

## **State Advisory Panel for Special Education**

ANNUAL REPORT  
2008 - 2009

### **OVERVIEW**

The State Advisory Panel (SAP) for Special Education, as established in the Individuals with Disabilities Education Act (IDEA), provides input and recommendations to the Divisions for Special Education Services and Supports on the Georgia State Performance Plan, State Personnel Development Grant, the Georgia Continuous Improvement Monitoring Process, State special education rules, and other initiatives designed to improve outcomes for all children with disabilities in Georgia's schools. The SAP serves as the public Georgia Stakeholder Group for special education regarding policies, data trends, corrective actions and other needs of students with disabilities in the State.

### **YEAR AT A GLANCE**

During 2008-2009,

1. SAP membership included nineteen parents of students with disabilities, two individuals with disabilities, representatives from the state protection and advocacy agency and the parent training and information center, local school administrators, and representatives from higher education and relevant state agencies, including individuals from the Departments of Education, Juvenile Justice, Labor (Vocational Rehabilitation), Corrections, and Family and Children Services. Members represented a diversity of knowledge, background and opinion with each member bringing his or her own personal and/or professional experiences to the SAP. Parents and family members worked tirelessly alongside professionals and educators to support system-level improvements that will lead to greater outcomes and improved student achievement for all students with disabilities.
2. At each meeting, Panel members had the opportunity to provide information from their respective organizations and to share the ideas and initiatives taking place across the state relating to students with disabilities.
3. GaDOE staff presented information to the SAP and obtained their input on a variety of topics including the local school determinations, disproportionality, alternative schools, restraint and seclusion, and access to the general education curriculum for students with significant cognitive disabilities..
4. The Panel, at two of the meetings, reviewed drafts of the Georgia Annual Performance Report (APR) for each of the twenty indicators and provided feedback to the State regarding the targets, activities and strategies for improving results. The Panel divided into small groups to review each indicator or cluster of indicators, provided feedback and suggestions, then reviewed the same indicators in the

final draft prior to the State submitting the APR. (see Annual Performance Report at [http://www.gadoe.org/ci\\_exceptional.aspx?PageReq=CIEXCStatePlan](http://www.gadoe.org/ci_exceptional.aspx?PageReq=CIEXCStatePlan)).

5. The Panel conducted a public comment period during each SAP meeting and received comments in person, via letter, or through email.
6. Meetings consisted of Panel discussion, structured workgroups, and committee work. The SAP has five standing committees which met in conjunction with each quarterly meeting of the full SAP. A brief description of each committee follows:
  - **Dispute Resolution** – The Dispute Resolution Committee regularly reviewed data and decisions related to due process proceedings and other forms of dispute resolution. The committee had available each due process decision for their review. Upon review of data at each quarterly meeting, committee members made recommendations to the Divisions for Special Education related to their findings.
  - **Family Engagement** – The Family Engagement Committee, a newly formed committee during this school year, reviewed data and information related to parent participation in individualized education program (IEP) meetings and parent response rates on the parent survey which is disseminated each year in order to assess the percentage of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. This committee made recommendations for strategies and materials to support increased family engagement.
  - **Public Comment** - The Public Comment Committee received and tracks all public comments submitted to the SAP for review, including those received in writing and in person. Committee members made recommendations for any necessary follow-up and/or response that was needed following receipt of each comment. The committee recommended the development a database that will track all public comment over time. The chair of the committee is creating the database for Panel usage.
  - **Policies and Procedures** - The Policies and Procedures Committee reviewed and made recommendations related to the policies, procedures and by-laws that guide the operations of the SAP.
  - **Membership** – The Membership Committee assisted in the organization and planning for recruitment of new members. Committee members reviewed all applications received from potential new members and made recommendations to the Divisions and the State Board of Education for appointments.

