

CAC

Community Advisory Committee For Special Education

Advising The Board of Education
San Diego Unified School District

General Membership Meeting Minutes

Date: Thursday, April 12, 2012
Time: 7:00 – 9:00 pm
Location: Lindbergh-Schweitzer Elementary – West Auditorium, 4133 Mt. Albertine Ave.
(92111)

WELCOME & INTRODUCTIONS:

Meeting called to order at 7:05pm.

The Chairperson, Moira Allbritton, welcomed attendees and introduced CAC members, district staff and administrators, and acknowledged parents. The Chair reviewed the agenda, meeting format and structure, and process for providing public comment.

ROLL CALL/MEMBER ATTENDANCE:

Present: Moira Allbritton, Mary Conroy, Teresa Michel, Mina Kern, Bill Cary, Michelle Crisci, Raylene Dickinson, Meghann Hughes, Ellen Herroon, Nancy Stevenson, Chris Pikus, Christy Scadden, Susan Fanno, Caroline Kelner, Joyce Clark, Dorene Dias Pesta, Teresa Hilleary.

Absent: Belquis Anders, Pam McKinney, Nancy Kirkman.

Ex-Officio: Dr. Joe Fulcher – Chief Student Services Officer. Susan Martinez – Executive Director of Special Education.

Quorum established.

PRESENTATION: 3-Year Plan to Improve Transition Services (Jim Wood)

Along with Susan Martinez

Presented a response to Dr Naranjo's report given to the CAC in Oct. 2011.

3 year draft plan, the district is seeking parent input.

Overview of transition services was given.

A copy of the draft plan can be found in this file section, including a legal definition of transition and proposed outcomes.

Federal Indicator 13 – measures the effectiveness of transition programs. It has 8 questions that examine the transition plan. The goal is to answer yes to all of the questions; that constitutes a successful plan.

Dr. Naranjo used this test and went through all the transition plans in SDUSD. None of them would pass all 8 questions.

3 outcomes were developed first, and then a draft 3-year plan was composed.

Year 1: Information sharing and planning – Dr Naranjo’s report was shared with the special ed teachers, and then shared it with high school administrators. After that there was some training done at the high school sites. Goals were given to the high schools with this training. 40 students were missing transitions plans; those were taken care of. Workgroups were created; one is developing handbooks for students, staff, and parents (this will be ready for next year). Another is to create resources for the district website. Another is to update policy and procedures. We also started planning for restructuring next year.

Q&A:

Q: Are parents on the workgroups or just district personnel?

A: Right now it’s just district personnel. These workgroups are fairly new, so we would be happy to have parents on these workgroups.

Q: Does everyone have a transition plan?

A: Everyone with an IEP that is at least 16. Transition planning can start before 16.

Q: Who is on the workgroups?

A: Bob Morris, Bryce Richway, myself, Colleen Harmon are working on them right now. For Policy & Procedure it’s Debbie Warner, along with some of the program managers.

Q: Are there any teachers or parents that actually work with students/in the trenches?

A: There are program managers and people who work in those programs. If there are parents or community members who would like to participate, we would welcome them to join.

Q: (Moira) Which CAC members would be interested in joining these workgroups?

A: Joyce, Mary, Meghann, Dorene, Michelle, Caroline, and Christy.

(Susan): Just to clarify, these workgroups have just formed and I have directed them to search the internet to find other solutions that may be useful here. They have mainly been researching what to build on; we welcome your participation.

Q: What does a transition plan look like prior to age 16?

A: It’s based on the individual. If they need some more skills that would be needed earlier on, or if there was an outside agency involved that might influence when the plan is written.

Q: Are you sure you will need to restructure?

A: It’s more about changing the way we develop services.

Q: This seems more like this is a paper review process, is there any consideration in surveying the baselines? Are you going to include any other things in the evaluation process?

A: Yes, we want feedback.

Q: The plans developed tend to be generic; will you be looking at substantive data depending on the disability?

A: Yes, we will take that into account.

Q: I think this information sharing should start in middle school, not high school.

A: Good point. In year 2 and 3 we do that.

Q: Did you look at outcomes for students with more significant disabilities?

A: We just made sure we had meaningful plans, what does the student need to be successful.

Q: Can there be a parent satisfaction survey for transition plan?

A: Yes, if the child is 15 or older. They go out after every IEP. The form exists on the website under parent resources.

Q: A-G requirements are not an issue unless it comes up in the meeting. How do you figure that out?

A: To graduate they must meet the A-G requirements, you can find it on the sandi.net website They give specifics.

Q: If those things are modified do they count?

A: We will hand that in open forum.

Q: Has that study by Dr Naranjo been done before?

A: These issues have not been addressed in the last 6 years; it has been a neglected issue.

Q: We're going to benchmark this to get a good idea of where we are?

A: Yes, but it's not that we failed them all.

Q: The outcomes listed on the pink handout did not match your PowerPoint.

A: Sorry.

Year 2 will be focused on learning to write and develop good transition plans.

Q&A:

Q: Why are we waiting till the 2nd year to do this?

