



Special Education Advisory Panel (SEAP)

Annual Report

August 10, 2015

**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, 2014, through June 30, 2015. 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 2014 – 2015 Special Education Advisory Panel with Special Education Division Director Barbara L. Troolin

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 and the work of the SEAP:

Barbara L. Troolin, Ph.D., Director, Special Education Division
Jennifer Sommerness, SEAP Chair, 2014–2015
Kristin Oien and Cindy Shevlin-Woodcock, SEAP Coordinators
Cindy Celaney and Diana Denson, SEAP Administrative Support
Roberto Reyes, Student Support Division
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 Jennifer Sommerness

As I write this reflection, I am amazed at how quickly a year can pass when working with a group such as the SEAP on issues that are vitally important to the students with disabilities within the state of Minnesota. It was an honor to act as the chair of the 2014-2015 SEAP this year.

Working closely with professionals, parents and various other community members in the ways that SEAP not only expects but nourishes was a true pleasure. The group brought divergent viewpoints and experiences to bear for analyzing, learning about, giving feedback and providing comment on policies and procedures that impact individuals with disabilities within all of the schools across the state.

The SEAP met for five sessions this year, with a focus of discussion on the State Performance Plan/Annual Performance Report (SPP/APR); the State Personnel Development Grant (SPDG); special education finance; Results Driven Accountability (RDA); Minnesota's Olmstead Plan; the State Systemic Improvement Plan (SSIP); and Compliance and Assistance, just to name a few. SEAP members were regularly given updates, asked for feedback and given the opportunity to advise on each topic covered.

Through the passions and common purpose of the SEAP, this year was spent ensuring the policies and practices are in place that will continue to meet the needs of students with disabilities across the state of Minnesota.

Special thanks goes to Barbara Troolin, Kristin Oien, Cindy Celany, Diana Denson and all of the MDE staff that were a part of the meetings this year. Their leadership and encouragement provided structure and high expectations allowing for the committee to ask insightful questions, give honest feedback and engage fully in the information presented.

I thank the 2014-2015 SEAP members for their willingness to volunteer and serve on behalf of not only the communities they come from, but all students with disabilities. They showed up and worked hard together, and for that we all greatly benefit. On behalf of the Minnesota Special Education Advisory Panel, it is with great honor that I present this SEAP Annual Report.

Jennifer Sommerness, Chair
Special Education Advisory Panel

Director's Letter

Dear members of SEAP and staff,

It's always a pleasure to look back at the last year's accomplishments from this amazing group. This year, it is especially bittersweet, as I am retiring after serving 9 1/2 years as your state special education director. It is amazing how much work we have accomplished and how much we improved results for students. Looking back, one of the most satisfying accomplishments is how consistently Minnesota has received the highest "meets requirements" determination on its Annual Performance Reports for special education, a distinction that was renewed for our latest submission.

While we have introduced and talked about Results-Driven Accountability (RDA) for a while, this balance between improved results and outcomes for students, while considering compliance, has come to fruition. First, our state determination for the data and progress on our State Performance Plan was based both on performance indicators (graduation, dropout, achievement) as well as compliance indicators (placements, timelines, data reporting). Second, Minnesota proudly submitted its State Systemic Improvement Plan, a multiyear effort that focuses on improving graduation rates, especially for Native American and Black students.



Beginning next year, we will also be held accountable for progress on our multiyear plan. As you know, we have started with four pilot sites (Minneapolis, St. Paul, Osseo and Duluth) and we look forward to working with them and supporting them on their planning journey to improve graduation results and other local changes.

We've had many discussions around results. In our reviews of past activities, staff projects and initiatives, we have focused on improvements in system, staff and student results. That will continue and permeate through our work plans, budget process and evaluations. This will also be reflected in our support and technical assistance to our stakeholders in the education community.

May our relationship and partnerships continue to grow and thrive.

