



# **Special Education Advisory Panel (SEAP)**

## **Annual Report**

**June 5, 2012**

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

## Table of Contents

Preface .....	3
Duties .....	3
Acknowledgements.....	3
Reflections: SEAP Chair Brad Harper .....	4
Letter: Special Education Director Barbara L. Troolin, Ph.D.....	5
Overview.....	6
Annual Workplan .....	6
Special Education in Minnesota.....	6
Special Education Teacher Licensing Rules.....	7
Special Education Performance Indicators .....	7
State Personnel Development Grant (SPDG).....	8
Work-based Learning and Employment.....	9
Prone Restraint.....	10
Preventing the School-to-Prison Pipeline .....	10
Going Forward .....	11
Appendix A: Special Education Advisory Panel, 2011 – 2012.....	12
Appendix B: Special Education Advisory Panel Representation on Other Groups....	13
Appendix C: Special Education Advisory Panel Meeting Schedule, 2011–2012 .....	15

## 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, 2011, through June 30, 2012. 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 Monitoring on the education of children and youth with disabilities.

### **Duties**

The duties of the Special Education Advisory Panel of the state of Minnesota are established in accordance with 34 CFR 300.167-300.169 (2006), as follows:

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  
Brad Harper, SEAP Chair, 2010-2011  
Cindy Shevlin-Woodcock, 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 Brad Harper

Dear Colleagues,

It has been a thorough pleasure chairing the State Special Advisory Panel (SEAP) for the 2011-2012 school year. The many highlights begin with the panel members. Their investment, insight, comments and questions have led to in-depth conversations about important topics. Prone restraint was just one of many important presentations and discussions.

Two other topics come to mind as I think back on the year — the School-to-Prison Pipeline and the data about special education trends. The Pipeline was discussed at SEAP and also shared with the Minnesota State Interagency Committee (MnSIC). The issue is building momentum on a national level and it was reassuring to know that the Minnesota Department of Education is researching this topic, gathering data and beginning to consider policy implications.

The second topic that piqued my interest was the data shared by Nancy Larson and the Results and Improvement team. As the data was reviewed, a clash between perception and data became very evident. There is a portion of professionals in special education who believe that number of students in special education are rising substantially; however data from districts across the state shows only nominal increase of 1.4 percent. There are variations — the numbers of students in the Autism Spectrum Disorder (ASD) category have increased significantly as have the number of students under the umbrella of Other Health Disabilities (OHD).

One final note. It is hard to imagine a better or more effective relationship than the one that exists between leaders from the Department of Education and the community members on the Special Education Advisory Panel.

Thank you for this opportunity.

Sincerely,



Brad Harper, Chair

## Director's Letter

To members of the special education community and other interested partners:

It is with great pleasure that the 2011–2012 Special Education Advisory Panel (SEAP) presents their annual report.

In Margaret Wheatley's book, *Turning to One Another — Simple Conversations to Restore Hope to the Future*, she talks about the practice of conversation and ways to connect us and understand at a much deeper level. The SEAP group taps not only collective wisdom but also unique perspectives and muddles through discovery, ideas and better understanding. The energy created by creative work groups is contagious.

Our work includes some of the routine reports and updates; however, it frequently launches beyond that into rich discussions and strategies to improve desired outcomes with a focus on children and youth. Parents and service providers keep us grounded, provide meaningful input and give us hope for the future.

Heartfelt thanks to every member, speaker, guest and facilitator of conversations for making connections and guiding us in our work to serve students, families and educators. Thank you for your gifts of contribution.

*Barbara L. Troolin*

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 and Compliance and Monitoring 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 2010-11, 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 five areas:

- A. SEAP will advise the Special Education Division on the State Performance Plan (SPP) and the Annual Performance Report (APR) process.
- B. SEAP will comment on and participate in developing the proposed special education rules.
- C. SEAP will advise the Special Education Division on the State Personnel Development Grant (SPDG).
- D. SEAP will advise the Division of Compliance and Monitoring on IDEA noncompliance findings and reporting dispute resolution
- E. Advise the Special Education Division in developing and implementing policies relating to the coordination of services for children with disabilities.

