

**OFFICE OF INSTRUCTIONAL ENHANCEMENT AND INTERNAL OPERATIONS**  
**Summary of State Board of Education Agenda Items**  
**September 13-14, 2012**

**OFFICE OF SPECIAL EDUCATION**

12. Annual Report of the Mississippi Special Education Advisory Panel

**Executive Summary**

Federal regulations for special education require each state to establish a Special Education Advisory Panel. The mission of the Advisory Panel is to promote a partnership between parents, professionals, schools and students in order to bring about a meaningful and positive school experience for students with disabilities. A report is submitted to the State Board of Education each year.

**Recommendation.** There is a need for a comprehensive model of transition and effective practices that promote quality transitions to adulthood that is endorsed by the Mississippi Department of Education (MDE) and disseminated to districts with associated training provided to all stakeholders.

- It is recommended that MDE convene a task force to review the current procedures regarding the secondary transition process, including the existing transition page of the Individualized Education Program (IEP) form, and develop a comprehensive model of transition and effective practices. This model should include guidelines specific to age groups, responsibilities of all parties involved, steps to implement transition outcomes and an age-appropriate vocational assessment.
- It is recommended that professional development be conducted for all stakeholders once procedures have been revised utilizing website information and online training.
- It is recommended that policies be adopted to begin transition at age 10.

No Action: Discussion Only



**Mississippi**  
*Special Education*  
Advisory Panel

**ANNUAL REPORT TO THE  
STATE BOARD OF EDUCATION**

**JUNE 2012**

**Purpose of the Mississippi Special Education Advisory Panel**

As authorized by the Individuals with Disabilities Education Act and as defined in the by-laws of the Mississippi Special Education Advisory Panel, the principal purpose of this Panel is to promote the education of children and youth with disabilities.

**Mission of the Mississippi Special Education Advisory Panel**

The mission of the Special Education Advisory Panel shall be to promote the education of children and youth with disabilities. The Panel shall provide advice and guidance to the Mississippi Department of Education, Office of Special Education, regarding the education and related services of children and youth with disabilities in local educational agencies. The advice and guidance shall include input from citizens and constituent groups.

*The graphic art on the cover was designed by Mr. Antwan Clark, who is a member of the Panel.*

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## **A Year in Review from the State Chairperson 2011 - 2012**

There are two common “crises” in the lives of children with disabilities and their families. The first turning point is when they enter the Special Education System. The second is when they leave it. Both of these issues have been the subject of many recommendations from prior Advisory Panels. Due to prior public comments, information from the Mississippi PTI, and the experiences of our panel members, our 2011-2012 *Special Education Advisory Panel* focused its’ review to these two important areas. Focusing our efforts on these issues, we believe, would lead to greater analysis and the ability to track the outcomes of our recommendations.

Providing information and presentations to the Panel this year were various individuals, committees, entities, and agencies, which included, but were not limited to, the Mississippi Parent Training Institute, The Mississippi Department of Vocational Rehabilitation, Jackson County Special Education Department, the University of Southern Mississippi’s Department of Curriculum and Instruction, as well as staff from the Mississippi Department of Education, offices of Special Education and General Education. Additionally, the committee members reviewed Transition Processes in several states.

In completing our review, I would like to express my sincere appreciation for the outstanding presentations and work delivered by panel members: Tonya Green, Special Education Director of the Jackson County Schools; Donny Frazier of the Mississippi Department of Vocational Rehabilitation; and Pam Dollar of the Mississippi Parent Training & Information.

Each scheduled meeting included two public comment periods designed to ascertain information from the public on problems they experienced during the school year. As in years past, we had individuals who presented problems to our panel. You will find those comments near the back of the annual report.

We hope that each State Board member will read this report and help us to assist children with disabilities become successful and, when possible, employable Mississippians. Should you have questions or comments please do not hesitate to contact me.

Respectfully submitted,

*Nicole Akins Boyd*  
Nicole Akins Boyd,  
2011-2012 Chairperson  
Mississippi Special Education Advisory Panel

# Advisory Panel 2011-2012 Recommendations

The Special Education Advisory Panel established two committees: the Part C to Part B Transition Committee (infant/toddler services to preschool/school services) and the School to Adult Transition Committee.

