

# EXHIBIT B

## MINUTES

### LEGISLATIVE TASK FORCE ON BEST PRACTICES FOR SPECIAL EDUCATION

#### Meeting

Wednesday, December 9, 2015

---

The Legislative Task Force on Best Practices for Special Education met on Wednesday, December 9, 2015 at 10:00 a.m., in Room 130 of the State Capitol Building, in Little Rock, Arkansas.

#### **Members in Attendance**

The following legislators attended: Senator Uvalde Lindsey, Chair. Representatives Sheilla Lampkin and Tim Lemons. Ms. Lisa Haley, Ms. Renee Johnson, Ms. Bailey Perkins, Ms. Debra Poulin, Ms. Shirley Ann Renix, Dr. Bruce Smith, Ms. Lisa Tisdale-Parker, Ms. Tina Vineyard, Ms. Cindy Marie Weathers, Ms. Angela Winfield, and Mr. Samuel Young.

Other legislators attending: Senators Jane English and Larry Teague. Representatives Gary Deffenbaugh, Trevor Drown, Michael John Gray, Sue Scott and Dan Sullivan.

Senator Lindsey called the meeting to order and recognized the aforementioned legislators for remarks.

#### **Consideration to approve the Minutes of November 4, 2014. Without objection, the minutes were approved. [EXHIBIT B]**

The task force agreed to review a draft of the preliminary report at the January 6, 2016 meeting. The preliminary report is due on or before February 1, 2016. The task force will gather additional data and begin discussions to determine recommendations that will be included in the final report due September 1, 2016; an updated final report may be filed on or before July 1, 2017.

#### **Current Practices for Identifying Students for Special Education Services and Programs in Public Schools [Matrix Item A]**

**Ms. Lisa Haley, Associate Director, Special Education, Division of Learning Services, Arkansas Department of Education (ADE)**, was recognized and stated that pertinent information and a website was provided at the last meeting regarding the practice for identifying the number of students for special education services and programs in public schools in Arkansas and how the state compares to other states in the categories of disabilities, race and demographics. Regarding Matrix Item C, Ms. Haley said in terms of identifying children for a specific learning disability, ADE does not have particular screening instruments that are different than any other disability, other than the required screenings as identified in the dyslexia law. Ms. Haley discussed other items that included paperwork reduction. She stated that ADE is taking this issue very seriously, and will have a core committee addressing this issue. She reported that ADE has sent out a survey to all special education administrators in the state regarding paperwork reduction. Ms. Haley will provide a copy of the survey results to the task force along with the comments from administrators.

An advisory committee will be formed consisting of no more than 15 members to look at paper reduction and the recommendation of the core committee. It was recommended that a member of the task force serve on this advisory committee. **Representative Lemons nominated Ms. Cindy Weathers to represent the task force on the advisory committee. By acclamation of the task force and without objection, the nomination was approved by the Task Force.**

Ms. Haley listed some of the core committee tasks as: investigating the survey results and comments, flagging regulations that are required, and eliminating paperwork duplication and unnecessary items and forms. Forms from other states will be reviewed. Committee meetings will be held monthly with the first meeting being held in Little Rock, January 2016.

Ms. Haley gave a brief update regarding her assignments from the previous meeting. She spoke with the Office of Special Education Programs contact person regarding the two states that moved from the needs assistance category to meets the requirements category. According to Ms. Haley, there are a lot of factors that are at play and no real analysis has been done. Furthermore, those states may have moved up in a couple of compliance indicators to improve their score. Ms. Haley will continue to investigate by contacting the directors in those states. Ms. Haley also informed the task force that a comprehensive evaluation of teacher preparation was released yesterday. She will provide this information at the next meeting.

### **Current Practices for Screening Students for Learning Disabilities and the Services Provided for these Students [Matrix #8]**

**Ms. Lisa Haley, Associate Director, Special Education, Division of Learning Services, ADE**, was recognized. Senator Lindsey stated that the task force will revisit this topic in February, noting that Dr. Peggy Schaefer Whitby, Associate Professor, College of Education, University of Arkansas (U of A) and Mr. Tom Smith, College of Education, U of A will be invited to discuss this issue. **Ms. Dianna Varady, Executive Director, Arkansas Autism Resource and Outreach Center (AROC)**, was recognized for comments. She said AROC provides training and technical assistance for families who have children with autism spectrum disorders. AROC also provides a family training series, which is a one day discussion regarding topics that include the special education and IEP processes. Ms. Varady will provide the task force with information regarding the peer mentors, a support group model that utilizes general education students as mentors for special education students. She added that Pennsylvania has utilized this method effectively. Senator Lindsey noted that Ms. Varady will assist the task force with identifying presenters for the February meeting to discuss peer mentor support groups.