With gratitude,

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

Division Vision:

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

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 2014–15, 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:

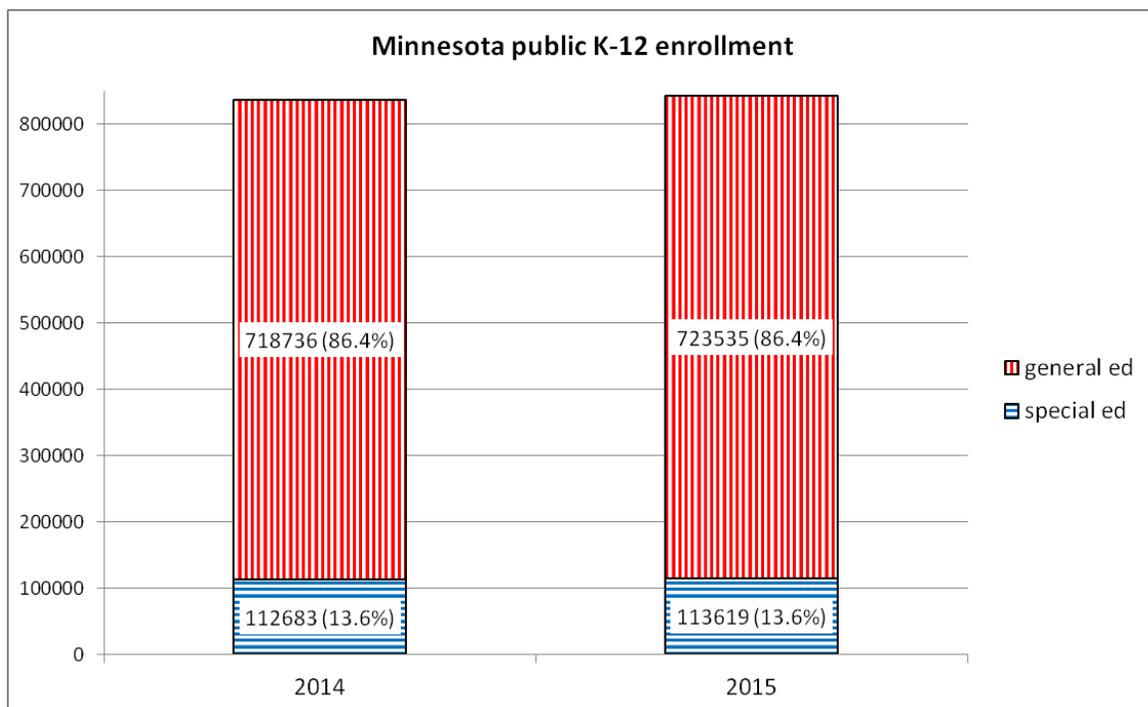
1. Advise the Special Education Division of unmet needs within the state in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
3. Advise the Special Education Division in developing 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 1, 2014, 130,886 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of 1 percent from the 129,669 Minnesota children receiving special education services in 2013–14. Of those, 114,361 were enrolled in grades K-12 in Minnesota public schools, 13.6 percent of the total statewide public school K-12 enrollment of 842,932. If all Minnesota children receiving special education services lived together in a single city, it would be the third largest city in the state.



Compared to December 1, 2014, the number of students in four of the 14 disability categories increased by more than 1 percent: Severely Multiply Impaired, Developmental Delay, Autism Spectrum Disorders (ASD) and Other Health Disabilities (OHD). The number of students in the categories of Speech/Language Impaired, Blind/Visually Impaired, Specific Learning Disabilities, Traumatic Brain Injury, Deaf/Hard of Hearing (DHH), Developmental Cognitive Disability-Severe/Profound and Emotional Behavioral Disorders (EBD) remained relatively stable. The number of Minnesota students in the remaining three categories decreased by 1 percent or more: Deaf/Blind, Physically Impaired and Developmental Cognitive Disability-Mild/Moderate.