## Part C to Part B Transition Committee

### *Background*

Congress established the Part C (Early Intervention) program in 1986 in recognition of “a critical and substantial need” to:

1. Improve the development of infants and toddlers with disabilities;
2. Decrease educational costs by minimizing the need for special education through early intervention; and
3. Reduce the likelihood of institutionalization, maximize independent living, and to enhance the capacity of families to meet their child's needs.

The Program for Infants and Toddlers with Disabilities (Part C of IDEA) is a Federal program that assists states in operating a comprehensive statewide program of early intervention services for infants and toddlers with disabilities, age birth through 2 years, and their families. In order for a state to participate in the program, it must assure that early intervention will be available to every eligible child and his/her family. The Mississippi Department of Health serves as the lead agency for Part C. At age 3, the child is transitioned to local education agency for educational services.

In reference to Part C of IDEA, Indicator 8 (State Performance Plan compliance indicator with a performance target of 100%) reads, “Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by their third birthday, including:

(A) The Individual Family Service Plan (*IFSP*). The IFSP must include the steps to be taken to support the transition of the child, in accordance with 303.148” [303.344(h)].

(B) *Notification to LEA, if child potentially eligible for Part B*—Part C regulations specify that the Lead Agency will “Notify the local education agency for the area in which the child resides that the child will shortly reach the age of eligibility for preschool services under Part B” [303.148(b)(1)].

(C) *Transition conference, if child potentially eligible for Part B* — Part C regulations specify that “In the case of a child who may be eligible for preschool services under Part B of the Act, with the approval of the family of the child, the lead agency will convene a conference among the lead agency, the family, and the local educational agency” [303.148(b) (2)(i)].

The Local Education Agency, (including parents), is required to start preparing the child for transition into Part B services around the age of 30-32 months (and no less than 3

months prior to the child's 3rd birthday). All children are not eligible to enter into preschool special education programs. A transition planning meeting is held to discuss next steps, particularly how to prepare the child for the transition out of Part C. An exit IEP is held which determines the services that the child will receive after the transition.

#### *Recommendations*

*The committee was pleased to report that, due to the work of the State Department of Education, the local education agencies, and the Mississippi Department of Health, that there had been substantial improvements in this process over the last several years. Additionally, monitoring by the State Department of Education and the decreased number of complaints received by the Mississippi Parent and Training Institute provide evidence of these improvements. After review, the committee determined that there were no recommendations to be made at this time to improve the process.*

### **School to Adult Transition Committee**

#### *Background*

Numerous studies of youth with disabilities in areas such as employment, living arrangements, post-secondary education and training, and community participation have shown that these individuals do not succeed as well as young adults without disabilities. In order to improve these outcomes for youth with disabilities, transition services requirements were included in the Individuals with Disabilities Education Act (IDEA P.L. 101-476). The basic purpose of including transition components in the legislation is to better prepare and educate students with disabilities, to gain access to the supports and services necessary to reach their desired vocational outcomes, and to become as independent as possible. The transition planning process should promote successful movement from school to post-secondary education and training, employment, independent living, and community participation based on students' preferences, interests and abilities.

*According to IDEA Section 300.29—*

*(a) Transition services means a coordinated set of activities for a student with a disability that-*

- (1) Is designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;*
- (2) Is based on the individual student's needs, taking into account the student's preferences and interests; and*
- (3) Includes:*
  - (i) Instruction; (ii) Related services; (iii) Community experiences; (iv) The development of employment and other post-school adult living objectives; and (v) If appropriate, acquisition of daily living skills and functional vocational evaluation.*

*(b) Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.*

Thus from the regulations it is clear that students in special education have the right to learn more than traditional classroom subjects at school. These students have the right to study social skills, job skills, and independent-living skills. Our State laws and board policies guarantee “transition services” to students between the ages of 14 and 21. Transition services are part of, and not separate from, a school district’s responsibility to provide a Free Appropriate Public Education (FAPE). Transition goals and services should be in the student’s Individual Education Program (IEP) beginning in the year the student turns 14. Transition planning should occur each year thereafter either prior to or at the annual development of the IEP.

