



Special Education Advisory Panel: Executive Board Meeting

DRAFT MINUTES

Meeting Place: Microsoft Teams platform (Virtual Meeting)

Date: Thursday, November 17, 2022 – 4:30pm to 6:30pm

Present: Katie Ballard, Sandra Chittenden, Molly McFaun, Dawn Campbell, Rachel Seelig, Chris Case

Agenda:

4:30-4:35	Come to Order, Review and Approve minutes
4:34-4:45	Public Comment
4:45-5:30	EQS Revision Discussion
5:30-5:50	Draft Letter on Rule Change Discussion
5:50-6:30	December Agenda Planning and Survey Results
6:30	Adjourn

Come to Order, Review and Approve minutes:

September and October Executive Board Meeting minutes motioned by Rachel and seconded by Sandra. Unanimously approved by members.

Public Comment:

None

EQS Revision Discussion:

Katie did a thorough deep dive on the EQ as revision conversation and it has clearly been in process for quite some time in terms of the draft that the State board is going to be moving forward. The Panel have an opportunity to have input after the Administrative Rule Process. We have an opportunity here to make sure that disability equity is part of the conversation with these education quality standards. The final draft to the full state Board to vote on in the next month or two and then file it. We still do have that opportunity to provide both written and oral public comment depending on what the full panel wants us to do.

Next Listening Session is November 30th from 6pm-8pm. Katie reached out to let the EQS subcommittee of the SBE know we had public comment and shared we would be providing it for the November 30th listening session. In terms of the clarifications and questions we asked, Katie has not heard back from the email to the subcommittee.

Questions that arose are: Do Independent Schools and out of district placements get included in being held to the EQS standards? What is the process to have public comment? What about educational records versus academic records, IDEA and 504 disability equity opportunity? Executive Board will move forward with this.

Rachel gives a quick review of rulemaking:

An agency that wants to change a rule brings their proposal to the Interagency Committee on Rules and Administrative Rules, or ICAR, is the acronym. Once ICAR given approval, which involves things like

economic impact statement, their environmental impact statement, a plan for their Public Comment and for their Public Meeting.

Then the rule goes to the Secretary of State's office where it gets published as being open for Public Comment and there has to be a certain number of days where it's open, I think the minimum is 30 but it can be open for longer. And they have to hold at least one Public Hearing on the rule so people can give oral Public Comment.

Once that process has ended, they have to review all of their comments and provide written feedback on those comments. And so often that's like, you know, we considered this, and we decided not to change the rule because of XY and Z or we considered this comment, and we agree with it. So, we're changing our proposal to AB or C.

Then the Rule goes to the Legislative Committee on Administrative Rules. So first we had ICAR, then we had public comment. Now we have LCAR is made-up of both Senators and Representatives from a whole bunch of different committees (they sit year-round). They consider what's being proposed to them, and there are certain statutory reasons why they can object to a rule, and if they do object to a rule, then it doesn't have the presumptive force of law, even though the agency can still go ahead and make it their rule. If anyone challenged, it. It wouldn't be presumptively valid.

Draft Letter on Rule Change Discussion: tabled

December Agenda Planning and Survey Results:

Identified timelines of the agenda. Discussed when to have AOE update on restraint and seclusion work. Chris Case shared the current work of the AOE team and offered to provide the full panel an update. Concerns were raised about how to collect the "missing" data of informal removal and seclusion. Will continue to consider as we prepare to discuss the update. Still need to decide if any subcommittee work should be done, waiting for larger EC group to be able to make those decisions together. January agenda will include EQS update, parent survey data report from AOE, discussion and presentation from Dana related to corrections.

Last chunk of time we can use for priority of panel. Based on survey, which did group topics the top four topics besides the subcommittee topics are:

1. IEP process/content/team members,
2. Identification and coordination of services for students with Ed,
3. Postsecondary services and transitions (including covid issues),
4. Child find and evaluations,
5. Assistive technology services, resources and evaluations. Focus on IEP process-who is at meetings and IEP content repeated goals in January.

Other Business:

Secretary Role:

Sandra will be stepping back from this role and will prefer to be an engaged partner of the meeting. It will be proposed to the full Panel meeting and warned for a vote for a new Secretary.

Scheduled Meetings for 2023:

Briefly discussed schedule and the need for hybrid and in-person location, per Emily still needed after new year. Thank you to Molly for helping with that.

Adjourn:

Katie Ballard adjourned the meeting without objection at 6:27pm

Meeting Schedule (hold the dates):

December 22, 2022, 4:30pm-6:30pm ([Virtual meeting](#))

January 26, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))

February 23, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))

March 23, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))

April 27, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))

May 25, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))

June 22, 2023, 4:30pm-6:30pm ([Hybrid meeting](#))