



Special Education Advisory Panel (SEAP)

Annual Report

June 5, 2013

**Developed by the Special Education Advisory Panel
for the Minnesota Department of Education**

Preface

The annual report of the Minnesota Special Education Advisory Panel (SEAP) is respectfully submitted to the commissioner of the Minnesota Department of Education (MDE). The reporting period is July 1, 2012, through June 30, 2013. The annual report is a summary of the panel activities and recommendations during the reporting period. SEAP provides a broad base of input to MDE staff regarding policies, practices and issues related to the education of children and youth with disabilities ages birth through 21, and advises MDE's Divisions of Special Education and Compliance and Assistance on the education of children and youth with disabilities.



Members of the 2012 – 2013 Special Education Advisory Panel with MDE staff

Duties

As established in accordance with 34 CFR 300.167-300.169 (2006), the Special Education Advisory Panel (SEAP) of the state of Minnesota must:

1. Advise the State Education Agency (SEA) of unmet needs within the state in the education of children with disabilities;
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
3. Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
4. Advise the SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act; and,
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
6. The SEA, after deleting personally identifiable information, must provide SEAP with the due process hearing findings and decisions and make those findings and decisions available to the public (34 CFR 300.513(d) and 300.514(c)).

Acknowledgements

MDE acknowledges and thanks the following staff for their contribution to this report:

Barbara L. Troolin, Ph.D., Director, Special Education Policy
Barb Ziemke, SEAP Chair, 2012–2013
Cindy Shevlin-Woodcock, SEAP Coordinator
Debra Price-Ellingstad, SEAP Coordinator
Doug Gray, Communications Specialist

The SEAP is funded by federal funds obtained by MDE through Special Education — Grants to States CFDA 84-027A of the Individuals with Disabilities Education Improvement Act (IDEA 2004) and amendments thereto.

Reflections: SEAP Chair Barb Ziemke



It has been my privilege to serve as the chairperson of the 2012–13 Special Education Advisory Panel (SEAP). Good things happen for students with disabilities when parents and professionals work as partners, and SEAP provides that opportunity at a systems-wide level. Although the backgrounds and perspectives of individual members were widely diverse, collectively the members demonstrated a common purpose and a passion to ensure that the educational needs of all students are met.

With the State Performance Plan and Annual Performance Report Indicators as a central focus, the panel advised the department of unmet needs within the state. Staff from the divisions of Special Education Policy and Compliance and Assistance regularly provided updates and elicited feedback from the group. Topics of special interest this year included the Finance Workgroup’s Consideration for Special Education Funding, the Seclusion and Restraint Task Force Recommendations, and the Office of Legislative Auditor’s Evaluation Report on Special Education.

Special thanks goes to Barbara Troolin, Cindy Shevlin-Woodcock and their team for maintaining high expectations for the panel and for providing the leadership and support necessary to ensure its effectiveness.

On behalf of the dedicated members of Minnesota’s Special Education Advisory Panel—and the students they represent—I present this Annual Report.

Barb Ziemke, Chair

Director's Letter

Dear Colleagues:

Our Special Education Advisory Panel (SEAP) exists in part because it is a federally-mandated committee to advise the department on students with disabilities and their families. In the eyes of most SEAP members, we collectively go beyond the requirements. It's learning together, professional dialogue, rich discussions, valued input, varied perspectives and the joys of collaborative work.

The work and conversations center around students with disabilities and their families. We are blessed with knowledge, experience and generous volunteer time to conduct our business and improve outcomes for students.

H.E. Luccock stated, "No one can whistle a symphony. It takes a whole orchestra to play it." It is with gratitude that I thank our SEAP "orchestra" for keeping the playlist of challenges and issues important, meaningful and relevant.

Barbara L. Troolin, Ph.D.
Director of Special Education



Division Vision:

All children get necessary support for healthy development and lifelong learning.

Division Mission:

Provide leadership to ensure a high quality education for Minnesota's children and youth with disabilities.

Division Key Messages:

Provide leadership: We provide educational support and guidance to Minnesota's broader educational communities.

Support whole-child thinking: Educational support is based on each child's unique needs to prepare them for further education, employment, independent living, and community participation.

