and the efforts of school finance and other MDE staff to keep them abreast of the latest legislative developments.

Seclusion and Restraint

Over the past year, SEAP continued its involvement and partnership with the state's restrictive procedures work group. Staff kept SEAP members informed on the changes to Minnesota's restrictive procedures laws. In light of these changes, MDE reconvened the work group and included representatives from county social services, teachers and paraprofessionals. The reconvened work group will develop a statewide plan to reduce restrictive procedures and eliminate the use of prone restraint, including measurable goals and needed resources, training, technical assistance, mental health services and collaborative efforts. It will then report to the legislature on district progress in these areas.



SEAP members listened to staff presentations and brought their varied perspectives to productive discussions on the ongoing issues of restrictive procedures and prone restraint in Minnesota schools. As this effort progresses, SEAP will remain involved and contribute its ideas and expertise.

English Language Arts (ELA) Standards

SEAP members heard and responded to staff presentations on the upcoming implementation of Minnesota's revised English Language Arts academic standards, particularly how they will function within the state's multi-tiered systems of support. These standards, based on the Common Core State Standards with Minnesota-specific additions, are the first of the state's academic standards to cross content areas and require significant collaboration between Minnesota educators. MDE specialists are working with local schools and districts across the state to implement the new standards in ways that incorporate supports for students receiving special education services. Through Universal Design for Learning, accommodations that do not alter the standards or lower student expectations, and application of assistive technologies where needed, the implementation of the ELA standards should serve as a model for future standards development and implementation. Incorporating these supports into the standards development process should also help close the achievement gap for Minnesota students in special education.



“Given that children and youth with disabilities are expected to meet high academic standards, it is critically important that schools in our state are prepared to provide effective instructional supports to help them meet these standards.”

SEAP member Kristen McMaster

Going Forward

SEAP is a broad-based constituency group that plays an active and influential role in improving the education of children and youth with disabilities in Minnesota. SEAP members participate on other state and local committees and task forces such as the special education teacher licensure task force, the State Interagency Committee and the Higher Education Forum. As a result of their membership on other groups, there is opportunity to communicate priorities and make connections. Working together helps all our efforts move forward. SEAP will continue to recommend improvements in the special education service system to improve outcomes for students.

“SEAP’s wide range of participants creates a broad base and foundation to address and support and advocate for all individuals that need a voice regarding issues related to the education of children and youth with disabilities.”

SEAP member Danny Porter

Appendix A: Minnesota Special Education Advisory Panel, 2013–2014

Name	Address	Represents	Term Ends
Diane McCarron, Chair	Paynesville	School Administrator	2014
Dawn Bly	Fosston	Parent/Advocate	2015
Simoine Bolin	Hokah	School Administrator	2014
Deanne Curran	Farmington	Parent/Advocate	2014
Tricia Denzer	Belle Plaine	School Administrator	2016
Elizabeth Fields	Maple Grove	Parent/Advocate	2015
Lynnisha Grigsby	Minneapolis	Parent/Advocate	2014
Abdulkadir Issa	Fridley	Disability Advocate	2017
Robert Johnson	Fergus Falls	Vocation/Transition	2015
Carrie Mastenbrook	Stacy	Parent/Advocate	2016
Mary Margaret Mathers	Redwood Falls	School Personnel	2016
Jacki McCormack	St. Paul	Parent/Advocate	2014
Edna McKenzie	Brooklyn Park	School Personnel	2016
Kristen McMaster	Minneapolis	Higher Education	2016
Alexandra Morrissey	Rochester	Parent/Advocate	2016
Montana Picard	Minneapolis	Parent/Person with a Disability	2017
Danny Porter	Maplewood	School Personnel	2015
Maxie Rockymore	St. Paul	Child Welfare/Foster Care	2015
Jennifer Sommerness	Minneapolis	Parent/Advocate	2015
Dan Stewart	Minneapolis	Parent/Advocate	2015
Wendy Velzke	Cottage Grove	Parent/Advocate	2014
Erin Wanat	Morristown	School Administrator	2017
Barb Ziemke	Lakeville	Parent/Advocate	2014

Appendix B: Examples of Special Education Advisory Panel Representation on Other Disability Groups (2013-2014)

Arc

Arc United Bemidji, MN

Assessment and Accountability Committee

Becker, Clay, Otter Tail & Wilkin County Adult Mental Health Initiative

Child Welfare Educational Systems Collaborations

Collaborative for Children who are Deaf/Hard of Hearing

Dakota County Community Transition Interagency Committee

Delinquent and Neglected Title I Part A

District # 544 Community Transition Interagency Committee

Elizabeth Hall Parent Group

Family Homeless and Prevention Assistance Program

Fergus Falls Human Rights Commission (Chair)

Governing Board of the Region IV South Mental Health Initiative

McKinney-Vento Act in Our Schools State Coordinator

MDE Early Childhood MARSS Workgroup

MDE Reducing Bias Workgroup

MDE Task Force on Seclusion/Restraint

Minneapolis Public Schools Special Education Advisory Council (Co-Chair)

Minnesota Administrators of Special Education

Minnesota Association for Children's Mental Health (MACMH)

Minnesota Association for Family and Early Education

Minnesota Board of Social Work Advisory Committee

Minnesota Department of Human Services

Minnesota Disability Law Center/Mid-Minnesota Legal Aid

Minnesota Governor's Council on Developmental Disabilities

Minnesota Hearing and Vision Advisory Board

Minnesota Interagency Council

Minnesota School Social Worker Association (MSSWA)

Minnesota State Academy for the Deaf Site Council

Minnesota State Council on Disability (MSCOD) Executive Board

Minnesota State Interagency Committee (MnSIC)

Minnesota State University Mankato

Minnesota Youth At-Risk of Homelessness Planning Team

MINN-LINNK

MN LEND

Nonpublic Education Council

Northwest Family Voice

Other Health Disabilities Workgroup

Parent Advocacy Coalition for Educational Rights (PACER)

Project Enhance Steering Committee

Ramsey County Children's Mental Health Collaborative Governing Board

Rochester Family Down Syndrome Network

Rochester School District SEAC

Southern Plains Education Cooperative

**Appendix B: Examples of Special Education Advisory Panel
Representation on Other Disability Groups (2013-2014)
(continued)**

Special Education Electronic System Work Group Meeting
SpEd Form Advisory Committee
St Cloud State University
University of Minnesota Special Education Programs
Waseca Area Special Education Advisory Panel
Way to Grow, Inc.

Appendix C: Special Education Advisory Panel Meeting Schedule, 2013–2014

Friday, September 20, 2013

Friday, November 15, 2013

Friday, January 24, 2014

Friday, March 21, 2014

Friday, May 2, 2014

SEAP meetings in 2013–2014 were held at the Minnesota Department of Education Conference Center. SEAP meetings were scheduled from 9:00 a.m. to 4:00 p.m.

For information about SEAP visit the Advisory Council's website.

For questions about SEAP please contact Cindy Shevlin-Woodcock at 651-582-8656 or cindy.shevlin-woodcock@state.mn.us.