## SUMMARY OF MAJOR ACTIVITIES AND RECOMMENDATIONS

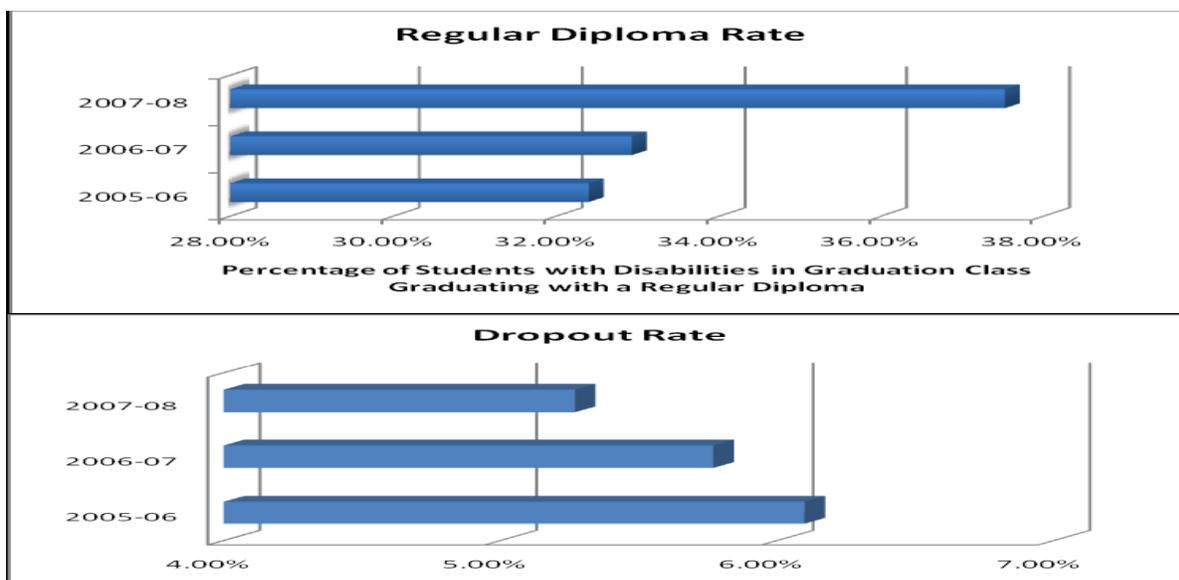
The following are the recommendations of the State Advisory Panel for Special Education for 2008-2009. We have included our recommendations and the rationale for why we are making the recommendations. Data are included when available.

### 1. Continue to work with general education partners in providing professional learning and related resources on Response to Intervention (RtI), the Georgia Student Achievement Pyramid of Interventions.

At most meetings Panel members discussed the issues and implementation challenges of RtI based on their experiences. Three panel members served on the statewide RtI committee and assisted in the development of the state guidance and implementation plan for RtI. Effective RtI improves the capacity of all schools to meet the diverse needs of all students and reduces inappropriate referrals to special education. Continued statewide support will improve the consistency of implementation of RtI across schools and school systems.

### 2. Continue the implementation of the State Personnel Development Grant (SPDG) that focuses on reducing drop out and improving graduation rate for students with disabilities. The SPDG should continue to include professional learning, technical support and follow-up coaching to assist school systems in implementing strategies addressed in the dropout prevention and graduation enhancement components of the project. The modules developed for the pilot schools (34 schools) will be made available to more schools and/ or systems.

The SAP serves as the advisory committee for the SPDG that focuses on reducing dropout rate and improving graduation rate. The panel was updated at each meeting on the activities of the SPDG and the Panel provided input into the activities. The SPDG has completed two of five years of the grant. The SPDG also has activities that focus on very early intervention to reduce dropout by working with families and young children to increase literacy. Data for students with disabilities on dropout rate and graduation rate are improving steadily.



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**3. Proceed with the development and implementation of the 2% assessment. Provide professional learning and technical support to schools to assist them in providing appropriate instruction to students with disabilities to prepare them for the 2% assessment.**

The SAP served as the advisory committee for the enhanced assessment grant the GaDOE testing division received. The grant reviewed the data on poor performers over time and assisted the department in defining appropriate populations for the 2% assessment. After reviewing the information learned by the grant, the Panel continues to recommend the need for a 2% assessment for students with disabilities in order to assess students appropriately.

The Panel also had a presentation about the Access to the Curriculum initiative the Divisions for Special Education are implementing. The Panel noted the high percentage of pass rates for the students on the GAA as a result of the technical assistance for teachers of students with significant disabilities. The Panel recommended that similar work needs to be conducted to assist with the 2% assessment that will be based on modified achievement standards).

