



# Annual Report

FY 2010—2011

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Utah

Special Education  
Advisory Panel



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# Utah Special Education Advisory Panel - 2010 – 2011

## Leadership Team

<b>Name</b>	<b>Representing</b>
Mark Thompson	Chair
Karla Stoker	Chair–Elect
Taryn Nicksic-Springer	Past Chair
Roz Welch	Mentor Coordinator
Michelle Griner	Individuals with Disabilities/Parents of Students with Disabilities
Melanie Hatch	Individuals with Disabilities/Parents of Students with Disabilities
Rebecca Turley	Individuals with Disabilities/Parents of Students with Disabilities
Glenna Gallo	State Education Agency

## Advisory Panel Members

<b>Name</b>	<b>Representing</b>
Tanya Alborno	Foster Care
Laura Anderson	Individuals with Disabilities/Parents of Students with Disabilities
Dawn Armstrong	Private Schools
Leslie Buchanan	Vocational/Business/Community – Providing Transition
Kay Clark	Special Education Administrators
Connie Crosby	Homeless Education Administration
Leonard Dunn	Adult Corrections
Caralee Earl	Individuals with Disabilities/Parents of Students with Disabilities
Glenna Gallo	State Education Agency
Eden Gillespie	Individuals with Disabilities/Parents of Students with Disabilities
Michelle Griner	Individuals with Disabilities/Parents of Students with Disabilities
Melanie Hatch	Individuals with Disabilities/Parents of Students with Disabilities
Joy Jansen	Charter Schools
Heidi Johansen	Individuals with Disabilities/Parents of Students with Disabilities
Mary Kehn	Individuals with Disabilities/Parents of Students with Disabilities
Michelle Martin	Individuals with Disabilities/Parents of Students with Disabilities
Taryn Nicksic-Springer	Individuals with Disabilities/Parents of Students with Disabilities
Lloyd Pendleton	Homeless Education (State Level)
BillieJo Petersen	Individuals with Disabilities/Parents of Students with Disabilities
Heather Read	Related Service Providers
Kris Rice	Teachers of Students with Disabilities
Neesha Rutledge	Local Education Agency Official
Aubrey S Goodell	Individuals with Disabilities/Parents of Students with Disabilities
Lisa St. Louis	Juvenile Corrections
Linda Stalliviere	Regular Education Teachers
Eric Stoker	Individuals with Disabilities/Parents of Students with Disabilities
Karla Stoker	State Agency/Financing or Related Service
Lanae Stout	Individuals with Disabilities/Parents of Students with Disabilities
RaeAnne Thayne	Individuals with Disabilities/Parents of Students with Disabilities
Mark Thompson	State Agency/Financing or Related Services
Rebecca Turley	Individuals with Disabilities/Parents of Students with Disabilities
Roz Welch	Individuals with Disabilities/Parents of Students with Disabilities
Amy Weyrich	Individuals with Disabilities/Parents of Students with Disabilities
Natalie Williams	Personnel Preparation



# **Operating Procedures**



**UTAH SPECIAL EDUCATION ADVISORY PANEL  
(USEAP)**

**OPERATING PROCEDURES**

**April 13, 2010**

**ARTICLE I  
Name**

**Section 1:** The name of the Panel shall be the Utah Special Education Advisory Panel, hereinafter referred to as USEAP.

**ARTICLE II  
Purpose**

**Section 1:** USEAP, as the advisory panel to the Utah State Education Agency, hereinafter referred to as the Utah State Office of Education (USOE) is mandated by PL 108-446, the Individuals with Disabilities Education Act (IDEA), hereinafter referred to as "the Act", has been authorized to carry out the functions defined in these Operating Procedures.

**Section 2:** USEAP is involved in its advisory role at appropriate times in the USOE decision-making process.

**Section 3:** The USOE designee, the State Director of Special Education, carries out the regulatory responsibilities defined in the Act and shall work in partnership with USEAP.

**Section 4:** USEAP advises the USOE as it monitors special education programs in local education agencies (LEAS) and private schools. Monitoring activities are under the direction of the State Director of Special Education.

**ARTICLE III  
Functions**

**Section 1:** As defined in federal law, USEAP shall consider issues and make recommendations on the following:

- a. Advise the USOE of unmet needs within the state in the education of children with disabilities;
- b. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- c. Advise USOE on developing evaluations and reporting on data to the Federal Secretary under Section 618 of the Act;
- d. Advise the USOE in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act;

- e. Advise the USOE in developing and implementing policies relating to the coordination of services for children with disabilities; and
- f. Review and comment on completed due process hearing findings.

**Section 2:** USEAP shall develop recommendations or position statements regarding significant issues in the education of students with disabilities and communicate such recommendations to the USOE.

- a. It is the responsibility of each panel member to raise issues that relate to his/her area of responsibility; giving input into position papers, publications, and policy recommendations.
- b. All formal recommendations or position papers shall be addressed to the State Director of Special Education and shall reflect approval of a simple majority of members present.
- c. USEAP may provide copies of all formal recommendations or position papers to the applicable Associate Superintendent, the State Superintendent of Public Instruction, the State Board of Education and other advisory groups concerned with the delivery of services for students with disabilities [the Local Education Agency Directors (LEAD), for example].

**Section 3:** Members of USEAP have the further responsibility of establishing and maintaining contact with persons, groups, or associations having an interest in the welfare of children with disabilities so as to remain knowledgeable and informed relative to public and private interests in special education.

**Section 4:** Members of USEAP may exchange information with advocacy groups or other committees.

- a. The Chair of USEAP, or in his/her absence the Chair-Elect or the designee of the Chair, is the only member of the panel authorized to speak publicly for USEAP and then only in accordance with USEAP recommendations or position statements.
- b. Individual USEAP members may not represent themselves as spokespersons for USEAP, the USOE, or the State Board of Education.

## **ARTICLE IV Membership**

**Section 1:** All members of USEAP shall be appointed by the State Superintendent of Public Instruction based on recommendations proposed by USEAP.

**Section 2:** The term of appointment shall be for three years commencing July 1 of the first year and ending June 30 of the third year.