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

## **Special Education in Minnesota**

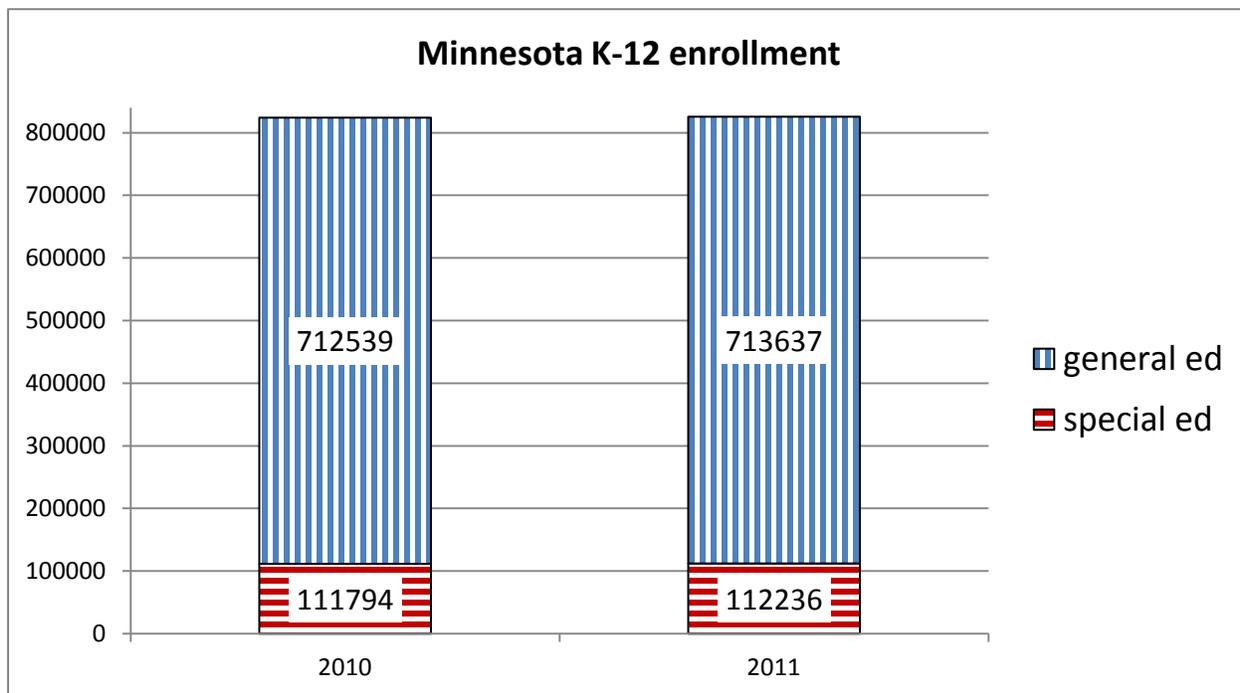
By federal law, public schools must provide individualized special education and related services to eligible children with disabilities. Special education is specially designed instruction, provided at no cost to parents, to meet the unique needs of a child with a disability. It may include instruction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

On December 11, 2011, 128,430 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of less than one-half of one percent from the 127,863 Minnesota children receiving special education services in 2010–11. Of those, 112,236 were enrolled in grades K-12 in Minnesota public schools, 13.6 percent of the total statewide public school K-12 enrollment of 825,873.

Compared to December 1, 2010, there were increases in the number of students in six of the 14 disability categories: Severely Multiply Impaired, Traumatic Brain Injury, Autism Spectrum Disorders (ASD), Blind/Visually Impaired (BVI), Other Health Disabilities (OHD) and Developmental Delay. The number of students remained relatively stable in another four categories: Physically Impaired, Deaf/Hard of Hearing,

Speech/Language Impaired and Developmental Cognitive Disability-Severe/Profound. There were decreases in the number of Minnesota students in the remaining four categories: Specific Learning Disabilities,

Developmental Cognitive Disability-Mild/Moderate, Emotional Behavioral Disorders (EBD), and Deaf-Blind. (Disability categories in this paragraph are listed in the order of their percentage changes, from highest to lowest.)



*“SEAP has provided me the ability to understand where the state of Minnesota is going in the education of all kids. I feel I can be a vital part of creating successful opportunities for children through my participation” - SEAP member Jennifer Somerness*

This year, SEAP members took an in-depth look at two disability categories, OHD and BVI. The number of students identified in Minnesota with OHD has increased from 8,706 in 2001 to 16,607 in 2011. The Division of Compliance and Monitoring has developed technical assistance for school districts and parents about determining eligibility for OHD criteria. [View the guidance](#). MDE staff provided SEAP an update on the many initiatives for students in the BVI category.

