U S E A P

Utah Special Education Advisory Panel

Annual Report

FY 2009—2010

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Utah Special Education Advisory Panel - 2009 – 2010

Leadership Team

Name	Representing
Taryn Nicksic-Springer	Chair
Mark Thompson	Chair–Elect
Roz Welch	Past Chair
Michelle Griner	Individuals with Disabilities/Parents of Students with Disabilities
Nancy Morrill	Individuals with Disabilities/Parents of Students with Disabilities
Nan Gray	State Education Agency

Advisory Panel Members

Name	Representing
Tanya Albornoz	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
Eden Gillespie	Individuals with Disabilities/Parents of Students with Disabilities
Nan Gray	State Education Agency
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
Jean Mecham	Regular Education Teachers
Nancy Morrill	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)
Kris Rice	Teachers of Students with Disabilities
Neesha Rutledge	Local Education Agency Official
Randy Schelble	Special Education Administrators
Aubrey S Goodell	Individuals with Disabilities/Parents of Students with Disabilities
Eric Stoker	Individuals with Disabilities/Parents of Students with Disabilities
Karla Stoker	Individuals with Disabilities/Parents of Students with Disabilities
Lanae Stout	Individuals with Disabilities/Parents of Students with Disabilities
Mona Tausinga	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
Lisa Wade	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

Section1: 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

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Agendas & Minutes

2009 – 2010
Year in Review

July 14, 2009 – Summer Workshop
The 2009-2010 year started with the Summer Workshop, a combined orientation meeting for new panel members and planning meeting for the new year. John Copenhaver, from Mountains Plains Regional Resource Center provided advisory panel training. An important activity at this workshop is identifying topics for the panel to focus on for the upcoming year. The following areas were identified as focus topics for the 2009-2010 school year:

- Utah Futures (utahfutures.org) *(Mark Thompson)*
- Role of the Disability Resource Centers
    - SLCC *(Steve Lewis)*
    - WSU (*Jeff Morris*)
      (Current Student)
    - 504-IDEA/What the Differences Are *(Lisa Arbogast)*
    - Emerging Issues

September 2, 2009 – USEAP Special Session
The panel held a Post Public Hearings Discussion on the proposed changes to the Special Education Rules. During open discussion much interest was expressed by members present to find less expensive alternative representation for parents who are filing a formal complaint. It was noted that even though this might seem like a good idea, the complexity of the law makes it very important that both sides have adequate representation. Utah works hard to try to resolve complaints in mediation before they go to hearing. The advisory panel voted to support the proposed changes to the Utah Special Education Rules.

September 29, 2009
The September meeting was held at the Jones Center. Taryn, Nicksic-Springer, Chair, discussed, with the panel, the possibility of USEAP implementing a mentor program for new panel members. The panel voted to establish a mentor program and suggestions for mentors were made. The panel also received presentations on Utah Futures and Microcomputer Evaluation of Careers and Academics (MECA). Both presentations addressed transition planning and represent useful tools in helping identify areas of interest in planning for transitioning from school to post school options.

November 5, 2009
The panel held this meeting at the Jones Center. At this meeting Glen Dyke from the Utah Personnel Development Center and Carol Anderson from the Utah State Office of Education presented on the topic of seclusion and restraint. They reported that while other states may have had problems as reported in the media, Utah has policies in place to avoid negative outcomes from the practice of using seclusion and restraint when needed. In August of 2009 Utah's policies were presented to Washington, DC.

Both the health department and the fire department have specifications for how a “time-out” room must be constructed and maintained. Policies in Utah require parental consent except in an emergency situation for the safety of the child or others. Utah also has programs in place for the use of positive behavioral supports to prevent the use of seclusion and restraint.

January 7, 2010

The panel, once again held the scheduled meeting at the Jones Center. The panel received presentations from college and university disability resource centers. It is important to note that higher education requires that you apply for admission to the school and be accepted. The disability resource centers are there to help, but the student must contact them and request their help. There is no outreach.

Susan Loving, from USOE, reported on a new multi-agency transition guide in its final stages of development. The draft document shows it to be an easy-to follow guide with explanations of benefits and actions for each key player in the transition process.