**Section 3:** Individuals may be re-appointed for a second consecutive term.

**Section 4:** Individuals who are appointed to fill a term of office for another person may then be re-appointed to serve one additional term.

**Section 5:** A mentor may be assigned to each new panel member to assist with orientation to the panel duties and provide support during the first year of the new panel member's term. An experienced panel member may be nominated and confirmed by the panel as a mentor coordinator for a term of three years to recruit and assign mentors to new members as well as organize mentor activities. If the mentor coordinator's membership term expires prior to fulfilling the three years as mentor coordinator, the mentor coordinator's term may be extended for the length of time needed to fulfill the term as mentor coordinator.

**Section 6:** The membership of USEAP shall be representative of Utah's population and will be composed of individuals involved in or concerned with the education of children with disabilities, not to exceed twenty (20) members. A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.

**Section 7:** USEAP membership shall be comprised of representation from the following:

- a. Parents of children with disabilities (ages birth through 26);
- b. Individuals with disabilities;
- c. Teachers;
- d. Representatives of institutions of higher education that prepare special education and related services personnel;
- e. State and local education officials;
- f. Administrators of programs for children with disabilities;
- g. Representatives of other state agencies involved in the financing or delivery of related services to children with disabilities;
- h. Representatives of private schools and public charter schools;
- i. At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- j. Representatives from the state juvenile and adult corrections agencies;
- k. A person responsible for services to children who are homeless; and
- l. A representative from state child welfare responsible for foster care.

**Section 8:** A person selected to represent a specific category in Section 6 may have experience across categories. Consideration should be given to balance membership to assure adequate representation of urban and rural areas, minorities and under-served populations, individuals and parents of children with moderate and severe disabilities and involving a secondary student with a disability.

**Section 9:** By July 1 of each year, USEAP shall submit an annual report of its activities and recommendations to the USOE in accordance with Article III, Section 2. This report must be made available to the public in a manner consistent with other reporting requirements of Part B of the Act.

**Section 10:** USEAP members shall serve without compensation but USOE must reimburse members for reasonable and necessary expenses for attending meetings and performing duties.

## **ARTICLE V Officers and Leadership Team**

**Section 1:** Elected officers of USEAP shall be a Chair and Chair-Elect. The Chair Elect shall assume the position of Chair the following July 1.

**Section 2:** The officers shall be elected by a simple majority of members present at a regularly scheduled meeting. (This will allow an orderly transition.)

**Section 3:** The term of office for elected officers shall be one year. The period is from July 1 to June 30.

**Section 4:** The Chair shall call and preside at all meetings, appoint all task force chairs, and establish a Leadership Team, if necessary, with the approval of USEAP.

- a. The Leadership Team shall consist of the Chair, Chair-Elect and at least three members of USEAP (which may include the Past Chair) as determined by the Chair.
- b. Consideration should be given to balance the membership of the Leadership Team to assure representation of the various groups.
- c. The Leadership Team may act on behalf of USEAP when the panel is not convened, for an emergency purpose.

**Section 5:** The Chair of USEAP or designee of the Chair is responsible for receiving correspondence.

**Section 6:** The chair or designee may represent USEAP at Utah State Board of Education meetings as determined by USOE policies and procedures.

**Section 7** The Chair is responsible for the following duties:

- a. Assuring the scheduling of meetings for USEAP and task forces;
- b. Developing meeting agendas with the Leadership Team and the State Director of Special Education;
- c. Chairing all meetings of the USEAP and the Leadership Team;
- d. Coordinating with the State Director of Special Education all USEAP activities;

- e. Establishing task forces with the approval of USEAP;
- f. Assuring that all meetings of task forces are reported at the succeeding USEAP meeting and that recommended action is made a matter of record;
- g. Assuring that USEAP minutes are completed and mailed to members and other appropriate recipients no later than twenty (20) calendar days after each meeting; and
- h. Reporting to the Utah State Board of Education when requested by the USOE designee, the State Director of Special Education.

**Section 8:** The Chair-Elect shall serve in the absence of the Chair.

**Section 9:** Secretarial services for USEAP shall be provided by the USOE.

## **ARTICLE VII Task Forces**

**Section 1:** Task forces shall be established for specific tasks and for a designated time period.

**Section 2:** A representative of task forces will report on current activities at USEAP meetings.

**Section 3:** Task forces will draft recommendations for discussion and action by the USEAP as requested.

**Section 4:** Membership shall be determined by the Leadership Team.

**Section 5:** Membership on task forces may include representatives from the field as well as from USEAP.

## **ARTICLE VIII Amendments to the Operating Procedures**

**Section 1:** These operating Procedures may be amended by a simple majority vote at a regularly scheduled USEAP meeting and final approval by the USOE. USEAP members will be asked to review proposed revisions in a timely fashion, prior to scheduled meetings, for purposes of discussion.



**Year in Review  
&  
Agendas & Minutes**



## **2010 - 2011 Year in Review**

### **July 13, 2010, Summer Workshop:**

This meeting was well attended and there was a lot of participation. At the USEAP Summer Workshop the following areas were identified as focus topics for the 2010-2011 school year:

- Transition
- Rtl
- Restraint/Seclusion
- Janet Gibbs and Peggy Milligan were identified as presenters for the next scheduled USEAP meeting to be held in September.

### **July 20, 2010**

I was informed that the Office of Special Education Programs (OSEP) would be coming to Utah and had a survey that they wanted the Utah Special Education "Advisory Panel (USEAP) to complete before their visit. In order to get a consensus on how to respond to the survey questions as a cohesive group, we decided to have a special meeting for that purpose. This was scheduled for August 25, 2010, and was held at the Jones center. This meeting had a good turnout and we were able to discuss all of the questions that were on the survey. Using the responses from the panel members and utilizing the notes from the great discussion that we had, I was able to consolidate those into a response to OSEP. Karla Stoker did an excellent job of editing and proofreading this and making recommendations as well. Through this joint effort, we were able to complete the response and it was found acceptable to OSEP. Glenna Gallo sent me a very gracious e-mail in January stating that due to the efforts of USEAP and the Parent Center, Utah had no findings of noncompliance.