### Special Education Teacher Licensing Rules

Working with the Minnesota Board of Teaching, SEAP continued to monitor the process of developing new teacher licensing rules for special education. The SEAP chair and members provided valuable input to this process, which culminated with the April 24, 2012 revision of licensure rules in all fields and the establishment of new ASD and Academic and Behavioral Strategist rules. SEAP intends to maintain its close relationships with the Board of Teaching and other interested groups as the new and revised licensing rules are implemented in the coming year. [View the rules](#).

## **Special Education Performance Indicators**

MDE staff involved in preparing and submitting the Annual Performance Report and six-year State Performance Plan to the U.S. Department of Education's Office of Special Education Programs kept SEAP members informed of the latest results and developments in the 20 performance indicators these reports 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. SEAP serves as the State's mandatory stakeholder advisory group for the SPP/APR.

Minnesota received the highest possible rating of "meets expectations" on its most recent submission. Its schools and districts continue to work to achieve the highest standards and best outcomes for students. In particular, the state's graduation rate for students with IEPs improved from a relatively high 85.3 percent in 2008-2009 to 86.6 percent in 2009-10. Early childhood outcomes for ages three to five was one area where improvement activities are planned.

SEAP members contributed useful ideas in several performance areas. MDE adopted SEAP suggestions to train its interagency partners on Positive Behavioral Interventions and Supports (PBIS) and other program improvement initiatives with a view to further reducing the number of districts with significant discrepancies in suspension and expulsion rates for students with IEPs. MDE plans to review letters sent for the parent survey to improve parent-friendly language, research the effects of providing incentives and develop other methods to help increase parent involvement in and satisfaction with special education programs. Also, SEAP members suggested improving access to the Minnesota Secondary Transition Compliance Toolkit, translating it into other languages and conducting an in-depth analysis of those students who were not transitioning to work or postsecondary education were suggested to improve performance on transition goals. All MDE initiatives are tied to the SPP/APR and other federal or state statutory requirements.

## **State Personnel Development Grant (SPDG)**

SEAP has an advisory role for the five-year State Personnel Development Grant (SPDG). Current SPDG projects to enhance personnel development in order to improve outcomes for students receiving special education services include:

- A pilot project helping up to five Metro-area elementary schools serving high-risk students to implement Common Principles of Effective Practice, Universal Design for Learning and Positive Behavior Interventions and Supports.
- Working with the PACER Center to increase parent involvement in districts with more students from minority, low-income and English learner backgrounds.
- Increasing the capacity of Early Childhood special educators and other professionals to enhance the skills of parents of young children identified with ASD or related developmental disabilities.
- Continuing to continue the Emotional Behavioral Disorders (EBD) and Learning Disabilities (LD) teacher licensure training program embedded within American Indian culture and teachings.
- Identifying and implementing evidence-based literacy practices to improve skills for all children, including those with significant disabilities.
- Continuing to collaborate with state institutes of higher education on new and revised special education licensure areas.

