

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 complaint.

*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