### **September 28, 2011**

We had our scheduled meeting at the Jones Center. This meeting was to discuss Transition as outlined in our focus topics and also we discussed confidentiality. Glenna Gallo filled in for the scheduled presenter on transition who was unable to attend. There was a very good discussion with many ideas brought up. There was a discussion around confidentiality as well. The panel decided it needed more information and some assignments were made. Some questions were put out for more information.

### **November 29<sup>th</sup> 2011**

The scheduled meeting was held at the Jones center. In this meeting we received follow-up information and answers to questions members of the panel had about transition. I was unable to stay the full day due to conflicting schedules, but Karla stepped in as chair for the other half of the meeting and by all reports did an excellent job of leading the discussion. Further information and clarification of the Local Education Agency's (LEA's) policies on confidentiality were presented and the Panel decided to make a recommendation to the Special Education Director regarding confidentiality.

Specifically it stated that "we are concerned that confidentiality training for parent volunteers and substitute teachers working with special education students is not consistent throughout the state."

Karla Stoker volunteered to write this up and the recommendation was submitted to the Special Education Director in early January 2011.

**January 11, 2011**

We held our scheduled meeting at the Utah State Office of Education. We discussed transition and response to intervention (RTI) and had some great training. We also discussed the need to fill several positions on the Panel and discussed the nomination process.

**February 25, 2011**

Utah was highlighted in the National State Advisory Panel webinar. Glenna did an excellent power point. Glenna Gallo, Helen Post, from the Utah Parent Center, and myself presented on various aspects of our best practices. John Copenhaver joined us in Glenna's office for the presentation. It went quite well and seemed to be well received.

**April 13, 2011**

I was unable to attend this meeting due to other commitments and Karla Stoker chaired the meeting, in my absence. This meeting included a follow-up discussion on Priority 3: Seclusion and Restraint. Nominations were considered and names selected to be sent forward to the State Superintendent of Public Instruction for appointment to the Utah Special Education Advisory Panel. Members whose terms on USEAP were ending were recognized and thanked for their participation on the Panel and their dedication to students with disabilities in the state of Utah. Planning began for the Summer Workshop to be held July 28, 2011.

It has been my pleasure to serve on the USEAP for the last (nearly) five years. It has been my honor to be the chair for this past year. I have greatly appreciated the dialogues and discussions we have had. I am extremely appreciative of the great dedication you have all shown and the efforts you have put forth in support of the USEAP mission and the provision of Special Education services in Utah. Your support, hard work, and dedication make this possible.

Thank you,

Mark Thompson  
USEAP Chair  
2010 – 2011

# USEAP SUMMER WORKSHOP

July 13, 2010 8:30 a.m. – 3:30 p.m.  
USOE  
250 East 500 South – Salt Lake City, Utah



## Agenda

8:30 – 9:00

*Continental Breakfast*

### Morning Session

9:00 – 10:00

Welcome and Introductions  
*Mark Thompson*

*Informal  
Break*

10:00 – 12:00

Advisory Panel Training  
*John Copenhaver*

12:00 – 12:45

*Lunch*

### Afternoon Session

12:45 – 1:45

USOE Updates  
Meet the USOE Staff  
Meet the UPDC Staff  
*Glenna Gallo*

1:45 – 2:00

Overview of Roberts Rules of Order  
*Karla Stoker*

*Informal  
Break*

2:00 – 3:00

Establishing 2010 – 2011 Priorities  
*Mark Thompson & Glenna Gallo*

3:00 - 3:30

Other Business

3:30

*Adjourn*

*Leadership Team Please Stay After  
for a Brief Meeting*





**Utah Special Education Advisory Panel  
Minutes  
Summer Workshop  
July 13, 2010**

**Present:** Rebecca Turley, Karla Stoker, Mark Thompson, Leonard Dunn, Connie Crosby, Taryn Nicksic-Springer, Heather Read, Lanae Stout, Kay Clark, Mary Kehn, Amy Weyrich, Neesha Rutledge, Melanie Hatch, Shelly Martin, Leslie Buchanan, RaeAnne Thayne, Roz Welch, Kris Rice, Eden Gillespie, Eric Stoker, Glenna Gallo, Rebecca Donovan

**Guests:** John Copenhaver, Marty Blair, Donny Martin, Sam Weyrich

**Welcome and Introductions:** Mark Thompson, Chair, welcomed everyone and thanked them for attending.

**USOE Update:** Glenna Gallo, new State Director of Special Education, updated the panel on the following:

- SPP/APR – was submitted 2/1/2010, Utah’s Determination was “Meets Requirements”. We are starting the FY 2009 APR now.
- OSEP Verification Visit – The Office of Special Education Programs will be coming to Utah the week of October 12, 2010, to meet with Part B and Part C staff.
- Common Core Curriculum – Adoption of the Common Core is being discussed by the Utah State Board of Education on August 6, 2010.

Glenna introduced the USOE staff with the aid of a PowerPoint presentation, giving a little insight into their qualifications and their position on the special education staff.

**Advisory Panel Training:** John Copenhaver of Mountain Plains Regional Resource Center reported on the role of the advisory panel. There are six regional resources centers nationwide funded by the Office of Special Education Programs. Mountain Plains serves Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wyoming and the Bureau of Indian Affairs. Among other things, Mountain Plains facilitates a teleconference with the advisory panels in its service region. Utah’s State Director of Special Education and the USEAP Chair participate in these teleconferences.

John briefly listed the functions of the advisory panel:

- Advise the SEA 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 (Check USEAP Operating Procedures before making public comment.)
- Advise the SEA in developing evaluations and reporting on data to the Secretary under Section 618 of the Act.
- Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act.

- Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
- Advise on eligible students with disabilities in adult prisons. The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.

John also gave a listing of effective practices of successful advisory panels which includes:

- New member orientation
- Annual meeting to set goals and priorities
- Close working relationship with the state director
- Established by-laws (called operating procedures in Utah) for the panel operations
- Meetings at least every two months
- Collaborate on agenda building
- Awareness brochures
- User-friendly annual report (some states have adapted Utah's annual report)
- Advisory, not advocacy, in nature

John pointed out that an advisory panel should be proactive rather than reactive. The panel should be looking at current and emerging issues. He advises focusing in on three or four priority issues for the year.