A: Well, we have already started this training process. There are overlapping pieces of this plan. We will focus intently on training; parent/student training will also be done. The parent/student handbooks will be ready next year.

Q: Are there going to be credentialed career to transition teachers?

A: No, we won't have that next year.

Q: So the people who are training won't be doing that?

A: No, we will have the case managers working on these things. (Susan) There will be 2 resource teachers who will be hired specifically for this.

Q: How many students qualify for this?

A: About 3500.

Q: There are only 2 teachers available for those 3500?

A: No. Each teacher has their own caseload; those 2 new hires will be for training purposes.

Moira requests that an electronic copy of Jim's presentation be emailed to her and the executive committee will address some of these concerns being raised.

Year 3: Data review and refinement. Self review of the transition plans, review of successful outcomes from year 1 and 2.

Q&A:

Q: Why are you waiting till age 16; that only gives them 2 years?

A: Federal law says age 16, but you can start earlier.

Q: Will the district bring up transition issues, because most parents don't know about it?

A: Yes, we are training staff and parents making them more aware.

Q: Coming down to FTE's, how many positions are you creating?

A: 5 new assistant positions that are funded through an ongoing grant. Plus the 2 training positions mentioned before.

Q: How many are you positions are you eliminating? Why are you changing what's not broken especially with voc rehab?

A: The BoE voted to eliminate the voc rehab positions, not us.

PRESENTATION: Due Process & Mediation Office Overview (Amy Perez)

This PowerPoint presentation can be found on sandi.net.

A hard-copy of the list of key contacts can be found in the CAC binder.

IDEA drives the IEP. Most disagree with FAPE and what we perceive is appropriate.

Call Joe Fulcher if you have a problem.

- Informal/local resolutions – contact your child’s case manager, site manger/principal, or program manager, special ed dir, ombudsperson – assist parents with connecting parents with someone in the district who can help.
- Informal with structure (solutions panel) – parties meet in a neutral environment with assistance of a trained facilitator. Not a legally binding meeting.
- Formal process – compliance complaint or due process.
- CDE (CA Dept of Education) – allegation of non compliance. Parent submits a written allegation, the CDE investigates. The district replies. Found to be compliant then case closed, if not then the CDE issues corrective action.
- Civil rights complaint – based on violation civil rights.

Q&A:

Q: How long does this take?

A: Average 4-6 weeks for CDE to reach a decision on non-compliance issue. However, it can stay open for a week to a year depending on the case. For due process – this done with an administrative law judge with issues only concerning IDEA. Strict timelines in an ideal situation, but those timelines tend to be very flexible. Mediation is completely voluntary. District can’t delay without a good reason. A written response from the district is issued within 10 days, and then a resolution session will be held (not required, but can be waived). The district’s attorneys rarely attend. If a resolution is achieved, no one admits fault. Mediation is also voluntary. No prevailing party, non-binding. The mediation could take days, it is much more formal. Hearings are next; this requires both parties to work within the legal process. You present your case to an administrative law judge. Both parties have the right to appeal the decision.

Q: If you have a lawyer and are in the mediation step, would your lawyer’s fees be paid?

A: Maybe.

Q: If you have an OCR and an IDEA issue, which agency handles that?

A: OCR handles discrimination, but they will investigate issues that fall under IDEA. But you must first allege discrimination.

Q: So you would have to go a different route?

A: Yes, you would either go through the CDE or seek a legal remedy.

(Mary): Adding onto that... If you file a compliance complaint and only portions are valid, there are people who work in that office who will help you re-file accurately.

(Amy) You also have the right to file for mediation only.

Q: How many cases do you have annually?

A: Annually between 115 to 135 a year.

Q: If you ask for a mediation only, how long till that happens?

A: I believe within 30 days for them to set the date, but you can request it to happen sooner.

Q: How is our legal team associated with due process?

A: Currently there are 3 attorneys that do all the legal for the district, but they all have special education expertise.

Q: Does the district have outside attorneys?

A: Yes, for many issues. But now that we have 3 specified, then we send less work outside.

Q: May parents bring an attorney?

A: Yes.

Q: If you need a resolution session?

A: The only way to get that is to file a due process hearing.

Q: I'm talking about the informal.

A: You contact Jody Bondurant-Strong to schedule a resolution session.

Q: Do you mean ADR?

A: Yes, informal with structure.

Q: How do you trigger that?

A: Ask your teacher, case manager, principal, etc.

One last thing - My office represents the interests of the district; we are not on the same side of the table as parents. But we are very open to working out resolutions etc.

OPEN FORUM:

Q: Transitioning from special ed to regular ed is crucial but the district has been failing my daughter.

A: (Joe) Before leaving, please speak with one of our programs managers tonight.

Q: Can you please explain more about the DHHEC meeting last night? I heard there was no representation of the oral program.

A: (Susan) There were oral teachers there last night. We have a new committee that was started by one of the D/HH staff. We are starting workgroups. (Mina) There will be a Community Forum on May 2nd at Mount Everest Academy from 6-7:30. (Joe) It's an ad hoc committee that is open and will only be making recommendations.

Q: Are parents allowed to attend? Are the meetings posted?