State Systemic Improvement Plan

The U.S. Department of Education's (US DOE) Office of Special Education and Rehabilitative Services (OSERS) releases state determinations on implementation of IDEA for Part B and Part C for each fiscal year. Amendments to IDEA in 2004 require each state to develop a State Performance Plan (SPP) that evaluates the state's efforts to implement the requirements and purposes of IDEA and describes how the state will improve its implementation. The Part B SPP (services for students ages 3-21) includes improvement activities for 18 indicators such as graduation rate, dropout rate, participation and performance on assessments, and meeting evaluation timelines. The Part C SPP (services for students ages Birth-2) includes improvement activities for 12 indicators such as ensuring positive outcomes for infants and toddlers with disabilities, timely provision of services, meeting evaluation timelines and provision of services in natural environments.

IDEA also requires each state to report annually on its performance under the SPP. Specifically, each state must report in its Annual Performance Report (APR) the progress it has made in meeting the targets established in its SPP. IDEA details four categories for determination. A state's determination may be:

- Meets the requirements and purposes of IDEA.
- Needs assistance in implementing the requirements of IDEA.
- Needs intervention in implementing the requirements of IDEA.
- Needs substantial intervention in implementing the requirements of IDEA.

For the first time in 2014, US DOE used both compliance and results data, giving each equal weight in making each state's Part B determination. US DOE used only compliance data for Part C determinations this year but plans to also use results data in making determinations in 2015. OSEP's previous accountability system placed a heavy emphasis on compliance and there has been noted improvement in compliance over the past seven years in states across the country, including Minnesota. OSEP's new RDA accountability framework includes both educational results and functional outcomes for students with disabilities and results with the compliance requirements of IDEA. With this year's IDEA determinations, US DOE used multiple outcome measures that include students with disabilities' participation in state assessments and proficiency gaps between students with disabilities and all students, as well as performance in reading and math on the National Assessment of Educational Progress (NAEP). The use of student testing and other outcome measures is a major shift from years past and affected many states' standings related to their overall determination.

Last year, using only compliance data, 38 states met the "Meets Requirements" determination. This year, using the RDA framework, only 15 states met the "Meets Requirements" determination, Minnesota being one of them.

This year, Minnesota received a determination of "Meets Requirements" for our Part B determination with a RDA percentage of 82.95 percent (at least 80 percent is the "Meets Requirements" threshold). The state also received a "Meets Requirements" for Part C with 100 percent.

With OSEP's new RDA framework comes a new six-year SPP-APR cycle. As a result, the SPP-APR for federal fiscal years 2013 through 2018 incorporates new indicators (B-17 and C-11) that require states to develop a State Systemic Improvement Plan (SSIP).

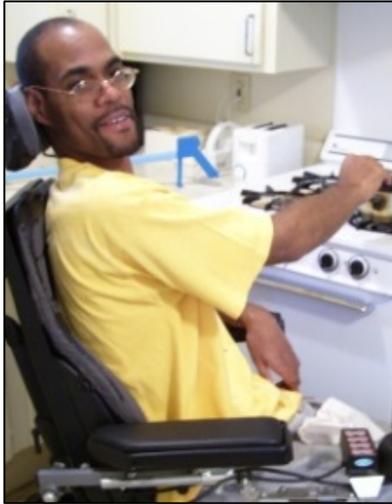
The SSIP focuses on improving results for students with disabilities over the six-year period. After extensive analysis, Minnesota settled on improving six-year graduation rates for Black and Native American students with disabilities and chose four pilot districts -- Duluth, Minneapolis, Osseo and St. Paul -- to begin program implementation. OSEP commented favorably on Minnesota's progress and approved its SSIP early in 2015.

Minnesota is one of only 11 states in the nation to both receive OSEP approval for its SSIP and meet requirements for both its Part B and Part C implementations.