Techniques for providing advice include:

- Communicate advice to director (John recommends that minutes show bullets for issues that need to go to the State's Special Education Director.)
- Compose a letter to State Director that clearly states the issue and suggested solutions and strategies for solving the problem.

John also discussed the importance of the OSEP Verification Visit in October and how the panel would be looked to as an important part Utah's special education decision making process.

**Roberts Rules of Order:** Karla Stoker presented a brief overview of Robert's Rules of Order and gave a short account of Henry Martyn Robert. Henry Robert was a member of the US Military who had an early interest in the rules of parliamentary procedure and later prepared and published (privately) what is known today as Robert's Rules of Order.

**Focus Topics 2010-2011:** Mark and Glenna opened the discussion for possible focus topics for the coming school year. The following areas were proposed and discussed:

- Restraint/Seclusion
- RtI (implementations & Coordination with general education) (Tiered reading & math)
- YIC (in/out of state)
- Common CORE
- Fiscal Accountability
- Utah Alternative Assessment (UAA-II)
- Preschool LRE

- External CORE
- School to Post School (plans & outcomes)
- IEP Goals – link to CORE (individual & progress monitoring)
- Increasing Public Input
- Budget Cuts & FAPE
- Training of LEA School Administrators (re: special education)
- Confidentiality (volunteers, paras, subs) Training of Subs
- Grants proposals (with others such as IHE)
- OSEP Verification Visit

After discussion of the above list, panel members voted and the following areas were identified as focus topics for the 2010-1011 school year:

- Transition (Susan Loving)
- RtI (Janet Gibbs & Peggy Milligan)
- Restraint/Seclusion (Carol Anderson & Glenn Dyke)

The panel also determined that Youth In Custody and Preschool LRE would also be topics of interest for discussion at panel meetings.

**Motion to Adjourn:** Mark asked for a motion to adjourn.

**Motion:** Eden Gillespie – Move we adjourn.

**Second:**

Motion Passed.

**Meeting Adjourned**

**Next Regular Meeting: September 28, 2010  
Jones Center – 382 E 3605 S, Salt Lake City, UT**



**USEAP**  
Utah Special Education Advisory Panel

September 28, 2010  
9:00 am – 3:30 pm

Jones Center  
382 E 3605 S – Salt Lake City UT



**9:00 – 9:05 am** Introductions Mark Thompson

**9:05 – 9:10 am** Public Input

**9:10 – 9:30 am** Confidentiality Training Glenna Gallo

**9:30– 11:00 am** Priority 1: Transition Susan Loving

*Informal Break*

**11:00 – Noon** USOE Updates Glenna Gallo

- Summary of 2009 – 2010
- Dispute Resolution & UPIPs Data
- Determination Letter
- OSEP Visit Update
- ARRA Update
- APR Update

**Noon – 1:00 pm** *Lunch*

**1:00 – 1:15 pm** Utah Parent Center Report Rebecca Turley

**1:15 – 1:30 pm** Interagency Coordinating Council Report Connie Nink

**1:30 – 2:00 pm** USEAP Business

**2:30 – 3:00 pm** Other Agenda Items (TBD)

- USEAP Annual Report (09-10) Status

**3:00 pm** Adjourn

USEAP Leadership Team, please stay after for a brief meeting.



**Utah Special Education Advisory Panel**  
**Minutes**  
**September 28, 2010**

**Present:** Amy Weyrich, Aubrey Shepardson, BillieJo Peterson, Connie Crosby, Dawn Armstrong, Eric Stoker, Heather Read, Karla Stoker, Kay Clark, Kris rice, LaNae Stout, Laura Anderson, Mark Thompson, Michelle Griner, Natalie Williams, Neesha Rutledge, Melanie Hatch, Rebecca Turley, Linda Stalliviere, Tanya Albornoz, Connie Nink, Glenna Gallo, Rebecca Donovan

**Welcome and Introductions:** Mark Thompson, Chair, welcomed everyone and thanked them for attending.

**Confidentiality Training:** Glenna Gallo reported that USOE staff is being trained on confidentiality. This training is being conducted to protect the privacy of our students with disabilities.

As a follow-up to this Mark Thompson requested that panel members inquire whether their district/school does confidentiality training for substitutes and teachers.

**Priority 1 Transition:** Susan Loving was ill, so Glenna Gallo gave the presentation on transition. Panel members were concerned what might be causing dropout of students. Many concerns and possible solutions were raised in panel discussion. Notes of that discussion will be forwarded to the transition specialist at USOE.

**USOE Updates:** Glenna Gallo –

- Dispute resolution - Though not required by IDEA, early dispute resolutions is available in Utah. What disputes are seen do not show up in monitoring. The things that come up in dispute are the things that we are unable to monitor for.
- Determination letter – Utah has met determination for the third year in a row.
- OSEP Visit Update – OSEP will be at USOE October 12 -15, 2010 and will be looking at general supervision, fiscal management, and data management. Staff has been working long hours to prepare for the visit.
- ARRA Update – The American Recovery and Reinvestment Act (ARRA) provided Utah with \$109,235,148 in FY 2009 to be used for programs under Part B of IDEA. Requests for reimbursement of \$25,034,514 have been made as of August 2010 leaving \$84,200,634 remaining to be spent prior to September 30, 2011.
- APR Update – in progress

**Utah Parent Center Update:** Rebecca Turley reported that the Utah Parent Center is Utah's Parent Information Center---“Parents Helping Parents.” Their sister organization is Utah Voices (Healthcare). The Parent Center provides information to parents who have students with disabilities and serves as a resource to help guide parents through various situations faced by students with disabilities and their parents. The Parent Center holds various trainings and conferences throughout the year on different topics of interest to parents of students with disabilities. In October they will offer Surrogate Parent Training for districts and charter schools.

