

**Utah Special Education Advisory Panel
Minutes
Summer Workshop
July 14, 2009**

Present: Leonard Dunn, Mark Thompson, Kay Clark, Taryn Nicksic-Springer, Roz Welch, Kris Rice, Connie Crosby, Karla Stoker, Eric Stoker, Melanie Hatch, Jean Mecham, Lisa Wade, Rebecca Turley, Leslie Buchanan, Michelle Griner, John Copenhaver, Nan Gray, Becky Lewis

Welcome and Introductions: Taryn greeted everyone and explained the “getting-to-know-you” activity.

After introductions, Nan Gray welcomed everyone. Nan introduced John Copenhaver, of Mountain Plains Regional Resource. Nan explained that John would be presenting on the purpose and functions of special education advisory panels and encouraged everyone to ask questions, give opinions and perspectives, and make suggestions.

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.

Nan pointed out that this was very helpful last year with the for the SLT SLP issue. The panel's advice and support helped us as we worked with the stakeholder groups and the State Board of Education to find a solution to the problem that would help students with disabilities receive the services they need.

John briefly described Nan's role as State Director of Special Education,

John spoke about how far things have come in special education in a short period of time. This is due in part to the special education advisory panels and the work that they do.

USOE Update: Nan used a PowerPoint to introduce the USOE Special Education staff and their duties, discussing how their professional backgrounds qualify them for their current positions.

Nan explained that some of the stimulus money is being used to hire a data specialist and budget specialists.

The role of the Utah Personnel Development Center (UPDC) was explained by Nan. There have been many staff changes at the UPDC due to the opening of the Canyons District. However, new staff has been hired as of July 1, 2009 and they are ready for work.

A questions was asked about the State's history in the area of due process. Nan addressed the questions with the number of due process actions brought in the past five years. A question was asked about the most recent Due Process action. Nan explained that when she was made aware of the problems pertaining to the specific allegation last January, USOE took corrective action immediately. This was many months prior to the complaint being filed. Additional questions were explored when USOE first learned of the issue:

- How did this happen?
- Why did this happen?
- What will prevent this from happening?

- Professional development?
- Better equipment?
- Time?
- What adjustments are needed to prevent this?
 - New contracts with guarantee?
 - New vendor?
 - New standards?

Questions were asked about parts of the complaint, specific to the instruction of Braille to the low vision students. Nan responded that this is something so individualized that it has to be left to be decided by the IEP team and is not a State mandate.

Questions were raised regarding the funding for Due Process complaints. Nan responded that there is money in the budget every year and if it is not used it either rolls over into the next year or is used in other areas of the budget. If the cost is greater than the budget, it will come out of services provided.

Additional questions were raised regarding what representation is available for parents who want to file a Due Process complaint and whether or not an informed advocate can represent the parents.

Discussion revealed that if a case goes to litigation, the parents would want to be represented by a lawyer and not an informed lay person.

Due Process is not always the answer and most cases are resolved through mediation.

As there is much to be discussed on this topic, a decision was made to hold a special meeting on September 2, 2009 at the Utah Parent Center. Roz Welch will have the Parent Center establish a WIMBA link so everyone who wishes to attend is able to do so.

Motion: Kris Rice – Move we have a special meeting Wednesday, September 2, 2009 to discuss the issue of a recommendation to the State School Board regarding allowing a lay person to represent a litigant in a Due Process Hearing.

Second: Roz Welch
Motion Passed.

Robert's Rules of Order: Roz Welch presented a brief overview of Robert's Rules of Order.

Focus Topics: Taryn read the focus topics from the discussion at the May meeting:

- **Utah Futures (utahfutures.org)**
(Mark Thompson)
- **Role of Disability Resource Centers**
 - **SLCC (Steve Lewis)**
 - **WSU (Jeff Morris)**
 - **(Current Student)**

- **504 – IDEA / What the Differences Are**
(Lisa Arbogast)
- **Emerging Issues**

Approval of Meeting Dates: After some discussion the proposed meeting dates for 2009-2010 were changed and accepted by committee members present

Motion: Roz – Move the panel change the January 8 meeting date to January 7, 2009..

Motion to Adjourn: Taryn asked for a motion to adjourn.

Motion: Eric Stoker – Move we adjourn.

Second: Connie Crosby

Motion Passed.

Meeting Adjourned

Taryn thanked everyone for their participation and help.

Next regular meeting: September 29, 2009

Special Meeting: September 2, 2009