April 13, 2010

This month the panel met at the Utah State Office of Education. Lisa Arbogast gave a presentation of 504 and IDEA. Though students on a 504 plan may require accommodations to participate in the classroom, they may or may not require special education services, though it is possible for a student to have both a 504 plan and an IEP. Nominations were considered and names selected to be submitted the Superintendent Shumway for appointment to the Utah Special Education Advisory Panel. Members whose terms were ending were recognized and thanked for their dedication and service to students with disabilities in the State of Utah. The date for the Summer Workshop was discussed and the panel decided on July 13, 2010.

USEAP
SUMMER WORKSHOP

July 14, 2009 8:30 a.m. – 3:30 p.m.
Crystal Inn
230 West 500 South – Salt Lake City, Utah

Agenda

8:30 – 9:00
Continental Breakfast

Morning Session

9:00 – 10:00
Welcome and Introductions
Taryn Nicksic-Springer

Informal Break

10:00 – 12:00
Advisory Panel Training
John Copenhaver

12:00 – 12:45
Lunch

Afternoon Session

12:45 – 2:00
USOE Updates
Meet the USOE Staff
Meet the UPDC Staff
ARRA
Determinations
Law Conference
Nan Gray

2:00 – 2:15
Approval of Proposed Meeting Dates for 09-10
Taryn Nicksic-Springer

Informal Break

2:15 – 2:30
Overview of Roberts Rules of Order
Shari Lee

2:30 – 3:00
Reviewing 2009 – 10 Priorities
Taryn Nicksic-Springer &Nan Gray

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 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

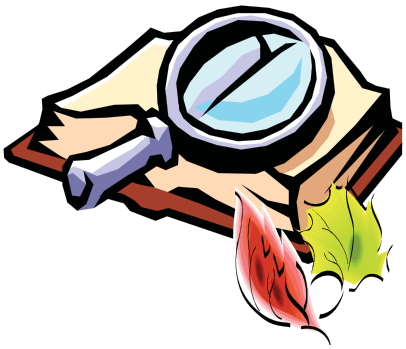
Taryn thanked everyone for their participation and help.

Next regular meeting: September 29, 2009
Special Meeting: September 2, 2009

Utah Special Education Advisory Panel (USEAP)
Special Session

September 2, 2009
1:00 – 5:00

Utah Parent Center
2290 E 4500 S, Suite 110
Salt Lake City UT 84117
801-272-1051



Agenda

State Complaint Update
Glenna Gallo

Due Process Hearing Decision
Glenna Gallo

Post Public Hearings Discussion:
Changes to State Special Education Rules
(Consistent with Changes to Federal Regulations)

Utah Special Education Advisory Panel

Minutes

September 2, 2009

Present: Neesha Rutledge, Melanie Hatch, Kay Clark, Lisa Wade, Leslie Buchanan, Rebecca Turley, Kris Rice, Caralee Earl, Roz Welch, Eden Gillespie, Joy Jansen, Helen Post, Nan Gray, Lisa Arbogast, Glenna Gallo, Rebecca Donovan

Welcome and Introductions: Nan Gray welcomed everyone and explained that Taryn would not be able to be present.

State Complaint Update: Glenna Gallo reported on complaints filed and reported that upon investigation there were no instances of noncompliance with IDEA or the Utah State Board of Education Special Education Rules. Even though there were no instances of noncompliance found, the Utah State Office of Education has recommended actions be taken which will improve services to students with disabilities in the areas outlined in the compliant.

*During discussion, Leslie Buchanan requested that the possibility of USDB representation on USEAP be explored.

Due Process Hearing Decision: Glenna Gallo reported on Due Process Hearing Decision involving a student with a specific learning disability (SLD) in Davis School District. The major disagreement of the hearing was related to whether or not a free appropriate education (FAPE) was provided because of concerns about the IEP contents and the level of parental involvement. Other concerns related to child find, validity of the district's assessments and whether or not procedural violations had occurred.

The hearing officer decision found that there was no denial of FAPE and that the parents were not impeded from opportunity to participate in the IEP decision process. Further, no procedural violations were cited.