A: Yes they can. The meetings are not posted, but you can be added to the email list.

Q: My exhaust fan was finally done in April, thank you. Is there something in writing that lists what is needed/required for medically fragile students?

A: Currently those students are handled by the PH department, but email me with more info.

Q: It seems that central office staff are making decisions outside the IEP team's meetings. I'm concerned that the district has lost touch with recommendations in the Hehir report. You can't even find it on the new website.

A: It is still there (on the old site). We still get calls with people that want to read the Hehir report and still refer back to it in our meetings. We are working with West-Ed and working parts of that into our LEA plan. (Joe) If there is evidence of central staff making decisions, then we need to be made aware of that. There may be cases when central office staff is invited to the IEP meeting, but it should not be happening across the board. It's a training issue; we will make sure it's communicated clearly to parents when district staff will be invited.

Q: That central office staff needs to be for a specific expertise, not just a person from that office.

A: I agree.

Q: Can you put the 8 questions that were used to evaluate the transitions on the website?

A: Yes.

Q: Is clustering an effective practice?

A: Sometimes it can be helpful in including students and getting meaningful results.

Q: (Moira) This isn't new, and it seems to pop up as the budget talks loom. What should she do since it seems she has disagreed with this practice?

A: There are a million variations of clustering; there are a lot of ways people can do this the wrong way. We will get your information and work to get a more effective model in place.

Q: I formally requested an IEP meeting, but the school is ignoring my son's 504 plan. Who can help me?

A: You're in the right place. We have our 504 coordinator in the room. Michelle will see you after the meeting.

Q: Where are the medically fragile children in TRACE being taken care of (fed etc)?

A: We will reply in writing.

SPECIAL EDUCATION PROGRAMS DIVISION REPORT:

Special ed audit is now called the "opportunity study." May 1st BoE will hear the vendor response.

There will only be about 16 nursing positions next year, 50-60 counselors will be lost next year.

Q: What about the voc rehab counselors?

A: They are included in those numbers I mentioned before. There will be some reshuffling, in part because of seniority.

Q: I want to publicly acknowledge the voc rehab counselors. Next year is going to be difficult for the ed specialists. It's unfortunate that the voc rehab counselors have been cut.

Q: Did you hear about any reductions in SEHTs?

A: There are about 44 SHT's, I am not sure about SEHT's.

Q: Can we start working now to get the parents to fill out all the medical forms so it can be complete by June? How long will it take to hire a new nursing manager?

A: We'll look at getting the word out. We are aware of looking for a new nursing manager is going to take some time.

COMMITTEE BUSINESS:

Joyce motions to approve the March meeting minutes; Mary second. Aye:15; Nay:0; Abstain:1. The motion carries.

Joyce presents new CAC Executive slate. Chairperson: Christy Vice-Chair: Moira, Secretary: Mina, Treasurer: Teresa, Member(s) at Large: Joyce and Mary. Joyce motions for approval of the new Executive slate, Bill seconds. Aye:16; Nay:0; Abstain:0. The motion carries.

Chair Report:

New member binders have been completed by Mary. April 24th the BoE will review all the apps for CAC membership, the LEA plan, and the opportunity study. 5pm start time. \$300k is the minimum forecast for cost of opportunity study.

Q: Why the name change?

A: I don't know, it just happened.

Discussion of the CAC input on the opportunity study. Bill suggests that Moira use her best judgment. Discussion of the LEA plan and changes that are needed and the possibility of a special meeting to discuss the LEA plan. The Above and Beyond Awards meeting will be Friday April 20th 9:15am at Wiggin Center. April 26th is the next Exec Board meeting. Sign-ups for the Above & Beyond ceremony potluck will be sent out soon. The Chair requested that the CAC be

given more notice when meetings are coming up; Super Kowba has already responded positively. Joyce motions to approve the schedule for CAC meetings next year, Mary seconds. Dates and site location for next year's CAC meetings were discussed. In trying to engage trustees, Moira suggests that we ask them to recommend which offsite schools we hold our meetings next year.

Q: We had a lot of problems in the past with scheduling at the Ballard Center; will there be district intervention this time?

A: (Moira) I will probably book both sites just in case.

Aye:14; Nay:1; Abstain:1. The motion carries.

ANNOUNCEMENTS:

Diane Rhode (Principal Lindbergh-Schweitzer) – The Elementary teacher of the year is a special ed teacher from Lindbergh-Schweitzer, Patty Reed. She was also an Above and Beyond Award recipient.

Jody has a reading resource table available at the CAC meetings. Books can be returned to your child's school using the district mail system.

Take Me Home Program – SD sheriffs keeps a database of anyone in the community that has a problem with communicating. There is more information about this program on the Autism Society webpage and on the CAC Facebook page.

DSA Connections lounge for teens and adults with disabilities. 2nd and 4th Friday of the month there will be social activities. Friday is Reach for the Stars fundraiser.

Please like us on Facebook! There is a link to Oxygen Mask Project – caregivers please remember to take care of yourselves!

Christy motions to adjourn. Michelle seconds.

MEETING ADJOURNED AT 9:15PM.

Respectfully submitted by,
Mina Kern - Secretary