**ICC Update** – Connie Nink – The Interagency Coordinating Council (ICC) is the sister to USEAP. The Part C (birth – 3) component of IDEA is the Health Department (Baby Watch). (Part B is USOE.) There will be an Early Childhood Conference (birth through 5) held in October. Of concern is early screening for Autism. How will that affect students coming into Part B (3-5 preschool)?

**USEAP Business** – Mark Thompson

- OSEP Visit – Panel members met at a special meeting to discuss USEAP’s response to the OSEP Survey. During the meeting all items were discussed and notes taken. After the meeting volunteers wrote the response to the survey (draft in the packet for panel members present to view and respond to). There being no objections to the draft presented the Chair will finalize the document and submit USEAP’s response to OSEP.
- Nominations – Rebecca reported that USEAP has two new vacancies on the panel: one for a Charter School Representative and one for an Individual with a Disability/Parent of a Student with a Disability. Both vacancies are due to resignation of panel members.
- November meeting has been rescheduled to November 29, 2010.
- Minutes of the Summer Workshop – The minutes were discussed briefly, there being no objections, the minutes were approved as presented.
- Annual Report – The past chair was not present to present an annual report.

**Meeting Adjourned**

**Next Regular Meeting: November 29, 2010**  
**Jones Center – 382 E 3605 S, Salt Lake City, UT**

**USEAP**  
Utah Special Education Advisory Panel

November 29, 2010  
9:00 am – 3:00 pm

Jones Center  
382 E 3605 S – Salt Lake City UT



<b>9:00 – 9:05 am</b>	Introductions	Mark Thompson
<b>9:05 – 9:10 am</b>	Public Input	Mark Thompson
<b>9:10 – 10:30 am</b>	Priority 2: Rtl for Instruction <ul style="list-style-type: none"><li>Brief Overview and Discussion to Formulate Advisory Panel Recommendations</li></ul>	Janet Gibbs & Peggy Milligan
<b>10:30 – 11:15 am</b>	Priority 1: Transition <ul style="list-style-type: none"><li>Follow-up from September 28, 2010 meeting</li></ul>	Susan Loving
<i>Informal Break</i>		
<b>11:15 – 12:15 pm</b>	USOE Updates <ul style="list-style-type: none"><li>Results of OSEP Visit</li><li>ARRA Updates</li><li>APR/SPP Revisions &amp; Update</li><li>Common Core</li></ul>	Glenna Gallo  Peggy Milligan Janet Gibbs
<b>12:15 – 1:15 pm</b>	<i>Lunch</i>	
<b>1:15 – 1:30 pm</b>	Utah Parent Center Report <ul style="list-style-type: none"><li>OSEP Parent Survey Results</li></ul>	Helen Post
Interagency Coordinating Council Report - No Report This Month		
<b>1:30 – 3:00 pm</b>	USEAP Business <ul style="list-style-type: none"><li>Review of Data Collected re: LEA Confidentiality Training for Substitutes and Parent Volunteers</li><li>Approval of September Minutes</li><li>Nominations</li></ul>	Mark Thompson
<b>3:00 pm</b>	Adjourn	

USEAP Leadership Team, please stay after for a brief meeting.



**Utah Special Education Advisory Panel**  
**Minutes**  
**November 29, 2010**

**Present:** Lloyd Pendleton, Leonard Dunn, Eden Gillespie, BillieJo Petersen, Heather Read, Kay Clark, Roz Welch, Kris Rice Amy Weyrich, Rebecca Turley, Eric Stoker, Karla Stoker, Melanie Hatch, Natalie Williams, Dawn Armstrong, Linda Stalliviere, Tanya Albornoz, Mark Thompson, Helen Post, Janet Gibbs, Susan Loving, Peggy Milligan, Glenna Gallo, Rebecca Donovan

**Welcome and Introductions:** Mark Thompson, Chair, welcomed everyone and thanked them for attending.

**Priority 2: RtI for Instruction:** Janet Gibbs gave an overview of the RtI process and the application it has to regular education students as well as special education students. RtI may also be used for the accelerated student.

**Priority 1: Transition:** Susan Loving was present to address advisory panel questions and concerns regarding transition and graduation. There is no simple answer to the dropout question (a major concern of the panel). The reasons for dropping out are many and varied.

**USOE Updates:**

- Glenna reported that the OSEP visit went well. There have been some requests for additional information since the visit. However, things still sound good. All that can be done now is to wait for their report.
- ARRA (American Recovery and Reinvestment Act) funds– Glenna reported that requests continue to come in for approval to use these one-time funds for various projects and purchases. However, only a small portion of the funds have been allocated at this time.
- APR/SPP (Annual Performance Report/State Performance Plan) – Peggy Milligan reported that staff is working on the twenty indicators of the APR in preparation for submission of the report on February 1, 2011.
- Common Core: Janet Gibbs reported that the Multi-State Common Core was adopted by Utah in August of 2010. The Common Core will impact how teachers teach and will apply to students with disabilities as well as regular education students.

A concern was raised by a panel member that professional development for the common core will be needed by both regular and special education teachers and administrators.

**Utah Parent Center Report** – Helen Post reported that in preparation for the OSEP visit to Utah, the Parent Center surveyed a sampling of parents of students with disabilities in an effort to respond to the questions from OSEP. The information from the survey will be considered with other data available to help determine and prioritize training and information needs for parents.

**Confidentiality Training:** Mark asked panel members what they had found when they made inquiries regarding confidentiality training. Answers were varied; ranging from districts that do train to districts not doing any confidentiality training. The higher education, personnel preparation representative reported that their university trains their students on confidentiality.

Karla Stoker asked if the panel wanted to draft a letter of recommendation addressing confidentiality training. Karla and Mark Thompson will draft a letter and bring it to the panel at the next meeting.

**Motion:** Natalie Williams – Moved the meeting adjourn.

**Second:** Eden Gillespie

**Passed**

**Meeting Adjourned**

**Next Regular Meeting: January 11, 2011  
Utah State Office of Education, 250 E 500 S, Salt Lake City, UT**

**USEAP**  
Utah Special Education Advisory Panel

January 11, 2011  
9:00 am – 3:00 pm

Utah State Office of Education  
250 E 500 S – Salt Lake City UT

The word "AGENDA" is written in large, bold, black capital letters on a blue background with a white floral pattern.