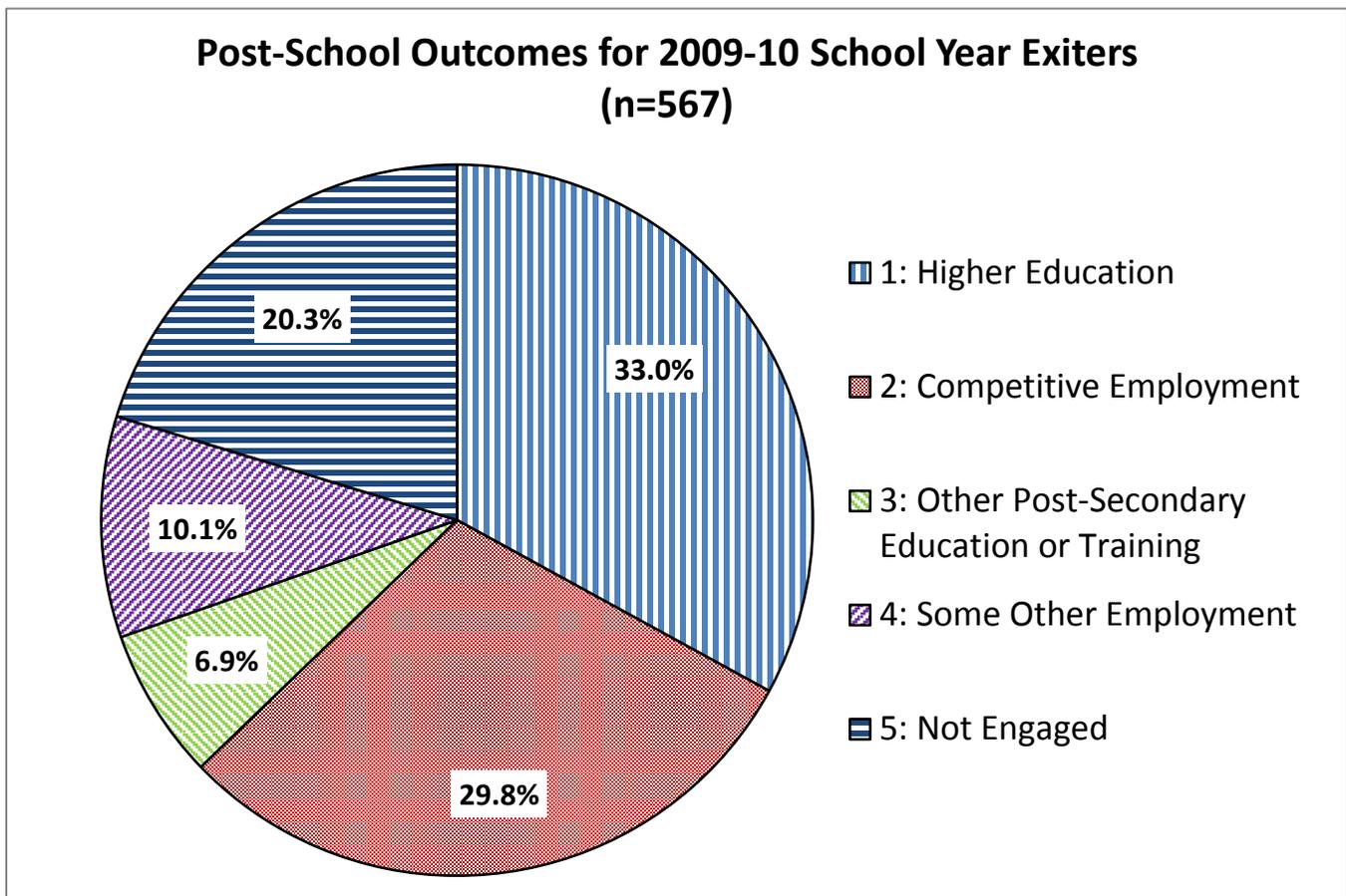
MDE staff gave a detailed presentation of the nation’s first college-level program on translating and interpreting for special education. Dr. Scott Homler of the University of Minnesota and four students in the program, also part of the SPDG, shared their backgrounds and experiences providing these services for schools, parents and students.

### Work-based Learning and Employment

MDE staff gave SEAP members a detailed presentation regarding work-based learning research, legislation, program components, and current status and improvement strategies. SEAP members also heard information about an online tool to help improve employment outcomes for people with disabilities by analyzing health and social services benefits as they relate to supporting work. This statewide project, sponsored by the Minnesota Department of Human Services, is called DB101. [View the DB101 website.](#)

*“It’s wonderful to see MDE/SEAP addressing aspects of early childhood to post-secondary activities with students in special education.” -- SEAP member Bob Johnson*

SEAP members also heard results from the Post-School Outcomes Survey of students with IEPs who left secondary education in 2009-10. Compared to the previous year, more of these students were enrolled in higher education, while fewer had obtained competitive employment or were not engaged in postsecondary education or employment.



## Prone Restraint

One area of particular concern for SEAP, as well as for MDE, schools and the state legislature, was the issue of prone restraint. SEAP members heard a presentation on the prone restraint report requested by and delivered to the legislature. [View the report.](#) The report showed that 78 percent of students restrained in prone between August 2011 and January 2012 were eligible for special education in the ASD or EBD categories. Input and suggestions from SEAP members covered areas including availability of supports, funding, safety, programming options, disproportionality, and the varying extent and frequency of the use of prone restraint in Minnesota schools and districts.

