

**ILLINOIS STATE ADVISORY COUNCIL
ON THE EDUCATION OF
CHILDREN WITH DISABILITIES**

**Illinois State Board of Education
100 North First Street
Springfield, IL 62777**

BUSINESS MEETING

April 23, 2009
9:00 a.m.

I. Procedural Business

ISAC Chair Susy Woods called the meeting to order at 9:35 a.m. A quorum was present. (The building was on lockdown until 9:30 a.m. and ISAC members were not allowed in the building.)

ISAC Members Present

Beth Conran
Nora Donahue
Deb Fornoff
Carrie Janes
Suzanne Lee
Heather Munz

Jennifer Naddeo
Marjorie Olson
Mike Otte
Kyle Packer
Rahnee Patrick

Rick Ramirez
Kristine Stanley
Jim Surber
Stanley Valentine
Susy Woods

ISAC Members Absent

Marva Campbell-Pruitt
Frances Elbert
Anel Gonzalez

Teresa Garate
Beth Purvis

Sharon Slover
Lanée Walls

ISBE Members Present

David Andel
Scott Beever -presenter

Jodi Fleck - presenter
Melanie Fleenor

Barb Sims - presenter
Kathy Stratton

Guests Present

Charlotte Des Jardins
Deb Einhorn
Terry Munz, Sr

Family Resource Center on Disabilities
Family Matters
Guest

Introductions

Chair Woods welcomed ISAC members, staff and guests and asked that they introduce themselves.

Adoption of Agenda

Motion #1 –Marjorie Olson **moved** to “adopt the agenda with the provision of moving the Comprehensive State Plan discussion and votes to follow the ISBE updates. This will accommodate the need for the subcommittee chair to leave early and still ensure quorum is present.” Jennifer Naddeo **seconded** the motion. **The motion carried.**

Approval of Business Meeting Minutes from February 11, 2009.

Motion #2 –Jim Surber **moved** to “approve the minutes of February 11, 2009 as presented.” Beth Conran **seconded** the motion. **The motion carried.**

II. Public Participation

Deb Einhorn, Family Matters, addressed the Council regarding the need for printing large quantities of the new version of the parents’ guide “The Educational Rights Guide for Students Who Receive Special Education Services”. While the Governor has issued an order that state agencies may not mass produce any printed materials due to budget constraints, Council members strongly agreed with the need for an exception to this order due to the recipients of the guide. While the guide will be available online, a great number of parents who need this guide do not have access to online resources. A motion was made later in the meeting to encourage mass production of this guide.

III. Illinois State Board of Education Update

SISEP Presentation

Barb Sims, Principal Consultant, ISBE, made a presentation to the group discussing technical assistance projects. The PowerPoint presentation she shared was titled “Illinois Statewide Technical Assistance Center TO State Implementation & Scaling-up of Evidence-based Practices.”

APR Update

Jodi Fleck and Scott Beever, Principal Consultants, ISBE, updated ISAC regarding the APR. After receiving the APR, the United States Department of Education gave states a week to “clarify” information that they had questions about. ISBE responded to questions which included Indicator 4 - suspensions and expulsions, language in Indicator 5 – educational environment, Indicator 10 – disproportionality, language in Indicator 14 – secondary transition survey, and Indicator 20 – timely and valid reliable data. ISBE provided additional information and expects to hear by at the beginning of June on the State’s determination. ISBE is moving forward regarding improvement activities. ISBE is also creating a State Performance Plan stage on the website. It will include the SPP, APR and links to the individual indicators. Resources available to districts will also be provided. The federal government changed the measurements for three indicators: Indicator 1 - graduation, Indicator 2 – dropout, and Indicator 3 - assessment participation and performance. ISBE will determine what targets need to be changed and bring that information back to ISAC at their June meeting.

LEA Determinations

ISBE is preparing to make district determinations. The small stakeholder group (Beth Conran and Carrie Janes represent ISAC) was brought together and made decisions for this year’s determinations. The majority of things were kept the same. The criteria stayed relatively the same. The group did agree to have an appeals process. Specific language will be to the districts so they have an idea of what is an appropriate appeal. The public reporting piece will remain the same. The determinations will not be publicly reported. That information is available through the district’s profile if someone needs that data. Ms. Fleck reviewed some of the improvement activities district’s need to address. Mr. Andel and Ms. Fleck discussed the stimulus money and how it affects districts and the maintenance of effort for them.

Other

Mr. Andel further reviewed funding from the American Recovery and Reinvestment Act of 2009. He discussed how and when districts will receive their funds.

Mr. Andel reminded ISAC members of the upcoming Directors Conference August 5-7, 2009 in Peoria. ISBE is finalizing speakers and session topics.

State Board Meetings / Future Meetings

Chair Woods reviewed the list of State Board Meetings scheduled and the ISAC members who have agreed to attend. Future scheduled attendance includes: April – Springfield – Beth Conran; May – Springfield – Kris Stanley; and June – Springfield – Susy Woods.