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<b>9:00 – 9:05 am</b>	Introductions	Mark Thompson
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<b>9:05 – 9:10 am</b>	Public Input	Mark Thompson
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<b>9:10 – 10:45 am</b>	USEAP Business	Mark Thompson
	<ul style="list-style-type: none"><li>• Follow-up Discussion &amp; Review of Advisory Panel Recommendations<ul style="list-style-type: none"><li>○ Priority 1: Transition</li><li>○ Priority 2: RtI</li></ul></li><li>• Letter of Recommendation Regarding Confidentiality Training</li><li>• Review of November 2010 Minutes</li><li>• Nominations</li></ul>	

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*Informal Break*

<b>10:45 – 11:45 am</b>	USOE Updates	Glenna Gallo
	<ul style="list-style-type: none"><li>• APR Update</li><li>• OSEP Update</li></ul>	

<b>11:45 – Noon</b>	Interagency Coordinating Council Report	Connie Nink
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<b>Noon – 1:00 pm</b>	<i>Lunch</i>	
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<b>1:00 – 2:00 pm</b>	Priority 3: Seclusion and Restraint	Carol Anderson & Glenn Dyke
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<b>2:00 – 2:15 pm</b>	Utah Parent Center Update	
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<b>2:15 pm</b>	Adjourn	
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USEAP Leadership Team, please stay after for a brief meeting.

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**Utah Special Education Advisory Panel**  
**Minutes**  
**January 11, 2011**

**Present:** Rebecca Turley, Heather Read, Amy Weyrich, Michelle Griner, Connie Crosby, Kay Clark, Tanya Albornoz, Linda Stalliviere, RaeAnne Thayne, Mark Thompson, Karla Stoker, Eric Stoker, Roz Welch, Neesha Rutledge, Lanae Stout, Leslie Buchanan, Susan Loving, Peggy Milligan, Carol Anderson, Glenna Gallo, Rebecca Donovan

**Welcome and Introductions:** Mark Thompson, Chair, welcomed everyone and thanked them for attending.

**Public Input:** It was reported that there is a concern among some regular education teachers of special education students that their responsibilities to both special education students and regular education students is creating a situation where it is hard to serve both groups adequately.

**Priority 1: Transition – Follow-up:** Concerns/Questions:

- Do students in foster care with an IEP drop out at a higher rate?
- Would the same be true for students who are homeless?
- Is there a correlation between homeless/foster care and dropout?
- Would it be possible to invite districts who have successful programs for decreasing dropout to share?

**Letter of Recommendation Regarding Confidentiality Training** – The committee reviewed the letter which recommends a standardized policy for confidentiality training for parent volunteers as well as other volunteers and substitute teachers.

**Motion:** Leslie Buchanan – Moved the letter be sent to Glenna Gallo, State Director of Special Education.

**Second:** Kay Clark

**Passed**

**Approval of Minutes** – The minutes of the November 29, 2010, USEAP meeting were reviewed.

**Motion:** Karla Stoker – Moved the minutes be approved as presented.

**Second:** Lanae Stout

**Passed**

**Nominations** – Rebecca Donovan discussed with the panel the vacancies which will be occurring on June 30, 2011. There are nineteen vacancies coming up at the end of June, of those, eleven panel members are eligible to serve another three-year term. The panel determined that if eligible panel members were interested in continuing on the panel for another term that it would be in the interest of the panel to vote to retain those members.

**Motion:** Karla Stoker – Moved that we contact panel members eligible for another term, and if they are interested in serving another term, we submit their names to the State Office of Education for appointment.

**Second:** Neesha Rutledge  
**Passed**

The eleven members were contacted and the following ten names will be recommended to the State Superintendent of Public Education for appointment for a three-year term on the panel: Tanya Albornoz, Connie Crosby, Laura Anderson, Caralee Earl, Heidi Johansen, Lanae Stout, Rebecca Turley, Amy Weyrich, Linda Stalliviere, and Mark Thompson. The remaining vacancies will be addressed at the April 13, 2011, meeting of USEAP.

**USOE Updates:**

- APR – We are ahead of where we have been in the past and meeting most targets. We are still working on increasing graduation rate and decreasing the dropout rate. Improvements have been made in the area of compliance. Staff is also working on increasing opportunities for LRE.
- Glenna reported that the OSEP has not yet sent us a letter of their findings from their visit in the fall.

**Utah Parent Center Report** – Rebecca Turley reported on activities at the Parent Center:

- IEP Coaches Training held – fifteen new coaches.
- 504 filming (DVD) completed.
- Autism filming project – ways to build supports between family and community to be done in June.
- Conferences and workshops:
  - Family Links Conference to be held in March at Murray High School.
  - LDA Conference in March in Provo.
  - Autism Conference in April at Utah Valley
  - All-day workshops on Transitioning to adult education and Surrogate Parent Training

**Priority 3: Seclusion and Restraint** - Carol Anderson reported that as a result of an investigative report on seclusion and restraint (Utah was not one of the States involved in the investigation) and further research, Secretary of Education, Arne Duncan asked State School Chiefs across the country to submit their policies on seclusion and restraint.

Utah State policy prohibits the use of corporal punishment without written permission from the parents. However, corporal punishment does not include the use of reasonable and necessary physical restraint or force for:

- Self defense,
- Obtaining possession of a weapon or dangerous object,
- Protection of the child or another person from physical injury,
- Removal from a situation a child who is violent or disruptive, or
- Protection of property from damage.

Behavior reduction intervention for students with disabilities is excepted from this part under certain circumstances.

Utah Special Education Rules address the use of highly intrusive individual interventions in emergency situations requiring such use to protect the student or others from harm.

Utah Least Restrictive Behavioral Interventions (LRBI) for the use of highly intrusive interventions:

- Informed parental consent,
- Cautions and side effects,
- Behavioral expert as part of the IEP team,
- Staff should be trained prior to implementing,
- Notification of parents within 24 hours in emergency situations,
- Notification of local education agency (LEA) within 24 hours in emergency situations.