Collaborate with our partners: We collaborate with and value the contributions of our partners.

Model accountability: We promote and measure evidence-based outcomes that are meaningful to our communities.

Overview

The Minnesota Special Education Advisory Panel (SEAP) provides policy guidance for the Minnesota Department of Education (MDE) divisions of Special Education Policy and Compliance and Assistance with respect to special education and related services for children and youth with disabilities in Minnesota. The federal Individuals with Disabilities Education Act (IDEA) and state law establish SEAP and outline its duties.

SEAP members are appointed by the Commissioner of Education as the governor's designee. SEAP members include parents, individuals with disabilities, educators, teacher trainers, advocates, special education directors and staff from MDE and other state agencies, bringing their diverse perspectives together to make recommendations on special education issues. For a list of SEAP members for 2012–13, see Appendix A. For a list of education groups on which SEAP members also serve, see Appendix B.

Annual Workplan

The duties assigned to SEAP via federal legislation are discussed on an annual basis. An annual work plan is developed as a tool to guide the work of SEAP. This year, SEAP focused on six areas:

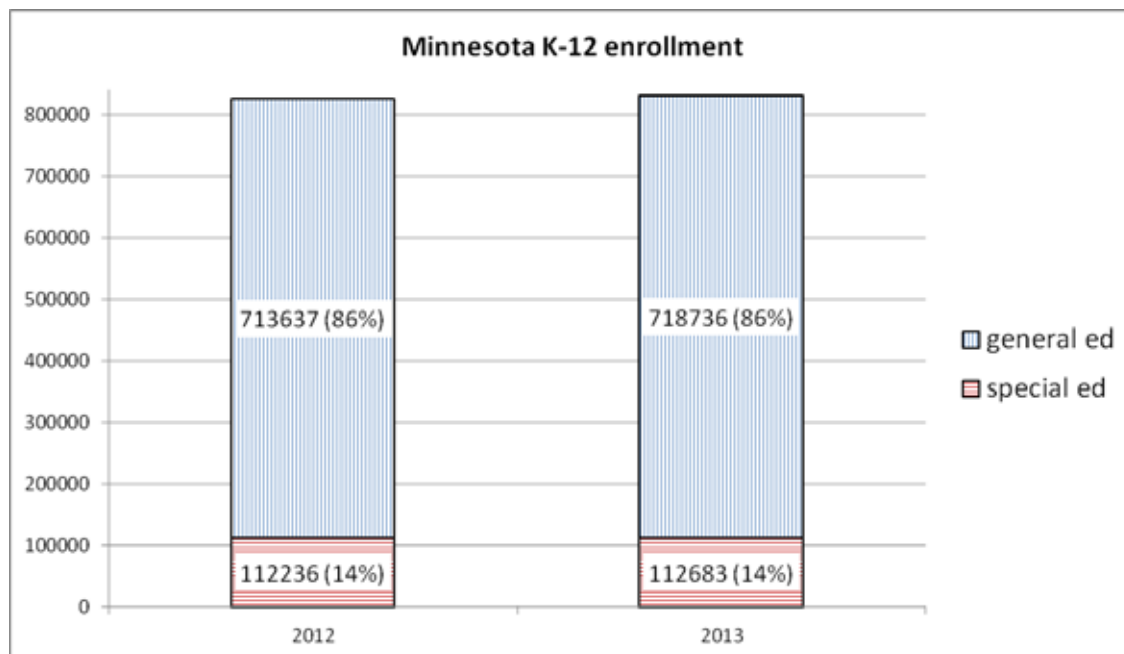
1. Advise the Special Education Division of unmet needs within the state in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
3. Advise the Special Education Division in developing evaluations and reporting on data to the secretary under section 618 of IDEA.
4. Advise the Special Education Division in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA.
5. Advise the Special Education Division in developing and implementing policies relating to the coordination of services for children with disabilities (IDEA, 34 CFR § 300.167-300.169).
6. The Minnesota Department of Education, after deleting personally identifiable information, must provide SEAP with the due process hearing decisions and findings and summarize state complaint decisions (34 CFR § 300.513(d) and 300.514(c)).