IV. Proposed School District Withdrawals

Beth Conran, Chair of the Comprehensive State Plan committee led the discussion concerning the two districts that brought their comprehensive state plans before ISAC for their proposed withdrawals.

Motion #3 – Beth Conran **moved** that “ISAC send a letter to ISBE requesting the agency obtain the following information that was not adequately presented in the Comprehensive Plan for withdrawal of the Indian Creek CUSD # 425 withdrawal from DCSEA.

1. The district provide further information regarding procedures for identifying students with a Specific Learning Disability (RtI).
2. The district provide further information relative to their provision for the continuum of placements available.
3. The district provide further information relative to provision of training and implementation of Assistive Technology.
4. The district provide further clarification of provisions for professional development of both regular education staff relative to special needs students in their class and special education staff.
5. The district provide further clarification of provision for transition services for students.

Further the ISAC had concerns relative to parental involvement in the withdraw process. Further the ISAC has concerns relative to Reading Performance, Parental Involvement, and Students placed in the Least Restrictive Environments. Upon receipt of the above information the ISAC recommends that the ISBE consider accepting the Comprehensive Plan for Withdraw of the Sandwich CUSD from DCSEA, if the ISBE determines that the withdraw will meet the requirements found in Illinois Statute and the Illinois Administrative Code.” Jennifer Naddeo **seconded** the motion. There were three abstentions. **The motion carried.**

Motion #4 – Nora Donoghue **moved** that “ISAC send a letter to ISBE requesting the agency obtain the following information that was not adequately presented in the Comprehensive plan for withdraw of the Sandwich CUSD # 430 withdraw from DCSEA.

1. The district provide further information regarding procedures for identifying students with a Specific Learning Disability (RtI).
2. The district provide further information regarding provisions for special needs student's whose first language is not English.

3. The district provide further clarification of provisions for professional development of both regular education staff relative to special needs students in their class and special education staff.
4. The district provide further clarification on the district's plan to provide for Deaf and Hard of Hearing students.
5. The district include the results of the surveys given to stakeholders.

Further the ISAC has concerns relative to reading performance, parental involvement, and students placed in the Least Restrictive Environments. Upon receipt of the above information the ISAC recommends that the ISBE consider accepting the Comprehensive Plan for Withdraw of the Sandwich CUSD #430 from DCSEA, if the ISBE determines that the withdraw will meet the requirements found in Illinois Statute and the Illinois Administrative Code.” Kris Stanley **seconded** the motion. There were six abstentions. **The motion carried.**

RtI Review

Jim Surber shared a PowerPoint presentation “Response to Intervention (RtI)/Problem-Solving: An Overview”. Members appreciated Mr. Surber's comprehensive explanation and clarification of the issues surrounding RtI.

V. Committee Reports

Committee reports will be available in the next ISAC packet.

Executive – Susy Woods, Chair – The Executive Committee met in March to discuss the proposed Part 405 Rules. After some discussion, committee members decided to meet again to form their public comment. This meeting took place on April 16th and a public comment was submitted on April 20th from Chair Woods. (Letter is attached.)

Access – Kris Stanley, Chair – The committee discussed the need for text size to be adjustable on the ISBE website to make it more accessible. They will be looking at new ADA regulations. If there are any changes in 504, they will bring that before the entire Council. They also discussed driver education access issues and will be looking into that further.

Ad Hoc Communications – Rick Ramirez – No meeting was held so there is no report at this time.

Bilingual – Tere Garate, Chair – No meeting was held so there is no report at this time.

Comprehensive State Plan – Beth Conran, Chair – This item was presented earlier in the meeting. No further report.

Family Communications – Beth Purvis, Chair – No meeting was held so there is no report at this time.

Finance – Mike Otte, Chair – The committee discussed the proposed budget and made the following motion.

Motion #6 - Mike Otte **moved** that “ISAC send a letter to the General Assembly in support of the ISBE and Governor’s proposed FY-2010 Budget relative to special education”. Stan Valentine **seconded** the motion. **The motion carried.** (The letter is attached.)

General Supervision/Due Process – Rick Ramirez, Chair – No meeting was held so there is no report at this time.

Legislation – Stan Valentine, Chair – The committee reviewed the latest Legislative Breakfast and discussed ideas for next year. Once state testing dates are finalized, the committee will choose the date for next spring’s breakfast. Once again, appreciation was expressed for everyone’s participation.

Personnel Development – Marjorie Olson, Chair – No meeting was held so there is no report at this time.

Rules and Regulations – Beth Conran, Chair – No meeting was held so there is no report at this time.

Transition – Deb Fornoff, Chair – Ms. Fornoff presented a “White Paper” that was developed by the Transition Committee, “High Expectation: Priority One for Successful Transition - A White Paper from the Transition Committee of the Illinois State Advisory Council on the Education of Children with Disabilities (ISAC)”. ISAC members will review this document and send suggestions/changes to Ms. Fornoff. The paper will then be brought back before ISAC in June for a vote of approval.