Utah's policy also requires each LEA to have a human rights committee to review each incident where highly intrusive procedures are involved. Personnel are required to have training in evidenced-based techniques for the prevention of seclusion and physical restraint as well as training related to positive behavioral interventions, conflict prevention, functional behavior assessments, de-escalation and conflict management. State policy also addresses the documentation and debriefing, student plans, and the appropriate use of safety and medical devices.

**Adjourn** – There being no further business, the Chair asked for a motion to adjourn.

**Motion:** Tanya Albornoz – Moved the meeting adjourn.

**Second:** Karla Stoker

**Passed**

**Meeting Adjourned**

**Next Regular Meeting: April 13, 2011**  
**Utah State Office of Education, 250 E 500 S, Salt Lake City, UT**



**USEAP**  
Utah Special Education Advisory Panel

**April 13, 2011**  
**9:00 – 3:00**

Utah State Office of Education  
250 E 500 S – Salt Lake City UT



**9:00 – 9:05 am** Welcome and Introductions Karla Stoker

**9:05 – 9:10 am** Public Input Karla Stoker

**9:10 – 10:10 am** USOE Updates Glenna Gallo

- ARRA Update
- APR Update
- OSEP Update
- Law Conference – Dates
- OSEP Conference

*Informal Break*

**10:10 – 11:10 am** Nominations Rebecca Donovan

**11:10 – 11:25 am** Interagency Coordinating Council Report Connie Nink

**11:25 – 11:45 am** Awards Glenna Gallo

**11:45 – 12:45 pm** *Lunch*

**12:45 – 1:00 pm** Utah Parent Center Update

**1:00 – 3:00 pm** USEAP Business Karla Stoker

- Follow-up on Confidentiality Recommendation
- Review of January 2011 Minutes
- Summer Retreat
- Follow-up Recommendation on Priority 3:  
Seclusion and Restraint

**3:00 pm** Adjourn

USEAP Leadership Team, please stay after for a brief meeting.



**Utah Special Education Advisory Panel**  
**Minutes**  
**April 13, 2011**

**Present:** Dawn Armstrong, Leslie Buchanan, Kay Clark, Leonard Dunn, Caralee Earl, Eden Gillespie, Michelle Griner, Melanie Hatch, Heidi Johansen, Connie Nink, BillieJo Peterson, Heather Read, Kris Rice, Neesha Rutledge, Linda Stalliviere, Eric Stoker, Karla Stoker, Lanae Stout, Gordon Swensen, RayAnne Thayne, Rebecca Turley, Roz Welch, Glenna Gallo, Rebecca Donovan

**Welcome and Introductions:** Karla Stoker, Chair-Elect, welcomed everyone and thanked them for attending.

**Public Input:** Karla Stoker reported that she had received a complaint that regular education teachers never attend the IEP meetings.

- Kay Clark commented that some districts train regular education teachers on their responsibility to special education.
- Following best practice all regular education teachers involved with a student should be invited to the IEP meeting.
- What is higher education's role in this? Do they educate regular education teachers on their responsibility in special education for those students in their class on an IEP?

**USOE Updates:**

- OSEP – We have received the Letter from OSEP which is the follow-up to their October monitoring visit. In all areas that OSEP reviewed Utah was found to be in compliance and there was no action required.
- Law Conference – The 2011 Law Conference is scheduled for August 8 – 9, 2011. Conference registration is scheduled to begin May 2, 2011. There is no fee for USEAP panel members to attend. Contact Rebecca Donovan if you are interested in attending the Law Conference. ([rebecca.donovan@schools.utah.gov](mailto:rebecca.donovan@schools.utah.gov))
- OSEP Leadership Conference – In the past the Chair of USEAP attended this conference with USOE staff. However, the structure of the conference has changed and is directed more on leadership, data, and parent information centers.

**Public Input** (continued): Glenna reported receiving a letter from a gentleman expressing his concern for the need for public education to provide a course on general information regarding students with disabilities. Glenna responded to his letter and informed him she would take his concern to USEAP. Discussion by panel brought out the following as possibilities to explore:

- Include in a class on tolerance.
- Include as part of health or psychology classes.
- Part of Peer Tutor support (Can we provide a model for this?)
- School administration would need to be willing to support inclusion of this training in the course content.
- Include something on this subject a junior high orientation.
- At the high school level, include this topic in a required course.
- Can the PTA be involved?

Karla Stoker ended the discussion by suggesting we take this up at a future meeting.

Leslie Buchanan handed out flyers for two conferences in June.

- June 22-23, 2011 – Western Regional Early Intervention Conference at Weber State University. This conference is co-sponsored by Early Intervention programs and Deafblind Projects in Arizona, Colorado, Idaho, New Mexico, Nevada, Utah, and Wyoming.
- June 21, 2011 – Communication Development: Building on Social Interactions in Daily Routines. Sponsored by the Utah Schools for the Deaf and the Blind and the Utah Deafblind Project.

**Nominations:** Rebecca Donovan explained that no nominations had been received for a state level representative of Administrators of the McKinney Vento Homeless Act. However, the Utah State Office of Education has a staff member, in the Title 1 section who meets this requirement and with the panel's approval she or Glenna will talk to the Director of Title 1 and explain the requirement for representation and request supervisor support of staff member's name being submitted to the State Superintendent for appointment to USEAP.

**Motion:** Eden Gillespie – Moved that the Title 1 Director be contacted and asked to give his support to the specialist for the McKinney Vento Homeless Act at USOE being appointed to serve on USEAP. If support is granted then that specialist's name is to be submitted to the State Superintendent for appointment to USEAP.

**Second:** Roz Welch

**Passed**

The remainder of the nomination time was spent discussing the remainder of the vacancies occurring on the panel. The following is the result of that discussion.