## Preventing the School-to-Prison Pipeline

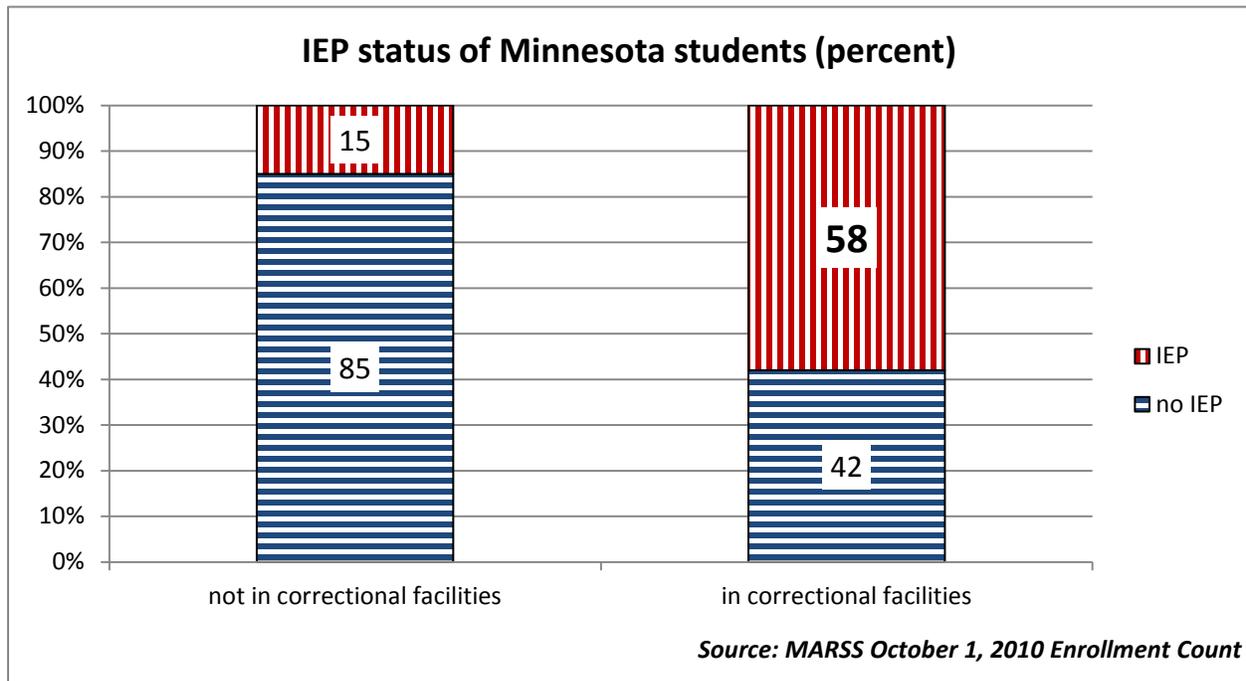
MDE staff provided information to SEAP members about a number of educational practices and policies that may have the effect of moving students from schools into the juvenile and/or criminal justice systems, adversely effecting their educational and personal success. Organizations including the Children’s Defense Fund, American Civil Liberties Union and National Dignity in Schools Campaign have identified social forces including poverty, race, gaps in early childhood development and educational opportunities and unmet needs as contributing to these problems at the national level. They have also pointed to policies affecting rates of suspension and expulsion, arrests in schools and high-stakes testing as factors that can push students out of schools.

An MDE workgroup looked at these issues as they relate to Minnesota and developed problem statements to present to SEAP:

- Some children and youth come to school with needs that are inadequately identified and addressed.
- Time away from instruction, access to caring, supportive adult relationships and safe environment in school has significant consequences for children and youth.
- Arrests have negative lifelong consequences.

SEAP members’ active discussion addressed refining these problem statements and working to identify Minnesota policies and practices that may create “pipeline” issues for students and the impact “pipeline” issues may be having in the state, especially among students receiving special education services. SEAP will continue its involvement in this area and keep informed as more information is developed regarding “pipeline” issues in Minnesota.

*“SEAP brings a diversity to Minnesota’s student education table that needs to be heard, included and respected.” — SEAP member Maxie Rockymore*



### 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 our priorities and make connections. Working together makes all our efforts move forward. SEAP will continue to recommend improvements in the special education service system to improve outcomes for students.