The following summarizes the valuable input and discussions SEAP provided on a variety of topics related to its workplan.

Special Education in Minnesota

By federal law, public schools must provide individualized special education and related services to eligible children with disabilities. Special education is specially designed instruction, provided at no cost to parents, to meet the unique needs of a child with a disability. It may include instruction in the classroom, home, hospitals, institutions and other settings.

On December 11, 2012, 128,812 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of less than 400 students from the 128,430 Minnesota children receiving special education services in 2011–12. Of those, 112,683 were enrolled in grades K-12 in Minnesota public schools, 14 percent of the total statewide public school K-12 enrollment of 831,419.



Compared to December 1, 2011, there were increases in the number of students in five of the 14 disability categories: Severely Multiply Impaired, Autism Spectrum Disorders (ASD), Other Health Disabilities (OHD), Developmental Delay and Blind/Visually Impaired. The number of students remained relatively stable in another four categories: Deaf/Hard of Hearing (DHH), Physically Impaired, Speech/Language Impaired and Emotional Behavioral Disorders (EBD). There were decreases in the number of Minnesota students in the remaining five categories: Specific Learning Disabilities, Developmental Cognitive Disability-Severe/Profound, Developmental Cognitive Disability-Mild/Moderate, Traumatic Brain Injury and Deaf-Blind.

State Performance Plan/Annual Performance Report

SEAP serves as the mandatory stakeholder advisory group for Minnesota's Annual Performance Report and six-year State Performance Plan submitted each year to the U.S. Department of Education's Office of Special Education Programs (OSEP). MDE staff involved in preparing and submitting these reports kept SEAP members informed of the latest results and developments in the 20 performance indicators they track. SEAP members' thorough consideration of these reports contributed to their fuller engagement and understanding of the achievements of and challenges for special education in Minnesota.



OSEP rates state submissions based on the results of 20 progress indicators. While Minnesota had received the highest possible "meets expectations" rating for its previous reports, its latest submission received a "needs assistance" rating based on slippage in the areas of students' postsecondary goals and the timeliness of responses to complaints. SEAP will continue to advise and support MDE's and its partners' efforts to show improvement in these and all other SPP/APR indicators.

MDE staff kept SEAP members up to date on the latest developments in this area, including changes to reporting progress on graduation and dropout rates, student instructional settings and postsecondary outcomes. In turn, SEAP and its members made valuable suggestions for changes and improvements to Minnesota's performance plans and reports. SEAP recommended increasing the state's performance target for young children receiving special education in regular early childhood programs while decreasing the target for those attending separate special education programs. It suggested extensive changes and improvements in the area of suspension and expulsion and increasing response rates for the state's surveys of parent satisfaction and student postsecondary outcomes. MDE incorporated these suggestions into its performance planning and reporting programs. Together, SEAP and MDE retain a strong focus on improving outcomes for Minnesota students receiving special education services.

Office of Legislative Auditor Evaluation

In March 2013, the state Office of the Legislative Auditor (OLA) released a report on special education in Minnesota. The report recommended reviewing differences between federal special education requirements and those in state law and rule; reforming the way the state funds special education; analyzing the educational and economic impacts of changes in special education; improving understanding of special education compliance requirements; and continued efforts to streamline special education paperwork.

OLA Program Evaluation Division staff presented their report to SEAP on March 22, 2013. SEAP supported the report's recommendations for reviewing special education requirements and streamlining paperwork. It suggested any cost-benefit analysis embrace all state agencies working with students receiving special education services. SEAP members expressed concerns that the OLA report should be considered as a whole and actions taken in response to the report focus on how Minnesota's investment in special education advances its goal of helping all children get the support they need to become educated and productive members of society.



Education Finance Working Group

SEAP members were keenly interested in the Education Finance Working Group, especially its proposals for changes in special education funding. The group recommended increasing state aid for special education to reduce cross-subsidies from school district general funds; developing a new special education funding formula taking into account overall enrollment and the number of students in high-cost, low-incidence programs; improving the special education excess cost formula; and requiring serving school districts to share in the cost of special education services for open-enrolled students from other districts.