### **Engaging Parents of Children with Disabilities [Handout 3]**

**Ms. Tonya Russell-Williams, Director, Division of Child Care and Early Childhood Education**, was recognized and said the Division has been more focused on behavioral health and training early childhood professionals. Ms. Russell-Williams reported that resources have been identified that may be beneficial to parents and are accessible on the Division's website. According to Ms. Russell-Williams, the Division works with education co-operatives to identify any early childhood mental health issues that children may be experiencing. She stressed the importance of getting parents involved and engaged in helping to make decisions for their child. Ms. Russell-Williams noted that the Division has worked with UAMS to provide early childhood mental health consultation and training to staff members, in an effort to understand early childhood development.

According to Ms. Russell-Williams, children who are in the state funded pre-K program with the same income as other children are fairing very well when compared to those that are not in the program. Ms. Russell-Williams pointed out that the Division has worked with the Kellogg Foundation on a family engagement network for early care and education programs. At the request of Senator Lindsey, Ms. Russell-Williams will send this information to task force staff for forwarding to task force members. Senator Lindsey asked how can we link the medical component to the special education component and combine it into the task force report. Ms. Haley and Ms. Varady will collaborate and work together on this issue.

### **Disability Rights Arkansas [HANDOUT 2]**

**Ms. Debra Poulin, Legal Director, Ms. Cassie Howell, Staff Attorney, and Mr. Samuel Kauffman, Staff Attorney, Disability Rights Arkansas (DRA)** were recognized and presented a Power Point presentation entitled, "Disability Rights Arkansas". Ms. Poulin and Ms. Howell gave a brief overview of DRA. Ms. Howell explained that DRA is a private, federally funded, non-profit organization designated by the Governor to implement the federally funded protection and advocacy system throughout the state. She further explained that every state and territory has a protection and advocacy system. According to Ms. Howell, DRA's priority areas for this year include: accessibility, community and institutions, education, employment, juvenile justice and prisons/jails. Ms. Howell stated that education is a big issue for DRA, noting that DRA's education priority for students with disabilities includes having access to appropriate accommodations/special education and education

in the least restrictive environment. She discussed education objectives, requests for services, education outreach, and Child Find. Ms. Howell reported that under the Individuals with Disabilities Education Act, the state has policies and procedures in place to ensure all children with disabilities are identified, located, and evaluated regardless of severity of their disability. Moreover, the state's plan includes identification of homeless children, wards of the state, and those attending private schools. DRA identified Child Find issues in the state that included:

- students eligible under the category of serious emotional disturbance being under identified,
- reluctance by districts to identify students,
- use of response to intervention for prolonged periods of time; and
- inappropriate use of alternative learning environments.

According to Ms. Haley, Arkansas currently has over 50,000 students in special education. She suggested the task force talk with officials in schools that are doing positive things to determine how to move forward and provide appropriate support to school districts and models for them to review around training and positive behavior support.

Referencing Matrix Item G (Response to Intervention RTIs), Senator Lindsey expressed that he wanted to look at things that are successful that can be identified as best practices. He asked Ms. Haley to bring in programs and identify school districts that have examples of best practices that will address the issues of RTI and ALE abuse. Senator Lindsey stated that task force staff would send an email requesting the task force members to review the matrix and provide examples of best practices in school districts and the names of individuals who can do presentations before the task force on those practices. Ms. Poulin suggested the state could look at the disconnect between behavioral health services and the schools. Senator Lindsey stated this issue will be addressed when Dr. Whitby and Mr. Tom Smith address the task force. Dr. Smith stated that early identification and types of discipline interventions that are different from spankings and time-out are needed. Referencing Matrix Item I, Senator Lindsey asked Dr. Smith to gather his ideas regarding deficiencies with discipline practices and provide best practices examples that will help the task force to move forward. Dr. Smith agreed to provide this information at the February meeting.

Mr. Kauffman discussed briefly the discipline practices for students in special education. He stated that most of DRA's special education cases involve behavior, restrain/seclusion, exclusion, and abuse/neglect issues.

#### **Next Meeting Dates**

The next committee meeting will be held on Wednesday, January 6, 2015 at 10:00 a.m. in Room 130 of the State Capitol Building.

With no further business, the task force adjourned at 12:28 PM.