## Appendix A: Special Education Advisory Panel, 2011 - 2012

<b>Member</b>	<b>Address</b>	<b>Represents</b>	<b>Term Ends</b>
Bradley Harper, Chair	St. Paul	School Administrator/Corrections	2013
Barb Ziemke, Vice Chair	Lakeville	Parent/Advocate	2014
Sally Baas	St Paul	Higher Education	2012
Simoine Bolin	Hokah	School Administrator	2014
Shannon Erickson	Pelican Rapids	School Administrator	2012
Elizabeth Fields	Maple Grove	Parent/Advocate	2015
Jeri Johnson	Plymouth	Parent/School Administrator	2012
Robert Johnson	Fergus Falls	Vocational/Transition	2015
Nancy Kelly	Cottage Grove	Parent/Advocate	2013
Karen Kennedy	St Paul	School Administrator	2013
Shirley Klitzke	Maplewood	School Personnel	2012
Lynnisha Lott	Minneapolis	Parent/Advocate	2014
Janet Lowe	Eagan	School Personnel	2012
Diane McCarron	Windom	School Administrator	2014
Jacki McCormack	St Paul	Parent/Advocate	2014
Danny Porter	Maplewood	Related Services	2015
Maxie Rockymore	St Paul	Child Welfare/Foster Care	2015
Jennifer Sommersness	Minneapolis	Parent/Advocate	2015
Dan Stewart	Minneapolis	Parent/Advocate	2015
Carolyn Strnad	Moorhead	Parent/Advocate	2013
Wendy Wangen	Morristown	Parent/Advocate	2014
Stacey Vogele	Cottage Grove	Parent/Advocate	2012
<b>Minnesota Department of Education Staff</b>			
Cindy Celany	Administrative Support Staff		
Ruth Ellen Luehr	School Health Services and Homeless Education Specialist		
Cindy Shevlin-Woodcock	Prevention and Alternatives Support Specialist		
Barbara Troolin	Director of Special Education		

## Appendix B: Special Education Advisory Panel Representation on

Accommodations Advisory Review Panel  
Advisory Council to Disability Law Center  
Arc  
Assessment Advisory Committee  
Becker County Early Childhood Initiative  
Becker, Clay, Otter Tail & Wilkin County Adult Mental Health Initiative  
Children's Local Advisory Committee for Mental Health  
Clay County Collaborative  
Clay County Community Transition Interagency Committee  
Clay County Interagency Early Intervention Committee  
Community Corrections Advisory Board-Anoka County  
Dakota County Community Transition Interagency Committee  
District # 544 Community Transition Interagency Committee  
Elizabeth Hall Parent Group  
Interagency Coordinating Committee  
Local Parent Advisory Council  
MDE Diversity Task Force  
MDE Institutes of Higher Education Workgroup  
Minneapolis Public Schools Special Education Advisory Council  
Minnesota Administrators of Special Education  
Minnesota Association College Teachers of Education  
Minnesota Association for Children's Mental Health (MACMH)  
Minnesota Association of Charter Schools  
Minnesota Association of School Administrators  
Minnesota Department of Human Services  
Minnesota Disability Law Center/Legal Aid  
Minnesota Governor's Council on Developmental Disabilities  
Minnesota Interagency Coordinated School Health Team  
Minnesota Interagency Council on Homelessness  
Minnesota School Psychologist Association  
Minnesota School Social Worker Association (MSSWA)  
Minnesota State Council on Disability (MSCOD)  
Minnesota State Interagency Committee (MnSIC)  
Moorhead Schools Special Education Advisory Panel  
National Association for Education of Homeless Children and Youth  
National Association of School Nurse Consultants  
National Association of School Nurses  
National Association of School Psychologist-Government Professional Relations  
National Staff Development Council  
Northeast Metro 916 Intermediate School District  
Other Health Disabilities Workgroup

## **Appendix B: Special Education Advisory Panel Representation on Other Groups**

Ottertail County School-based Mental Health Workgroup  
Ottertail Early Childhood Workgroup  
Parent Advocacy Coalition for Educational Rights (PACER)  
Protection and advocacy for people with serious mental and emotional illnesses (PAMI)  
Region 4 IEIC  
Roseville Public Schools Local Advisory Committee-Legislative Action Committee  
School Nurse Organization of Minnesota  
South Washington County District 833 Special Education Advisory Committee  
Special Education Form Advisory Committee  
Student Engagement Indicators Group P  
Student Services Coalition for Effective Education (SSCEE)  
Third Party Leadership Committee  
Universal Design for Learning Cadre Region 6 & 8  
Waseca Area Special Education Advisory Panel  
Way to Grow, Inc.  
Wayzata Public Schools Special Education Advisory Council

## Appendix C: Special Education Advisory Panel Meeting Schedule, 2011–2012

Thursday-Friday, August 18-19, 2011

Friday, October 7, 2011

Thursday-Friday, January 18-19, 2012

Friday, March 2, 2012

Friday, May 4, 2012

SEAP meetings in 2011–2012 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 or [cindy.shevlin-woodcock@state.mn.us](mailto:cindy.shevlin-woodcock@state.mn.us).



*2012 SEAP members and MDE staff*