This year, SEAP heard presentations from MDE and the University of Minnesota's Systems Improvement Group on the SSIP, which sparked valuable discussions and suggestions. These discussions and feedback have been an integral part of the evolving process toward developing our SSIP and meeting other requirements of OSEP's Results Driven Accountability initiative. SEAP will continue its important advisory role and serve as a primary stakeholder group for input on this initiative as it continues over the next several years.

Minnesota's Olmstead Plan

One of the most significant recent developments for services for Minnesotans with disabilities has been the development and start of implementation of the state's Olmstead Plan. Minnesota's Olmstead Plan documents what will, and what needs to, happen to ensure individuals with disabilities receive services in the most integrated setting appropriate to their needs.



SEAP kept abreast of Minnesota's Olmstead Plan, especially as they applied to MDE. Staff of the Special Education Division who represented MDE on Minnesota's Olmstead Subcabinet regularly informed SEAP about the most recent developments for the plan, while SEAP discussions and ideas informed MDE's activities and contributions to the plan.

Minnesota's Olmstead Plan has yet to receive judicial approval. MDE actively works within the Olmstead Subcabinet to improve and refine its submissions to the courts. SEAP is kept informed of each new step along this path.

As part of the Olmstead Plan, MDE will work to increase the number of students with disabilities in work-related opportunities; analyze instructional programs for transition-aged youth; increase outreach and support for transition; and continue preventive intervention programs, across its own divisions and in collaboration with its external partners. As one of those partners, SEAP's continued contributions will be invaluable as the focus of this important work turns to implementing Minnesota's Olmstead Plan in the coming months and years.

Special Education Legislation



Staff from MDE's Government Relations and School Finance Divisions kept SEAP members up to date on legislative developments throughout the 2015 regular and special sessions. Significant changes included speeding up the flow of state special education aid to charter schools where at least 90 percent of students receive special education services; clarifying the special education funding formula for cooperatives, intermediate districts and charter schools; updating language to reflect MDE's responsibility for the work of the state advisory committees for deaf/hard of hearing and blind/visually impaired; reassigning responsibilities for the state interagency early intervention committee; clarifying that districts must pay or reimburse Individualize Family Service Plans as they do IEPs; providing clearer direction to districts and schools on requirements for paraprofessionals working with students receiving special education services; and adding a definition of dyslexia to state statute. Also, the 2015 state legislature provided enhanced funding for American Indian students in state and Bureau of Indian Affairs schools; made changes to Minnesota's student assessments including eliminating some tests, limiting locally-adopted tests to one percent of instructional time and adding a high school writing test; and charged MDE with improving readability and clarifying language for special education forms.

SEAP members appreciated this information and the efforts of MDE staff to keep them abreast of the latest legislative developments.

State Personnel Development Grant

SEAP members heard a presentation about and discussed Minnesota's new State Personnel Development Grant (SPDG) application and award during their March 2015 meeting. Minnesota applied for these federal grant funds in order to help support implementation teams in the four pilot districts of Duluth, Minneapolis, Osseo and St. Paul to apply evidence-based practices to achieve the goals of Minnesota's SSIP: increasing six-year graduation rates for Black and Native American students with disabilities. As required as part of its application, MDE and pilot districts will partner with state institutions of higher education and the PACER Center in order to achieve these goals. Minnesota will also use the Florida State University Autism Institute's Autism Navigator, an online course for early education and primary care providers serving young children with or at risk for ASD.

Minnesota's SPDG application proposed establishing implementation teams in schools and districts incorporating school staff, community members and representatives of institutions of higher education; developing systematic data analysis at all levels; analyzing current and potential infrastructure to improve six-year graduation rates for Black and Native American students with disabilities, setting baselines and target improvement rates and developing, implementing and evaluating effective approaches; increasing effective parent involvement, especially at the middle and high school levels. At the preschool level, the application proposed improved identification, diagnosis and intervention for young children with or at risk for ASD and improving treatment options and outcomes, especially for culturally and linguistically diverse families.