Post Public Hearings Discussion: Lisa Arbogast reported on the proposed changes to the Special Education Rules. (A document showing the proposed changes was handed out.) Lisa noted that with the exception of the section on Revocation that all changes are verbatim.

During open discussion much interest was expressed by members present to find less expensive alternative representation for parents who are filing a formal complaint. It was also noted that, though this would seem a good idea, one major problem is that the complexity of the law makes it very important that both sides have adequate representation. Utah works very hard to try to resolve complaints in mediation before they go to hearing.

Motion: Eden Gillespie – Move USEAP support the proposed changes to the Special Education Rules.
Second: Lisa Wade
Motion Passed.

Other Business: Melanie Hatch reported that October 13, 2009 is the Critical Issues Conference at the Salt Lake Marriott. For more information: chaddofutah.com

Rebecca Turley reported that the Family Links Conference would be held September 18 and 19 in St. George.

Meeting Adjourned

Next Meeting September 29, 2009

U S E A P
Utah Special Education Advisory Panel
September 29, 2009
8:30 – 3:30
Jones Center
350 E 3605 S – Salt Lake City UT

Agenda

Continental Breakfast – Networking
8:30 – 9:00

9:00 – 9:15	**Welcome –** Taryn Nicksic-Springer
9:05 – 9:30	**Public Input**
9:30 – 11:15	**Utah Futures/MECA DVD –** Mark Thompson & Susan Loving

Informal Break

11:15 – 12:00	**USEAP Possibilities –** Taryn Nicksic-Springer

Lunch
12:00 – 1:00

1:00 – 2:30	**USOE Updates –** Nan Gray • **ARRA Update & Discussion** • **APR Update** • **Amended State Special Education Rules Update**
2:30 – 3:00	**Other Business**
3:00	**Adjourn**

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

Utah Special Education Advisory Panel

Minutes

September 29, 2009

Present: Joy Jansen, Lloyd Pendleton, Kris Rice, Aubrey Goodell Shepardson, Shari Lee, Nancy Morrill, Neesha Rutledge, Karla Stoker, Melanie Hatch, Jean Mecham, Mark Thompson, Leslie Buchanan, Natalie Williams, Kay Clark, Rick Stoker, Lisa Wade, Taryn Nicksic-Springer, Roz Welch, Rebecca Turley, Susan Loving, Nan Gray, Rebecca Donovan

Welcome and Introductions: Taryn Nicksic-Springer welcomed everyone.

Minutes of Summer Workshop: The minutes of July 14, 2009, were reviewed by members present and minor corrections made.
Motion: Natalie Williams – Move the minutes of the Summer Workshop be approved with corrections.
Second: Karla Stoker
Motion Passed

Minutes of Special Session: The minutes of September 2, 2009, were reviewed by members present.
Motion: Shari Lee – Move the minutes of the special session be approved.
Second: Melanie Hatch
Motion Passed

USEAP Possibilities: Taryn Nicksic-Springer discussed the possibility of USEAP implementing a mentor program for new panel members.

Motion: Natalie Williams – Move USEAP establish a mentor program.
Second: Leslie Buchanan
Motion Passed

Suggestions for mentors:

Mentor	**New Panel Member**
Mark Thompson	Leonard Dunn
Michelle Griner	Caralee Earl
Kris Rice	Joy Jansen
Connie Crosby	Lloyd Pendleton
Leslie Buchanan	Neesha Rutledge
Nancy Morrill	Karla Stoker
Aubrey Goodell Shepardson	Eric Stoker

Discussion Items: The possibility of changing the framework of the summer workshop was discussed.

*There was a consensus that having the orientation session in the afternoon would work better for returning panel members.

*Knowing the date of the summer workshop sooner would be helpful to all.

*Receiving the minutes of previous meetings one or two weeks in advance would be helpful.

*It will help panel members to have thank you letters sent to their administration/supervisor thanking them for their support in allowing the panel member to participate on USEAP.

Utah Futures: Mark Thompson introduced the panel members to a very useful tool on the internet. Utah Futures is a career information survey that can be taken on line and will give results that are helpful in helping students plan for their future. Mark connected to the internet and went through the survey and members present were able to see the possibilities for this tool and how useful it might be in planning for life after school.