**GAA results 2007-2008**

	<b>Total</b>	<b>Basic</b>	<b>Proficient</b>	<b>Advanced</b>	<b>Total Proficient And Advanced</b>
<b>Reading/English Language Arts</b>	9738	16% (1526)	39% (3823)	45% (4389)	84% (8212)
<b>Mathematics</b>	9766	15% (1439)	39% (3793)	46% (4534)	85% (8327)
<b>Science</b>	7233	7% (507)	51% (3722)	42% (3004)	93% (6726)
<b>Social Studies</b>	7319	7% (492)	38% (2751)	56% (4076)	94% (6827)

**4. Support the implementation of school-wide Positive Behavior Support to support a positive school climate and reduce the use of punitive discipline, assignment to alternative schools, etc., as punitive methods have little effect on improving behavior of students or teaching them the correct behavior.**

The Divisions for Special Education Services and Supports have provided professional learning and technical assistance to local schools in the implementation of Positive Behavior Supports. About 50 schools implemented school-wide PBS with support from GaDOE staff. Two districts implemented school-wide PBS in all schools in the district. Initial data indicates a significant decrease in office discipline referrals and increase in instructional time in each of the schools. The following table provides information on the success of PBS in two schools:

	Reduction of Office Referrals from 2007-2008 School Year to	Recovered Administrator Time Due to Decreased Office Referrals in	Recovered Instructional Time for Students Due to Decreased Office
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	2008-2009 School Year	2008-2009	Referrals in 2008-2009
School A	52%	74 hours	166 hours
School B	61%	113 hours	254 hours

The Panel was pleased with the success of the schools involved in the initiative in terms of reducing office referrals, increasing instruction and improving results for students. The Panel believes broader statewide implementation of Positive Behavior Supports will reduce disproportionality in discipline for students with disabilities.

**5. Proceed with a rule and/or widespread dissemination of the guidance on the use of restraint and monitored seclusion.**

The Panel also provided much input into the department's development of guidance for the use of restraint and monitored seclusion. The Panel reviewed, provided input and feedback to several drafts of the Guidelines for Restraint and Seclusion before they were distributed to Georgia Network for Educational and Therapeutic Support (GNETS) programs and local systems. The Panel members agreed that there should minimally be guidelines that apply to all schools and school systems that choose to implement restraint and monitored seclusion and that the guidelines should apply to all students, not just students with disabilities. However, there were strongly diverse opinions about whether it should be developed into a rule or remain as guidance. Consensus was reached that it should apply to all students, not just students with disabilities and not just students at GNETS.

**6. Review the state policies on In School Suspension (ISS), perhaps under the progressive discipline rule, and make sure that students in ISS have access to instruction in the general curriculum and their IEP services while in ISS or these days should be considered out of school suspension days. ISS facilitators should be trained on a number of issues that include providing instruction, disability characteristics, addressing bullying, and the delivery of FAPE for students with disabilities.**

At each Panel meeting there were public comments (written and in person) about discipline of students with disabilities including in and out of school suspensions, restraint and seclusion and assigning students to alternative schools. Public comments suggested that students with disabilities are disciplined disproportionately, assigned to alternative settings disproportionately, and that restraint/seclusion should be banned because it causes harm to students.

Public comments were received at three of the four meetings about the use of In School Suspensions (ISS) for students with disabilities and the staff providing supervision of ISS rooms. Comments received included the need for more training of the staff monitoring ISS, the request for the Panel to review the frequency of students with disabilities assigned to ISS and the request to review whether the lack of instruction in ISS results in students getting further and further behind.

**7. Continue to facilitate parental engagement by providing materials in digital and print formats that are easily accessible to parents and families of children with disabilities. Produce one page fact sheets on key issues addressed in the implementation manual that include the IEP, evaluations, discipline and others. Implement strategies to make the Georgia Department of Education website accessible to parents and families of children with disabilities.**

The Panel discussed the need to make print and digital resources more accessible to parents and families of children with disabilities. Panel members provided positive feedback on the Implementation Manual which is available on the GaDOE website. They did suggest creating parent-friendly, single-page documents on key special education topics addressed in the manual. Panel members also asked that GADOE staff review the department's website to identify modifications that could be made to make the site more user friendly to parents.