Although the concept of transition is simple, the process of planning and providing transition services based on individual student needs is challenging in our State with our limited resources. However, it is essential for the future of these students, their families, and the communities where these students reside. This committee reviewed transition practices from our schools across the State this year. There is a significant disparity of transition services, support, and planning across the State depending on what school district the child attends. The importance of quality transition programs cannot be overstated. It is the process which will lead to the student developing a plan for optimal employment, community integration, and independent living.

To create and implement an effective and comprehensive transition program, there needs to be a common understanding of the basic transition components and, in some cases, a “mind shift” in the commonly held beliefs about what those components mean and how they are best integrated into the transition process. Leadership from the State Board of Education will be essential in leading this “mind shift.” Therefore, the Panel proposes the following:

*Recommendations:*

*There is a need for a comprehensive model of transition and effective practices that promotes quality transitions to adulthood that is endorsed by the MDE and disseminated to districts with associated training provided to all stakeholders.*

- *It is recommended that MDE convene a task force to review the current procedures regarding the secondary transition process, including the existing transition page of the IEP form and develop a comprehensive model of transition and effective practices. This model should include guidelines specific to age groups, responsibilities of all parties involved, steps to implement transition outcomes, and an age-appropriate vocational assessment.*



- *It is recommended that professional development be conducted for all stakeholders once procedures have been revised utilizing website information and online training.*
- *It is recommended that policies be adopted to begin transition at age 10.*

**Special Education Advisory Panel Membership  
2011-2012**

- (1) **Parents of children with disabilities (ages birth through 26)**
  1. Ms. Deborah Giles,\* — 2009-2013
  2. Ms. Nicole Boyd,\* Oxford Exceptional Children’s Society — 2009-2013
  3. Ms. Jacqueline Washington,\* Mississippi Department of Health — 2008-2012
  
- (2) **Individuals with disabilities**
  4. Ms. Mary Troupe, ♦ Executive Director, Coalition for Citizens with Disabilities — 2011-2015
  5. Ms. Becky Floyd, ♦ Retired, Former Executive Director, MS Protection & Advocacy — 2009-2013
  6. Mr. Antwan Clark, ♦ Information Technology Specialist — 2009-2013
  
- (3) **Teachers**
  7. Ms. Octavia Carson,\* ♦ MS School for the Blind — 2011-2015
  8. Ms. Janice Dukes,\* Pearl School District —2007-2011
  
- (4) **Representatives of Institutions of Higher Education that prepare special education and related services personnel**
  9. Dr. Sidney Rowland, University of Mississippi — 2010-2014
  10. Dr. Hollie Filce, University of Southern Mississippi —2010-2014
  11. Dr. Maxine Harper, ♦ University of Mississippi — 2009-2013
  
- (5) **State and local education officials, including officials who carry out activities under Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11431 et seq.)**
  12. Ms. Betty Petty, Board Member, Indianola School District — 2008-2012
  13. Ms. Pam Curry, McKinney-Vento Homeless Representative — 2009-2013
  
- (6) **Administrators of programs for children with disabilities**
  14. Ms. Alyson Creel, Special Education Director — 2008-2012
  15. Ms. Tonya Green, \* Special Education Director — 2010-2011
  16. Ms. Yvonne Cox, \* Special Education Director — 2009-2013
  17. Ms. Pam Frierson, \* Special Education Director — 2009-2013
  
- (7) **Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities**
  18. Mr. Donny Frazier, Mississippi Department of Rehabilitation Services —2011-2015
  19. Ms. Shirley Miller,\* Mississippi Department of Mental Health— 2007-2011