- Charter School Representative – Echo Cunningham  
A vote was taken and the panel voted to support the nomination being sent to the State Superintendent for appointment to USEAP.
- Teachers of Students with Disabilities – Tyler Jolley  
A vote was taken and the panel voted to support the nomination being sent to the State Superintendent for appointment to USEAP.
- State Agency/Financing or Related Services – Gordon Swensen  
A vote was taken and the panel voted to support the nomination being sent to the State Superintendent for appointment to USEAP.
- Individuals with Disabilities/Parents of Students with Disabilities – six vacancies need to be filled and the following six names were put before the panel for consideration – Christine Evans, Jessica Kerr, Cindy Nigbur, Elizabeth Banner, Celeste Forman, and Susan McDonald. The individual nominations were discussed and a motion followed:

**Motion:** Kris Rice – Moved that all six names be sent to the State Superintendent for appointment to USEAP.

**Second:** Lanae Stout

**Passed**

**Interagency Coordinating Council Report** – Connie Nink reported on the following at the ICC:

- Utah State University provided the ICC with information on how they were providing virtual home visits (going into the home via computer).
- The ICC has just completed their Bylaws.

- A representative from Mountain Plains Regional Resource Center just gave a presentational to the council on the role of the ICC. One important distinction is that, like USEAP, the role is advisory not advocacy.
- Work is being done on three-to-three transition with Baby Watch a Memorandum of Understanding between Baby Watch and USOE is in process.

**Awards:** Glenna Gallo presented certificates of appreciation for members who are leaving USEAP: Mark Thompson, Eden Gillespie, Michelle Griner, Melanie Hatch, Aubrey Goodell, Kris Rice, and Taryn Nicksic-Springer.

**Utah Parent Center Update:** Rebecca Turley reported that the Parent Center has the following trainings coming in the near future:

- IEP and Surrogate Parent Training – May 4, 2011 at the Sanderson Center in Salt Lake City
- Full Day IEP Training and Surrogate Parent Training – May 18 and 19, 2011, North Logan
- Autism and Transition Training – June 8, 2011, 10:00 am – 11:30 am, Utah Parent Center Conference Room and also via Webinar
- There will be a three Webinars in the near future, one on Autism and two on 504.

Glenna reported that the Courts have a Court Appointed Special Advocate (CASA) that would like surrogate training at their conference in September. The role of the CASA/Surrogate would be to coordinate between the courts and special education.

#### **USEAP Business:**

- Follow-up on Confidentiality Recommendation – USEAP sent a memo to Glenna Gallo recommending a standardized policy ensuring confidentiality training for parent volunteers as well as volunteers and substitute teachers in special education classrooms and regular education classrooms where students with disabilities are/or may be included. Glenna provided this letter to USOE administration and for use in discussions surrounding privacy of student records in public schools. The 2011 Legislature passed HB 145 which:
  - Requires the State Board of Education to:
    - establish public school student confidentiality standards,
    - develop resource materials for school districts and charter schools related to student confidentiality standards, and
    - provide the resource materials to each school district and charter school;
  - requires the rules established by the State Board of Education to allow a local school board or charter school board to adopt policies related to the public school student confidentiality standards to address the needs or priorities of the school district or charter school; and
    - makes technical changes.
- Approval of Minutes – The minutes of the January 11, 2011, USEAP meeting were reviewed.

**Motion:** Leslie Buchanan – Moved the minutes be approved as presented.

**Second:** Kay Clark

**Passed**

- Summer Workshop – The panel discussed possible dates for the workshop and it was decided that July 28<sup>th</sup> will be the date of the Summer Workshop.

- Meeting Dates for School Year 2011 – 2012:
  - September 22, 2011
  - December 1, 2011
  - February 2, 2012
  - April 26, 2012
- USEAP Chair-Elect for School Year 2011- 2012 – The panel discussed possible candidates and a motion was made.  
**Motion:** Eden Gillespie – Moved the panel appoint Neesha Rutledge as Chair-Elect for 2011-2012 school year.  
**Second:** Leslie Buchanan  
**Passed**
- New Leadership Team – With terms ending for some panel members it was necessary to replace vacancies on the Leadership Team. Volunteers were called for and Leslie Buchanan and Kay Clark volunteered to serve on the Leadership Team. The new team is: Karla Stoker, Neesha Rutledge, Roz Welch, Leslie Buchanan, Kay Clark, Rebecca Turley, and Glenna Gallo.
- **Follow-up on Priority 3: Seclusion and Restraint:**
  - There is a concern that schools call the police before turning the Least Restrictive Behavioral Interventions (LRBI)
  - Look into disability awareness training (some disabilities are not visible)
  - Training on CD and an officer available to support the training
  - Recommend that officers in schools go through awareness training (community officers as well as school resource officers)
  - Guidelines for school administration on when to involve the police
  - Resource officer as part of the team
  - Perhaps Mike Ryan could come next year and present on recognizing non-visible disabilities
- **Summer Workshop:** Suggestions to include on agenda:
  - Recommendations on Seclusion/Restraint and Transition
  - Bylaws revisions
  - Annual Report
  - Focus topics for the year
  - Higher Functioning Disabilities - Bullying

**Adjourn** – There being no further business, the Chair asked for a motion to adjourn.

**Motion:** Eric Stoker – Moved the meeting adjourn.

**Second:** Leslie Buchanan

**Passed**

**Meeting Adjourned**

**Next Meeting – Summer Workshop – July 28, 2011  
 Utah State Office of Education, 250 E 500 S, Salt Lake City, UT**

# **Letters to the Utah State Office of Education**



## MEMORANDUM

To: Glenna Gallo, Director of Special Education Services  
From: Utah Special Education Advisory Panel  
Subject: Confidentiality  
Date: December 30, 2010

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In our role as an advisory panel, we would like to provide input and recommendation to the Special Education Section of the Utah Office of Education to improve services to students with disabilities. After reviewing personal experiences and several district policies we are concerned that confidentiality training for parent volunteers and substitute teachers working with special education students is not consistent throughout the state.

Recommendation:

We recommend the State Office of Education, develop, implement and monitor a standardized policy to ensure confidentiality training for parent volunteers as well as other volunteers and substitute teachers. This training should occur prior to volunteer/substitute service in the special education classroom as well as in regular education classrooms where students with disabilities may be included.

Thank you for your time and consideration in reviewing this recommendation.

We as a panel, appreciate all of your efforts on behalf of children with disabilities throughout the State of Utah.