Illinois Interagency Coordinating Council on Transition (ICC) – Marva Campbell-Pruitt, Chair was not in attendance so a report was not available.

VI. Old Business

A. Update on previous motions

Chair Woods reviewed the motions that had been made at the February Business Meeting.

VII. New Business

After much discussion concerning the distribution of the new “The Educational Rights Guide for Students Who Receive Special Education Services” the following motion was made.

Motion #5 – Marjorie Olson moved that “a letter be written and sent to the Governor, the legislators and Dr. Koch concerning the extreme need for the printing and distribution of The Educational Rights Guide for Students Who Receive Special Education Services” to school districts, who in turn, distribute to parents.”

The Family Communications Committee and the Access Committee will then review this and determine future distribution needs. Kris Stanley **seconded** the motion. **The motion carried.**

VIII. Adjournment

To: Sally Vogl, Rules, ISBE
From: Susy Woods, Chair, Illinois State Advisory Council on the Education of Children with Disabilities
Subject: Proposed Part 405 Rules
Date: April 16, 2009

Introduction

The Illinois State Advisory Council on the Education of Children with Disabilities (ISAC) is mandated by law to comment publicly on proposed State and Federal rules. ISAC's members represent a wide variety of stakeholders, including educators, administrators, parents, individuals with disabilities, and state agency representatives. We are providing our input on the proposed Emergency Changes to Part 405 Rules.

Areas of Support

The ISAC would like to commend the Illinois State Board of Education (ISBE) for its work on the Part 405 Rules. The ISBE continues to work diligently to provide that all special education children in Illinois are provided with a Free And Public Education (FAPE) as provided for in the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA).

Areas of Concern

The Council was unable to form a quorum of members to make an official motion to provide Publicly Comment on the Part 405 Rules. However, the eleven members present were in full agreement that the Rules need to be expanded. The Council recognizes that due to the unique nature of PA95-938 the ISBE is precluded from direct alignment to the Part 401 Rules regulating schools under Section 14-7.02. However, the Council believes that certain requirements are necessary to assure students served under IDEA are provided FAPE in a safe and healthy environment. This being said the Council requests the ISBE consider additional language to the Part 405 Rules including:

1. the facility must provide proof of meeting all Health/Safety requirements under (Admin Code 401.10 & 401.220)
2. the facility must provide proof of meeting all operating schedule requirements (401.210)
3. facility must provide proof of an established mechanism for reporting student progress (401.230)
4. the facility must provide proof of maintain staff record keeping as prescribed in Rules.
5. the facility must provide proof of meeting the same or similar requirements of professionals working with children in public schools in Illinois (i.e. criminal background checks, sexual predator checks, etc.)
6. staff Training Requirements (401.260)

While the Council understands that the PA 95-938 requires the facility to provide proof of appropriately certified teachers, age-appropriate curriculum, enrollment data, and the ability to implement the IEP one can reasonable assume these includes the facility will provide proof that these will occur in a health, safe, and educational environment as required by Illinois Administrative Code.

This being said the ISAC is concerned with the council's ability to understand the scope of PA 95-938 and ISBE's legal ability to develop Rules that will provide children with certain protections, protections found in under other State and Federal Rules. Members of the Council would appreciate additional training and information from ISBE relative to the Rules and the PA 95-938.

Please feel free to contact me with additional questions.

Susy Woods, Visiting Director Office of Disability Services, UIS
206-6666 (work) or 638-8411 (cell)
Swood06s@uis.edu

May 11, 2009

**Representative Linda Chapa LaVia
House Appropriations Chair for Education**

Dear Representative Chapa LaVia:

I am writing this letter on behalf of the Illinois State Advisory Council on the Education of Children with Disabilities (ISAC). ISAC is responsible for advising the Illinois State Board of Education as well as the Governor and Legislature on Special Education in the state of Illinois. ISAC's mandate is to ensure appropriate special education services are provided to all students in Illinois. My purpose today is to advocate for students by requesting that strong consideration be given to the budget proposed by Superintendent Dr. Christopher Koch for Education in general, but more specifically for Special Education.

The ISAC would like to commend Dr. Koch for budgeting to fully fund mandated special education categoricals. If school districts are expected to provide free and appropriate public education services in the least restrictive environment for all children with disabilities including those with the most intensive needs, the State of Illinois must look for ways to adequately and equitably fund all mandated categoricals. On behalf of the ISAC I urge your support for Dr. Koch's proposed ISBE budget.

Thank you for your consideration in this matter. Please do what is best for children with disabilities and adopt the proposed ISBE budget.

Respectfully submitted,

A handwritten signature in black ink that reads "Susy Woods". The signature is written in a cursive, flowing style.

**Susy Woods, Chair
Illinois State Advisory Council**