

ARKANSAS LEGISLATIVE TASK FORCE ON AUTISM
MEETING MINUTES
MAY 16, 2014

The Arkansas Legislative Task Force on Autism met Friday, May 16, 2014, at 1:00 p.m., in Room 151 of the State Capitol, Little Rock, Arkansas. Senator Uvalde Lindsey, Senate Co-Chair, and Representative Hank Wilkins, IV, House Co-Chair, presided.

Task Force members present were Senator Uvalde Lindsey, Representative Hank Wilkins, IV, Representative Mary Broadaway, Ms. Martha Kay Asti, Ms. Karan Burnette, Dr. Loretta Cochran, Ms. Tina Davis, Dr. Charlie Green, Ms. Glenda Higgs, Dr. Michael Martin, Ms. Karen Massey, Dr. Tyra Reid, and Ms. Dianna Varady, and Arlene Rose (*for Tonya Williams*).

Advisory member present was Ms. Denise Ennett.

Senator Lindsey called the meeting to order. The minutes from the January 17, 2014, Arkansas Legislative Task Force on Autism meeting were approved by acclamation.

Arkansas Autism Prevalence

Ms. Allison Hudson, CRS Research Program Manager, Arkansas Autism and Developmental Disabilities Monitoring Program (AR ADDM), UAMS-Section of Developmental Pediatrics, was recognized. Ms. Hudson gave a PowerPoint presentation explaining AR ADDM's monitoring program on the prevalence of Autism Spectrum Disorders (ASD) among 8-year-old children living in Arkansas in 2010. The Centers for Disease Control and Prevention (CDC) 2010 study showed ASD peak prevalence in children with autism is 8 years of age. According to information collected from the healthcare and special education records, ASD has more than doubled from 1 in 145 (SY2002) to 1 in 65 (SY2010). Boys were about 4-times more likely to be identified with ASD than girls; 1 in 40 boys and 1 in 72 girls. Caucasian children were more likely to be identified with ASD than African and Hispanic children; 1 in 57 Caucasian children, 1 in 91 African American children, 1 in 110 Hispanic children and 1 in 87 Asian or Pacific Islander children. The number of confirmed ASD cases of 8-year-old children totaled 605 in SY2010 with 496 confirmed cases receiving special education services.

Dr. Charlie Green gave a brief update on the Community First Choice Option State Plan. Dr. Green stated 2,800 individuals who are aging or with disabilities are currently on the list waiting to receive services. Assessments are projected to be complete by FY2015 due to changes in the Arkansas Medicaid billing system.

Arkansas Department of Education 2013 & 2014 Advisory Guidelines for the Use of Student Restraints in Public School or Educational Settings

Ms. Courtney Salas-Ford, Attorney, Special Education Unit, Arkansas Department of Education (ADE), was recognized. Ms. Ford gave an overview regarding her modifications to the 2013 guidelines [**Exhibit E1**], as requested by the Autism Task Force at the January 17, 2014 meeting. Ms. Ford noted the 2014 guidelines [**Exhibit E2**] also reflects those changes. Ms. Ford noted changes she made to the Incident Record that requires a school district to fill out an incident report every time a restraint is used. Ms. Ford said the Incident Record is separate from the 2014 restraint guidelines. Ms. Ford said incident reports involving restraints will be added into the 2014 guidelines for schools to use. DOE can receive the forms electronically and be able to monitor how often schools use restraints. DOE will be able to provide a copy of the Incident Record form to the parent.

Senator Lindsey is concerned school districts are not using least restricted techniques in a manner consistent with DOE restraint guidelines, nor are school personnel reporting incidents involving restraint has been used. He noted the guidelines do not include language to require school districts to fill out an incident report every time restraint is used on a student, which should include the name of the classroom where the incident occurred,

and the name of the school personnel who administered the restraint. Senator Lindsey stated if school districts neglect their responsibility to follow the policies and procedures outlined in DOE's 2014 guidelines, the Arkansas General Assembly will present language in the 2015 legislation giving DOE the authority to make certain schools follow the guidelines.

Ms. Kitty Cone, Attorney, Disability Rights Center of Arkansas (DRC), was recognized. Ms. Cone listed her concerns with DOE's advisory guidelines:

1. DOE's guidelines do not define who are the appropriate authorities families can report incidents involving their child being injured from the use of physical restraint administered by school personnel
2. School districts are not required to report to ADOE involving when a child had to be restrained
3. DOE should add a section in their guidelines that requires a child who has been injured by restraint to be evaluated by a nurse or medical professional
4. Should be noted schools will be in violation if a Functional Behavior Assessment (FBA) or Behavioral Intervention Plan (BIP) process prior to using restraints
5. School districts must never use Prone or Supine restraint because it can block the child's breathing
6. Debriefing meeting should be held same day or within 24 hour regular school hours of incident. This is to make certain all information collected will be more accurate.

Ms. Loretta Cochran noted DOE's guidelines do not mention Whistle Blowing protection for school employees who witness child mistreatment from school personnel.

Mr. Denny Hoover, Regional Sales Manager and Dr. Patricia Wright, Vice President of Professional Services, Rethink Autism, were recognized. Mr. Hoover said Rethink is a teaching curriculum and instructional videos developed by a team of caring clinicians with years of experience in ABA-based teaching interventions for individuals with autism including other developmental disabilities. The video library demonstrates how to teach hundreds of skills, both fundamental and advanced as well as help troubleshoot common challenges in the child's learning process.

Ms. Jo Lindsey, Senator Lindsey's wife was recognized. Ms. Lindsey shared with the task force, a success story involving her great-nephew Dean, who was diagnosed with autism at two years of age after receiving his Immunization shots.

Other Business

Ms. Karen Massey, member of the Autism Task Force and the Evidence-Based Classroom Strategies Subcommittee, was recognized. Ms. Massey stated the subcommittee is requesting the task force's approval to change the subcommittee's title to Evidence-Based Classroom Work Group for flexibility to increase their membership.

Ms. Dianna Varady was recognized. Ms. Varady announced AAROC is hosting a two-day workshop on November 14th and 15th, 2104. More information will be posted on AAROC website.

Ms. Susan Ligon, faculty at East Arkansas Community College, Forest City, Arkansas, was recognized. Ms. Ligon explained she is working on a doctoral dissertation to help college faculty administrators become better prepared when students with autism are transitioning to post secondary education.

Ms. Loretta Cochran was recognized. Ms. Cochran announced the Arkansas Start Conference will be held June 17th, 2014, Little Rock.

Meeting adjourned at 3:25 p.m.