- (8) **Representatives of private schools and public charter schools**  
 20. Dr. Jacquelyn Thigpen, Cleveland Public School District —2010-2014  
 21. Ms. Laurie Heiden, \* Mississippi Children Home Services — 2009-2013  
 22. Mr. Jules Michael, St. Richard Catholic School—2011-2015
- (9) **Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities**  
 23. Ms. Pam Dollar,\* Mississippi Parent Training Center — 2011-2015  
 24. Dr. Joan Haynes, ♦ Associate Executive Director for Academic and Student Affairs, State Board for Community Colleges — 2011-2015
- (10) **A representative from the State child welfare agency responsible for foster care**  
 25. Ms. Sandra McClendon, Mississippi Department of Human Services — 2010-2014
- (11) **Representatives from the State juvenile and adult corrections agencies**  
 26. Ms. Tamara Meriweather, Oakley Training School — 2007-2011

\*\* NOTE: Special rule. A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (ages birth through 26). (Authority: 20 U.S.C. 1412(a)(21)(b) and (c))

\*Denotes parent

♦ Denotes individual with a disability

**Special Education Advisory Panel  
Federal Regulations  
Sections 300.167, 300.168, and 300.169**

**What the Federal law requires:**

(21) State advisory panel.--

(A) In general.--The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

(B) Membership.--Such advisory panel shall consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population, and be composed of individuals involved in, or concerned with, the education of children with disabilities, including--

(i) parents of children with disabilities (ages birth through 26);

(ii) individuals with disabilities;

(iii) teachers;

(iv) representatives of institutions of higher education that prepare special education and related services personnel;

(v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);

(vi) administrators of programs for children with disabilities;

(vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;

(viii) representatives of private schools and public charter schools;

(ix) not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;

(x) a representative from the State child welfare agency responsible for foster care; and

(xi) representatives from the State juvenile and adult corrections agencies.

(C) Special rule.--A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities (ages birth through 26).

(D) Duties.--The advisory panel shall--

(i) advise the State educational agency (SEA) of unmet needs within the State in the education of children with disabilities;

(ii) comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

(iii) advise the SEA in developing evaluations and reporting on data to the Secretary under section 618;

(iv) advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under this part; and

(v) advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

**Mississippi Special Education Advisory Panel**  
By-Laws

**Article I: Name of Organization**

The name of this self-governed organization shall be the Special Education Advisory Panel, also known as the SEAP.

**Article II: Purpose of the SEAP**

**Section 1.** The principal purpose of this Panel shall be to promote the education of children and youth with disabilities.

**Section 2.** The mission of the Special Education Advisory Panel shall be to promote the education of children and youth with disabilities. The Panel shall provide advice and guidance to the Mississippi Department of Education, Office of Special Education, regarding the education and related services of children and youth with disabilities in local educational agencies. The advice and guidance shall include input from citizens and constituent groups.

**Article III: Functions**

(a) **General.** The SEAP shall:

1. Advise the 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 Individuals with Disabilities Education Act (IDEA); and
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

(b) Advising on eligible student with disabilities in adult prisons. The Advisory Panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons, even if, consistent with §300.600 (d), a State assigns general supervision responsibility for those students to a public agency other than an SEA. (Authority: 20 U.S.C. 1412(a)(21)(D))

#### **Article IV: Procedures**

Specific procedures will include the following:

1. The Advisory Panel shall meet bi-monthly to conduct its business.
2. By July 1 of each year, the Advisory Panel shall submit an annual report of Panel activities and suggestions to the State Board of Education. This report must be made available to the public in a manner consistent with other public reporting requirements of Part B of the Act.
3. Official minutes must be kept on all Panel meetings and must be made available to the public on request.
4. All Advisory Panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.
5. Interpreters and other necessary services must be provided at Panel meetings for Panel members or participants. The State may pay for these services from funds under §300.620.
6. The Advisory Panel shall serve without compensation but the State must reimburse the Panel for reasonable and necessary expenses for attending meetings and performing duties. The State may use funds under §300.620 for this purpose. (Authority: 20 U.S.C. 1412(a)(21))

#### **Article V: Administrative Year**

The administrative year shall be July 1 through June 30.