MECA (Microcomputer Evaluation of Careers and Academics): Susan Loving – reported on this new software designed to help with transition planning. This program is not directed towards higher education, but more to the trades which might lead to other education in the future. Susan demonstrated the software and members were able to see the possibilities of this tool.

Concern from Charter School Representative: Joy Jansen wants the September minutes to reflect her concern (under the section on transition) that the district won't allow charter schools to dual enroll into their CTE Courses. They say to have access you must be a member of the consortium which costs $25,000. (from the USEAP meeting November 5, 2009.)

USOE Updates:

- **APR -** Nan Gray reported that for Indicator 15 (correction of non-compliance) we are at 99% for this year. Indicator 8 (parent involvement) data is not in yet.
  - *Follow up item – Indicator 14 data sorted by disability category.

- **Amended State Special Education Rules –** Nan reported that the Amended State Special Education Rules have gone through the State Board for the 1st and 2nd readings and will go for the 3rd reading in October.
  - The staff will continue to look at alternatives for legal representation and continue to aim for early resolution.

- **ARRA Update and Discussion:** Nan reported that the USOE has a process in place for approving an LEA's request for use of ARRA funds. Districts that have submitted plans are making good use of ARRA funds.

Other Business: Melanie Hatch reminded everyone that the Critical Issues Conference will be October 13th.

Meeting Adjourned

Next Meeting November 5, 2009

U S E A P
Utah Special Education Advisory Panel
November 5, 2009
8:30 – 3:30
Jones Center
350 E 3605 S – Salt Lake City UT

Agenda

Continental Breakfast – Networking
8:30 – 9:00

9:00 – 9:05	**Welcome –** Taryn Nicksic-Springer
9:05 – 9:10	**Public Input**
9:10 – 9:30	**Alexa Posny's Address to the 72nd Annual NASDSE Conference & Business Meeting –** Nan Gray

Informal Break

9:30 – 11:00	**Seclusion and Restraint –** Carol Anderson & Glenn Dyke
11:00 – 12:00	**USOE Updates –** Nan Gray • **NASDSE Report** • **Assistant Secretary Visit** • **APR Trend Data & Progress Report** • **ARRA Update**

Lunch
12:00 – 1:00

1:00 – 2:00	**UPDC Update –** Lowell Oswald
2:00 – 2:30	**USEAP Business** • **Names & Addresses for Thank You Letters** • **USEAP Mentor Update** • **Date for Summer Workshop**
2:30 – 3:00	**Requested Agenda Items (TBD)**
3:00	**Adjourn**

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

Utah Special Education Advisory Panel

Minutes

November 5, 2009

Present: Taryn Nicksic-Springer, Lanae Stout, Joy Jansen, Kris Rice, Leslie Buchanan, Rebecca Turley, Roz Welch, Jean Mecham, Connie Crosby, Nancy Morrill, Kay Clark, Melanie Hatch, Michelle Griner, Lisa Wade, Aubrey Shepardson-Goodell, Eric Stoker, Karla Stoker, Caralee Earl, Leonard Dunn, Carol Anderson, Glenn, Dyke, Lowell Oswald, tom Johnson, Nan Gray, Rebecca Donovan

Welcome and Introductions: Taryn Nicksic-Springer welcomed everyone.

Minutes of September Meeting: The minutes of September 29, 2009, were reviewed by members present. Eric Stoker's name was listed incorrectly under members present. Joy Jansen, Charter School Representative, wanted the September minutes to reflect her concern (under the section on transition) that the district won't allow charter schools to dual enroll into their CTE Courses. They say to have access you must be a member of the consortium which costs $25,000.
Motion: Karla Stoker – Move the minutes of the September meeting be approved as corrected.
Second: Kris Rice
Motion Passed

Alexa Posny's Address to the 72nd Annual NASDSE Conference: Ms Posny was unable to be present in person at the conference, however, her message was recorded and Nan Gray played the DVD of the address for USEAP.