In August 2015, the U.S. Department of Education announced that Minnesota was one of nine states awarded SPDG funding through the Office of Special Education and Rehabilitative Services. MDE appreciates the help and support of SEAP in refining the development of its application for these invaluable funds.

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 State Interagency Committee 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, 2014–2015

Name	Address	Represents	Term Ends
Dawn Bly	Fosston	Parent/Advocate	2015
Randy Bryant	Duluth	Parent/Advocate	2018
Michaele Caron	St. Paul	Parent/Advocate	2018
Beth Chaplin	St. Paul	Foster Care	2018
Deanne Curran	Farmington	Parent/Advocate	2018
Elizabeth Fields	Maple Grove	Parent/Advocate	2015
Dustin Hinckley	Bemidji	Parent/School Administrator	2018
Robert Johnson	Fergus Falls	Vocational/Transition	2015
Carrie Mastenbrook	Stacy	Parent/Advocate	2016
Mary Margaret Mathers	Redwood Falls	School Personnel	2016
Doreen Matteson	Deer River	Higher Education	2018
Edna McKenzie	Brooklyn Park	School Personnel	2016
Kristen McMaster	Minneapolis	Higher Education	2016
Sarah Mittelstadt	Fairmont	School Administrator	2016
Alexandra Morrissey	Rochester	Parent/Advocate	2016
Tena Ober-Green	Eyota	Parent/Advocate	2017
Christine Peper	Minneapolis	Higher Education	2017
Montana Picard	Minneapolis	Parent/Advocate	2017
Dan Porter	Maplewood	School Personnel	2015
Leslie Sieleni	White Bear Lake	Parent Advocate	2017
Jennifer Sommerness	Minneapolis	Parent/Advocate	2015
Dan Stewart	Minneapolis	Parent/Advocate	2015
Stephen Tye	Roseville	Parent/Advocate	2017
Erin Wanat	Morristown	School Administrator	2017

Appendix B: Special Education Advisory Panel Representation on Other Groups

Arc
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
Clay County Collaborative
Clay County CTIC
Clay County Early Childhood Initiative
Clay County IEIC
Community Corrections
Community Workgroup on Assessment and Accountability
Dakota County Community Transition Interagency Committee
District # 544 Community Transition Interagency Committee
Elizabeth Hall Parent Group
Fergus Falls Human Rights Commission
MDE Accommodations Advisory Review Panel
MDE Assessment Advisory Committee
MDE Early Childhood MARSS Workgroup
MDE Other Health Disabilities Workgroup
MDE Reducing Bias Workgroup
MDE Student Engagement Indicators Group
MDE Task Force on Seclusion and 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 Department of Human Services
Minnesota Disability Law Center/Mid-Minnesota Legal Aid
Minnesota Governor's Council on Developmental Disabilities
Minnesota School Social Worker Association (MSSWA)
Minnesota State Academies Site Councils
Minnesota State Council on Disability (MSCOD) Executive Board
Minnesota State Interagency Committee (MnSIC)
Moorhead Schools Special Education Advisory Committee
Northeast Metro 916 Intermediate School District
Northwest Family Voice
Ottertail Early Childhood Workgroup
Parent Advocacy Coalition for Educational Rights (PACER)
Region 4 IEIC
Rochester Family Down Syndrome Network
Rochester School District Special Education Advisory Committee
Special Education Forms Advisory Committee
University of Minnesota Special Education Programs
Waseca Area Special Education Advisory Panel
Way to Grow, Inc.

Appendix C: Special Education Advisory Panel Meeting Schedule, 2014–2015

Friday, September 19, 2014

Friday, November 14, 2014

Friday, January 23, 2015

Friday, March 20, 2015

Friday, May 1, 2015

SEAP meetings in 2014–2015 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 Kristin Oien at 651-582-8843 or kristin.oien@state.mn.us.