#### **Article VI: Terms of Membership**

**Section 1.** The membership shall be composed of persons concerned with the education of children and youth with disabilities as required by State and Federal regulations. Membership shall include, but not be limited to:

- parents of children with disabilities (ages birth through 26);
- individuals with disabilities;
- teachers;

- representatives of institutions of higher education that prepare special education and related services personnel;
- State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
- administrators of programs for children with disabilities;
- representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- representatives of private schools and public charter schools;
- not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- a representative from the State child welfare agency responsible for foster care; and
- representatives from the State juvenile and adult corrections agencies.

**Special rule**--A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities (ages birth through 26).

**Section 2.** A majority of the members of the Panel shall be individuals with disabilities or parents of children with disabilities.

**Section 3.** A term of office shall be for four (4) years, with eligibility for re-appointment. The State Superintendent of Education shall have the authority to remove a member before the appointment has expired due to noncompliance with attendance requirements.

**Section 4.** The following procedures are followed to fill vacancies on the SEAP:

- a) The SEA will distribute nomination forms to all interested parties.
- b) All nomination forms will be received by the SEA.
- c) The State Superintendent will make final recommendations to fill vacancies on the SEAP to the State Board of Education for approval.

**Section 5.** Recommendations for appointments to the Advisory Panel should be made by June 30 of each year. Prospective members should be appointed in July.

**Section 6.** Membership on the Panel requires consistent attendance at regular meetings. An attendance report will be generated during May of each year. When a member has missed more than 50% of the meetings, a recommendation will be made to the State Superintendent to replace the member. If the member has had an extenuating circumstance which justifies absences from the meetings, he/she may petition the State Superintendent in writing to remain on the Panel.

## **Article VII: Officers of the Special Education Advisory Panel**

Special Education Advisory Panel officers shall include a chairperson, a co-chairperson-elect and a past-chairperson.

## **Article VIII: Nominations and Elections**

To be elected to an office, one must be an Advisory Panel member for at least one year.

The chairperson-elect shall be elected by a simple majority of the full Panel.

## **Article IX: Meetings**

**Section 1.** Regular meetings of the Panel shall be held bi-monthly. The co-chairperson-elect will serve a term of one year. After serving in this capacity for one year, the co-chairperson-elect automatically assumes the position of chairperson.

The chairperson will serve a term of one year. After serving in this capacity for one year, the chairperson automatically assumes the position of past-chairperson.

The past-chairperson will serve a term of one year.

The election will be held annually in June. New officers will begin service in August of each year.

**Section 2.** Dates for the regular meetings of the administrative year shall be established during the last meeting of the previous year.

The chairperson, with input from the entire Panel and the facilitation of the SEA, shall set the agenda for each meeting. The chairperson may request the SEA to provide information based upon agenda items.

**Section 3.** A simple majority (1 more than half) of the Panel membership shall constitute a quorum for the transaction of business in any meeting of the Panel. Meetings can be held even if a quorum is not present.

## **Article X: Committees**

The Panel may establish committees to carry out the responsibilities of the Panel and to accomplish its purpose as stated in the Federal law.



Duties and responsibilities of each committee shall be adopted by the Panel in the form of a resolution, which shall be entered into the Persons other than members of the Advisory Panel may serve on its committees. Each committee shall be chaired by a member of the Advisory Panel. Membership on each committee shall include parents of individuals with disabilities or individuals with disabilities.

**Article XI: Rules of Order**

Robert's Rules of Order are the meeting procedures for this organization.

## Summary of 2011-2012 Public Comments

During each regularly scheduled meeting, two opportunities are given for comments from the public. These comments serve to inform the Panel and often impacts recommendations made. The following is a summary of remarks made during the public comment periods in 2011-2012.

- MDE should require training for local schools superintendents in the area of special education.
- MDE should address educational consultant's involvement with a child with a disability during an IEP meeting when they are representing a law firm.
- MDE should address legal representation for parents involved in Due Process Complaints.
- MDE should create an Autism position within the Office of Special Education.
- MDE should provide additional trainings for local schools in the area of behavior intervention plans.
- MDE should ensure that parents have access to student's educational records.