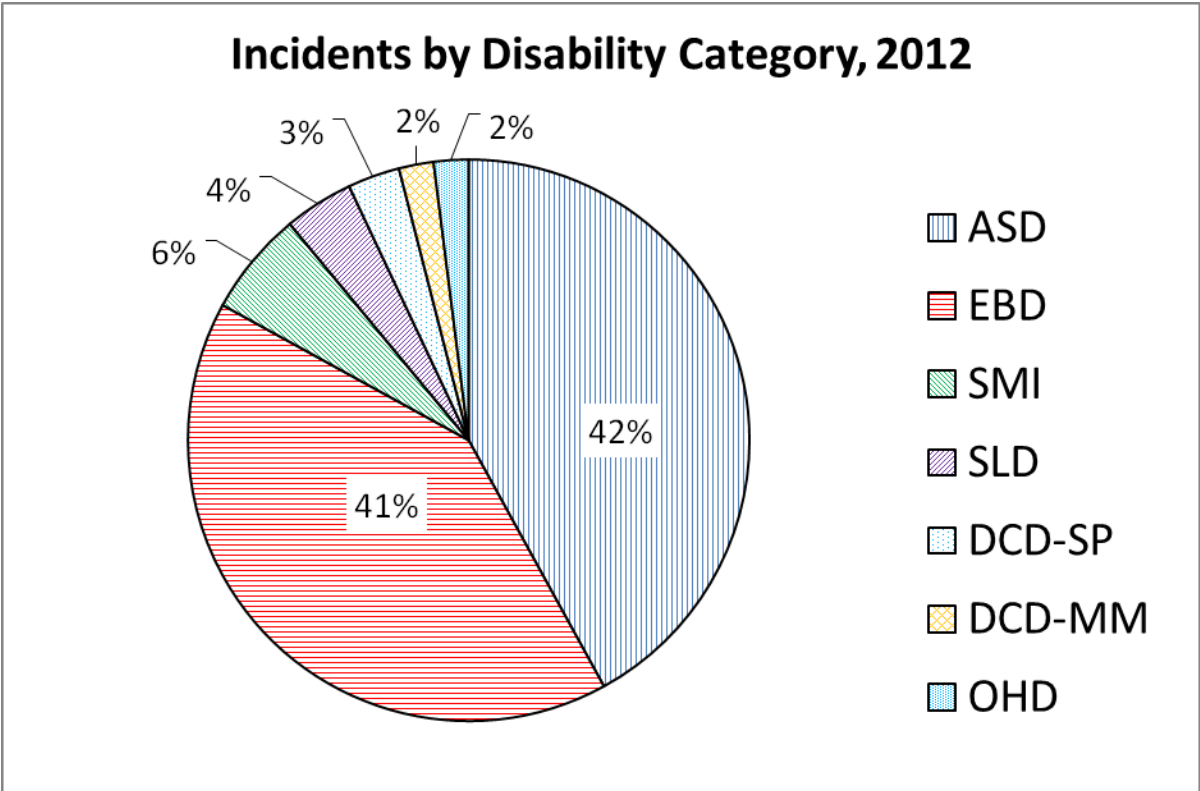


In May 2013, the Minnesota Legislature passed and Governor Mark Dayton signed into law an education bill incorporating much of the special education funding reforms the working group had proposed. SEAP will track the effects of these changes and continue to advise the Special Education Division on their impacts on districts, schools, staff and the students they serve.

Seclusion and Restraint Task Force

Staff from MDE's Division of Compliance and Assistance kept SEAP informed of the latest developments on policies and procedures regarding seclusion and restraint of students receiving special education services in Minnesota. SEAP continued to provide input and suggestions to MDE regarding this area of particular concern.

In February 2013, MDE presented a report to the legislature on the use of prone restraint in Minnesota schools. The report covered 455 incidents of prone restraint over a five-month period. It showed that 83 percent of students restrained in prone during that period were eligible for special education in the ASD or EBD categories. A breakdown by race and ethnicity showed 56 percent of prone restraint incidents involved African American students. Caucasian students accounted for 41 percent of prone restraint incidents.