Seclusion and Restraint: Carol Anderson and Glenn Dyke reported that while other states may have had some problems as reported in the media, Utah has policies in place to avoid negative outcomes from the practice of using seclusion and restraint when needed. Utah's policies were presented to Washington DC in August of 2009. The health department and the fire department have specifications for how a "time-out" room must be constructed and maintained. Utah's policies also require parental consent except in an emergency situation for the safety of the child or others. Utah also has programs in place for the use of positive behavioral supports to prevent the use of seclusion and restraint.

USOE Update:

- **NASDSE Conference –** Nan reported that the conference was a huge success and that all who attended were pleased with their Utah experience.
- **Listening Tours –** Alexa Posny, Assistant Secretary of Education, will be coming to Utah sometime in the near future for a approximately a day and an half on a "Listening Tour". During her visit we would like to arrange for her to meet with members of USEAP. There will be more information on this when we know the timing of her visit to Utah.
- **Trend Data-** Nan presented the APR trend data. Even though not all the data is in for all the indicators, things look pretty for good for Utah for this year's report.
- **ARRA Update –** Nan reported that as we continue the approval/reimbursement process we continue to develop and refine our methods recording keeping and forms to help in the process. Utah will be having an ARRA audit in the near future. We will continue to update USEAP on ARRA as it applies to special education.

UPDC Update – Lowell Oswald, Tom Johnson, Glenn Dyke – reported on the restructuring of the UPDC and the exciting new look of the home page. Quality professional development continues to be the goal of the UPDC as they strive to meet the needs of special educators in Utah. There will be exciting resources being made available through technology. The UPDC exists for students with disabilities and is committed to supporting the districts and schools to help facilitate positive outcomes for students. There are many new faces and a few old friends at the UPDC and lots of creative ideas to help teachers do what they do best.

USEAP Business:

- **Names and Addresses for Thank You Letters –** Nan will draft a letter to be sent to administration/supervisors of those USEAP members who are allowed to leave work and serve the students of Utah by being a member of USEAP.
- **Mentor Update –** A one-sheet set of guidelines will be developed to help mentors give guidance to new USEAP members.
- **Date for Summer Workshop –** Various dates were discussed. John Copenhaver will be contacted to determine whether or not he will be available to present and a final determination will be made.
- **Chair Elect/Leadership Team** – With the resignation of Shari Lee, USEAP no longer has a chair elect to serve as chair in the next school year. Nominations were considered and voted upon.
  Motion: Kris Rice – Move USEAP appoint Mark Thompson Chair-Elect.
  Second: Connie Crosby
  Motion Passed

  Michelle Griner volunteered to serve and was accepted as a member of the leadership team.
- **Nominations for USEAP Vacancies** – Discussion was held and it was decided to this item aside and take it up again at a later date.

Meeting Adjourned

Next Meeting January 7, 2010

U S E A P
Utah Special Education Advisory Panel
January 7, 2010
8:30 – 3:30
Jones Center
350 E 3605 S – Salt Lake City UT

Proposed Agenda

Continental Breakfast – Networking
8:30 – 9:00

9:00 – 9:05 **Welcome –** Taryn Nicksic-Springer

9:05 – 9:10 **Public Input**

9:30 – 9:30 **Disability Resource Centers –** Salt Lake Community College & Weber State University

Informal Break

9:30 – 11:00 **Seclusion and Restraint –** Carol Anderson & Glenn Dyke

11:00 – 12:00 **USOE Updates –** Nan Gray
- **NASDSE Report**
- **Assistant Secretary Visit**
- **APR Trend Data & Progress Report**
- **ARRA Update**

Lunch
12:00 – 1:00

1:00 – 2:00 **UPDC Update –** Lowell Oswald

2:00 – 2:30 **USEAP Business**
- **Names & Addresses for Thank You Letters**
- **USEAP Mentor Update**
- **Date for Summer Workshop**

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

3:00 **Adjourn**

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

Utah Special Education Advisory Panel

Minutes

January 7, 2010

Present: Taryn Nicksic-Springer, Kris Rice, Tanya Albornoz, Jean Mecham, Connie Crosby, Leslie Buchanan, Melanie Hatch, Michelle Griner, Aubrey Shepardson Goodell, Eric Stoker, Karla Stoker, Leonard Dunn, Mark Thompson, Kay Clark, Lisa Wade, Neesha Rutledge, Caralee Earl, Eden Gillespie, Joy Jensen, Steven Louis, Angela McLean, Susan Loving, Nan Gray, Rebecca Donovan

Welcome: Nan Gray welcomed everyone and thanked them for attending.