**8. Develop more strategies and guidance for systems to increase meaningful parent participation in the IEP process.**

The Panel subcommittee on parental engagement reviewed data on the number of parents who attended IEP meetings and recommended that strategies be developed to increase participation. Panel members reviewed the GaDOE implementation manual as a resource for parents and recommended that one-page documents be developed to help families get started with some quick, basic information before trying to understand the more detailed information found in the implementation manual. The Panel recommended one page fact sheets be developed for: IEPs, Discipline, Evaluation, Least Restrictive Environment, transition for young children and transition to post-secondary outcomes.

The Panel subcommittee requested the data on the number of parents who attend IEP meetings by district. After reviewing that data, they want to target in FY 10 systems with the worst attendance to help them develop strategies for improving parent participation at IEP team meetings, particularly in systems that do not employ parent mentors.

**9. Address the needs of students with disabilities in different settings or types of schools:**

- a. those referred to and served in alternative schools
- b. those in charter schools or systems
- c. those in Investing in Educational Excellence Partnership Contracts (IE<sup>2</sup>) systems

The Panel received public comment last year and this year about alternative schools, and this year about systems requesting IE<sup>2</sup> contracts. Panel members discussed some of the issues and requested presentations from department staff on alternative schools, charter schools and IE<sup>2</sup>.

Alternative schools – The Panel recommended that the Department review the data for alternative schools to make sure that students with disabilities are not disproportionately placed in alternative schools and that there remains accountability for what happens to students placed in alternative schools. The Panel had questions about IEPs being met, how the results of state testing count, monitoring of attendance, and dropout rate. Jerry Randolph, from the GaDOE, presented information to the Panel about alternative schools and discussed accountability and other issues. He also sent the Panel a draft rule for feedback before he initiates a new rule.

Charter schools - Sarina Russotto, from the Charter School Division, made a presentation to the Panel outlining the types of charter schools, charter systems and other options for charters. Panel members want the Department to monitor the enrollment of students with disabilities in charter schools and ensure that students with disabilities have access to charter schools or systems as schools of choice.

IE<sup>2</sup> - Panel members heard public comments addressing concerns for accountability for students with disabilities because the subgroup was not expected to increase in the exceeds category. Nancy

O'Hara, Director for Special Education Services, explained that the federal requirements are still in place and that the IE<sup>2</sup> contracts require an additional level of accountability. Panel members encouraged the Department to monitor this closely and not reduce standards or expectations for students with disabilities in contracts for IE<sup>2</sup>.

**10. Provide professional learning and technical support services that focus on Autism.**

Panel members often discussed a need for autism training in the schools where their children were attending. Panel members felt that many schools and school systems are not prepared for programming needs of some children on the autism spectrum. The Panel noted the incidence of autism is increasing in the state each year. Inclusion is often the most preferred model to implement services for students with autism, yet some schools and teachers are unprepared to teach students with autism.

**11. The State should continue to support inclusion including consideration of the Least Restrictive Environment for students with more severe disabilities. The Department should continue to develop resources and supports for co-teaching teams to receive technical assistance, coaching and other professional development to improve their teaching effectiveness. Professional development should also be available for schools and teachers to assist students with significant cognitive disabilities to be included in the regular class setting as they access the curriculum.**

**12. The State should not only recognize a teacher of the year, but a team of co-teachers should get state recognition as co-teaching team of the year.**

Frequently at meetings, Panel members discussed the successes and frustrations of including students with disabilities in the general education setting. Issues were discussed about co-teaching and the training and planning time required for co-teaching, the inclusion of students with more severe disabilities. Panel members felt that general education teachers are not prepared for co-teaching in their pre-service programs nor often in in-service or professional development training. Co-teaching is implemented without training or co-planning time in many instances. Panel members also discussed situations where it is very successful and suggested honoring a team of great co-teachers annually.

**13. The Panel recommended that the State explore new avenues of early dispute resolution.**

The Panel subcommittee on dispute resolution reviewed the data and the decisions at each Panel meeting and discussed how limited resources of most families prohibits them from accessing due process hearings due to legal costs that they cannot afford. Although an attorney is not required, due process is a complicated legal procedure that most families cannot navigate without an attorney. The Department should continue to explore ways to resolve issues, such as facilitated IEPs or access to legal advice before resorting to the use of formal dispute resolution processes. The Department should also explore avenues with the community for making legal resources available to parents who have no other alternative and who cannot resolve the issues in other ways.