Source: *The Use of Prone Restraint in Minnesota Schools, 2013*

A stakeholders' group including representatives from advocacy organizations, special education directors, intermediate school districts, school boards, day treatment providers, state human services department staff, mental health professionals and autism experts assisted MDE in developing a required statewide plan to reduce districts' use of restrictive procedures. After an initial survey and five meetings, the stakeholder group recommended encouraging more districts to use Positive Behavior Interventions and Supports (PBIS); increasing access to mental health services; reducing barriers to day and residential treatment; increasing and dedicating safe school levy funds for reducing restrictive procedures; enhancing training, resources, oversight and technical assistance; and continuing stakeholder group efforts to ensure positive school success for students with mental and behavior health needs.

The stakeholders group also recommended changes to the state statute on restrictive procedures. As enacted, these require:

- A clearer definition of emergency circumstances warranting restrictive procedures.
- District plans for using restrictive procedures that are made public.
- An IEP team meeting after each use of restrictive procedures on a student.
- Annual district reports to MDE on restrictive procedures.
- Staff training on restrictive procedures.

State Personnel Development Grant: Literacy for All Learners

SEAP members kept updated on and made suggestions to enhance Minnesota's efforts to improve literacy for all learners through its State Personnel Development Grant. Collaborating with Dr. Karen Erickson from the Center for Literacy and Disability Studies at the University of North Carolina, Chapel Hill, and Dr. David Koppenhaver from Appalachia State University in Boone, North Carolina, MDE is working to develop a cadre of Minnesota literacy trainers and coaches for all students, including those with low-incidence disabilities.

As part of this train-the-trainer model, practicing special educators work intensively over the course of two years, including a one-week literacy camp each summer at Camp Courage with Dr. Erickson and Dr. Koppenhaver, learning research-based literacy strategies for students with significant needs in the area of literacy. Throughout the school year, these individuals receive coaching and support to apply the practices in their own classrooms. A password-protected website has been developed for them to share resources.



During the literacy camp, 20 Minnesota educators work with 40 campers with special needs from across the U.S. and Canada. To date, 100 educators and 150 campers have participated. After participating in literacy camp, educators report an average 150 percent increase in knowledge about literacy assessment and instruction and an average 50 percent increase in knowledge about assistive technology for students with special needs.

The goals of this effort include recruiting more literacy teams from greater Minnesota, supporting research-based strategies across all instructional settings and including literacy strategies in special education courses at Minnesota institutions of higher learning. SEAP will continue its support and advisory role as Minnesota's SPDG proceeds.

Going Forward

SEAP is a broad-based constituency group that plays an active and influential role in improving the education of children and youth with disabilities in Minnesota. SEAP members participate on other state and local committees and task forces such as the special education teacher licensure task force, the Minnesota State Interagency Committee (MnSIC) and the higher education forum. As a result of their membership on other groups, there is opportunity to communicate priorities and make connections. Working together helps all our efforts move forward. SEAP will continue to recommend improvements in the special education service system to improve outcomes for students.



Appendix A: Minnesota Special Education Advisory Panel, 2012–2013

Member	Address	Represents	Term ENDS
Barb Ziemke, Chair	Lakeville	Parent/Advocate	2014
Dawn Bly	Fosston	Parent/Advocate	2015
Simoine Bolin	Hokah	School Administrator	2014
Deanne Curran	Farmington	Parent/Advocate	2016
Tricia Denzer	Bemidji	School Administrator	2016
Elizabeth Fields	Maple Grove	Parent/Advocate	2015
Lynnisha Grigsby	Minneapolis	Parent/Advocate	2014
Brad Harper	St. Paul	Parent/School Administrator/Corrections	2013
Robert Johnson	Fergus Falls	Vocational/Transition	2015
Karen Kennedy	Arden Hills	School Administrator	2013
Carrie Mastenbrook	Stacy	Parent/Advocate	2016
Mary Margaret Mathers	Redwood Falls	School Personnel	2016
Diane McCarron	Windom	School Administrator	2014
Jacki McCormack	St Paul	Parent/Advocate	2014
Edna McKenzie	Brooklyn Park	School Personnel	2016
Kristen McMaster	Minneapolis	Higher Education	2016
Alexadria Morrissey	Rochester	Parent/Advocate	2016
Danny Porter	Maplewood	Related Services/Charter Schools	2015
Maxie Rockymore	St Paul	Child Welfare/Foster Care	2015
Jennifer Sommerness	Minneapolis	Parent/Advocate	2015
Dan Stewart	Minneapolis	Parent/Advocate	2015
Carolyn Strnad	Moorhead	Parent/Advocate	2013
Wendy Wangen	Morristown	Parent/Advocate	2014