Mentor Guidance: Roz Welch reported that the leadership team has been working to put together a set of mentor guidelines to help mentors as they work with new panel members.

Public Comment: Melanie Hatch reported that she has received negative input regarding how teachers are treating students with ADHD, Michelle Griner commented that there is a resistance to placing students with ADHD on a 504 plan.

College & University Disability Resource Centers (DRC): Steven Lewis, Salt Lake Community College, and Angela McLean, Weber State University, made presentations to USEAP on services available through DRCs. The DRCs exist because of the law and are there to help students succeed in higher education. Students need to apply and be admitted. The DRC provides assistance to help the student with supports allowing them to better access to education but success or failure in school depends on the student. Parents, high school counselors, and teachers can help the student prepare for the transition to higher education by teaching them how to speak for themselves, keep track of their paperwork and what is in the paperwork and to know their limitations and weakness/es. There is no outreach, the student needs to self-disclose, provide documentation and be otherwise qualified. Some disabilities are obvious, while others, like ADHD and psychiatric disorders require diagnostic testing and documentation within six months or less of application for DRC services. Although the there are many services the DRCs can provide based on student need; there are services that the DRCs do not provide which include: tutoring services, personal aides and services, transportation, and diagnostic evaluations.

Transition Action Guide: Susan Loving reported on the new multi-agency transition guide that is in its final stages of development. The draft of this document shows it to be an easy-to-follow guide with explanations of benefits and actions for each key player in the transition process; whether it is the student, parent, teacher, counselor, Disability Resource Center counselor, etc.

USOE Update:

- **APR Update -** The USOE Special Education Staff are busy working on the Annual Performance Report (APR) and the State Performance Plan (SPP). This year the SPP has to be posted online the same day the APR has to be submitted to Washington, DC
- **ARRA Update –** As we continue the approval/reimbursement process we continue to develop and refine our methods recording keeping and forms to help in the process. We are currently developing an ARRA Manual. Utah will be having a federal audit for ARRA in the near future.
- The legislative session is about to begin and we are expecting that all State agencies will be facing some budget cuts.

USEAP Business:

- **Nominations for USEAP Vacancies** – Discussion was held and the following names will be presented to Superintendent Shumway for appointment to USEAP:
    - Private School Representative: Dawn Armstrong
    - Individuals with Disabilities/
    - Parents of Students with Disabilities Laura Anderson
      Heidi Johnson
      Amy Weyrich

- **Summer Workshop Date –** July 13, 2010 was decided on for the Summer Workshop.

Meeting Adjourned

Next Meeting April 13, 2010

U S E A P

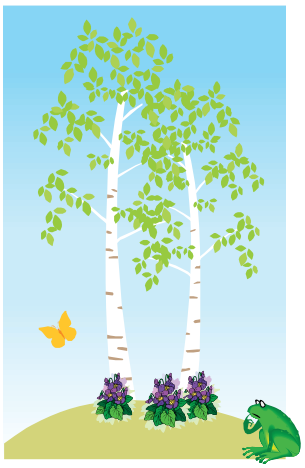
Utah Special Education Advisory Panel

April 13, 2010

8:30 – 3:30

USOE

250 E 500 S – Salt Lake City UT



Agenda

Continental Breakfast – Networking
8:30 – 9:00

9:00 – 9:20	**Welcome & Minutes of Previous Meeting –** Taryn Nicksic-Springer
9:20 – 9:30	**Public Input**
	Informal Break
9:30 –11:30	**IDEA/504 –** Lisa Arbogast, USOE
11:30 – 12:00	**Legislative Outcomes –** Nan Gray
	Lunch *12:00 – 1:00*
1:00 – 2:00	**USOE Updates –** Nan Gray • **APR**
	Informal Break
2:00 – 3:00	**USEAP Business** • **Nominations and Positions** • **Law Conference - Participation/Registration/Dates** • **Approval of USEAP Meeting Dates for School Year 2010-11** • **Awards**
3:00	**Adjourn**

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

Utah Special Education Advisory Panel

Minutes

April 13, 2010

Present: Taryn Nicksic-Springer, Mark Thompson, Laura Anderson, Amy Weyrich, Lanae Stout, Leonard Dunn, Jean Mecham, Connie Crosby, Neesha Rutledge, Rebecca Turley, Michelle Griner, Melanie Hatch, Nancy Morrill, Karla Stoker, Eric Stoker, Lisa Wade, Natalie Williams, Roz Welch, Dawn Armstrong, Eden Gillespie, Leslie Buchanan, Kay Clark, Nan Gray, Lisa Arbogast, Rebecca Donovan

Welcome: Mark Thompson welcomed everyone and thanked them for attending.

Minutes of January 7, 2010 - Panel members reviewed the minutes of the January meeting.
Motion: Roz Welch made a motion to approve the minutes as presented.
Second: Eric Stoker seconded the motion.
Passed: The motion passed.

IDEA and 504: Lisa Arbogast was present to discuss, with panel members, the differences between IDEA and 504 services for students with disabilities.

USOE Updates: Nan Gray reported that the Special Education Section of the State Office of Education has produced a new technical assistance paper on the local education agency (LEA) requirement to maintain fiscal effort (MOE) this requirement comes out of IDEA and addresses the issue that the LEA may not use federal IDEA money to supplant state funds for services to students with disabilities, but rather must use those funds to supplement.

Legislative Outcomes: Nan Gray reported that the Legislature had given priority to education as a whole and to special education.

The Legislature did change the length of time a state employee must be retired before returning to work for the state.

USEAP Business:

- Nominations & Positions –
  - Panel members discussed the position of Special Education Administrator on the advisory panel. It was determined that only one representative was necessary for that position on the panel.
    Motion: Taryn Nicksic-Springer made a motion that the position of Special Education Administrator should be represented by one panel member.
    Second: Leonard Dunn seconded the motion.
    Passed: The motion passed.
  - Three panel members with positions ending June 30, 2010 are eligible to serve another term on the panel and have expressed a desire to do so. The panel members are Neesha Rutledge, representing Local Education Agency Officials; Natalie Williams, representing Personnel Preparation; and Leslie Buchanan, representing Vocational/Business/Community Providing Transition.

- **Motion:** Taryn Nicksic-Springer made a motion that the names of Neesha Rutledge, Natalie Williams, and Leslie Buchanan be sent to Superintendent Shumway for reappointment to the Special Education Advisory Panel.
- **Second:** Connie Crosby seconded the motion.
- **Passed:** The motion passed.
- **Motion:** Lisa Wade made a motion that Roz Welch be the new Mentor Coordinator on the Special Education Advisory Panel.
- **Second:** Lanae Stout seconded the motion.
- **Passed:** The motion passed.
- The remainder of the vacancies occurring on the panel June 30, 2010 were discussed and the following names will be sent to the Superintendent for appointment to the panel as members representing Parents of Students with Disabilities/Individuals with Disabilities: Michelle (Shelly) Martin, Mary Kehn, BillieJo Petersen; and RaeAnne Thayne.
- Panel members present voted to elect Karla Stoker to fill the position of Chair Elect.

- **Operating Procedures –** USEAP's Operating Procedures' revisions were discussed and a motion was made to accept the revisions.
  Motion: Eden Gillespie made a motion that the revisions to the Operating Procedures be accepted.
- **Second:** Karla Stoker seconded the motion.
- **Passed:** The motion passed.
- **Summer Workshop Dates –** Possible dates for the Summer Workshop were discussed and panel members present determined the Summer Workshop would be held July 13, 2010.
- **Special Education Law Conference** – The 2010 Law Conference registration will open May 1, 2010. Panel members are welcome to attend. There will be no registration fee for panel members.
- **Panel Meeting Dates 2010 – 2011**- The following dates were presented and agreed upon by panel members present:
  - September 28, 2010; November 29, 2010; January 11, 2011; April 13, 2011; and, if needed, May 10, 2011.

Meeting Adjourned

Next Meeting – Summer Workshop
July 13, 2010