Minnesota Department of Education Staff	
Barbara Troolin	Director of Special Education
Cindy Celany	Administrative Support Staff
Debra Price-Ellingstad	Cognitive Disabilities, IEP, Alternative Assessments, PBIS
Roberto Reyes	Homeless/Neglected Specialist
Cindy Shevlin-Woodcock	Prevention and Alternatives Support Specialist

Appendix B: Special Education Advisory Panel Representation on Other Groups

Accommodations Advisory Review Panel (MDE)
Arc of Minnesota
Arc United Bemidji, Minnesota
Area A Parent
Becker, Clay, Otter Tail and Wilkin County Adult Mental Health Initiative
Becker County Early Childhood Initiative
Board of Teaching Standards and Rules
Child Welfare Educational Systems Collaborations
Clay County Collaborative
Clay County Early Childhood Initiative
Clay County IEIC
Community Corrections
Community Workgroup on Assessment and Accountability
Dakota County Community Transition Interagency Committee
Delinquent and Neglected Title I Part A
District 544 Community Transition Interagency Committee
Elizabeth Hall Parent Group
Family Homeless and Prevention Assistance Program
Fergus Falls Human Rights Commission
McKinney-Vento Act in Our Schools State Coordinator
MDE Early Childhood MARSS Workgroup
MDE Reducing Bias Workgroup
MDE Task Force on Seclusion/Restraint
Minneapolis Public Schools
Minneapolis Public Schools Special Education Advisory Council
Minnesota Administrators of Special Education
Minnesota Association for Children's Mental Health (MACMH)
Minnesota Association for Family and Early Education
Minnesota Association of Charter Schools
Minnesota Association of School Administrators
Minnesota Board of Social Work Advisory Committee
Minnesota Department of Human Services
Minnesota Disability Law Center/Mid-Minnesota Legal Aid
Minnesota Governor's Council on Developmental Disabilities
Minnesota Interagency Council
Minnesota School Social Worker Association (MSSWA)
Minnesota State Academy for the Deaf Site Council
Minnesota State Academies Governing Board Site Councils
Minnesota State Council on Disability (MSCOD) Executive Board
Minnesota State Interagency Committee (MnSIC)
Moorhead Schools Special Education Advisory Panel
Northeast Metro 916 Intermediate School District
Northwest Family Voice

Appendix B: Special Education Advisory Panel Representation on Other Groups (continued)

Other Health Disabilities Workgroup
Ottetail Early Childhood Workgroup
Parent Advocacy Coalition for Educational Rights (PACER)
Region 4 IEIC
Rochester Family Down Syndrome Network
Rochester School District SEAC
Special Education Form Advisory Committee
Student Engagement Indicators Group (MDE)
University of Minnesota Special Education Programs
Waseca Area Special Education Advisory Panel
Way to Grow, Inc.

Appendix C: Special Education Advisory Panel Meeting Schedule, 2012–2013

Friday, September 21, 2012
Friday, November 16, 2012
Thursday, January 17, 2013
Friday, March 22, 2013
Friday, May 2, 2013

SEAP meetings in 2012–2013 were held at the Minnesota Department of Education Conference Center. SEAP meetings were scheduled from 9:00 a.m. to 4:00 p.m.

[For information about SEAP visit the Advisory Council's website.](#)

For questions about SEAP please contact Cindy Shevlin-Woodcock at 651-582-8656 cindy.shevlin-woodcock@state.mn.us or Debra Price-Ellingstad at 651-582-8586 debra.price-ellingstad@state.mn.us.