

OFFICE OF THE CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
August 14-15, 2014

OFFICE OF SPECIAL EDUCATION

06. Annual Report of the Mississippi Special Education Advisory Panel

Executive Summary

34 C.F.R. Sections 300.167, 300.168, and 300.169 and Miss Code Ann. Section 37-23-145 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 the various parties involved with educating children with disabilities. The panel includes parents of children with disabilities, teachers, individuals with disabilities, school administrators and other appropriate advocates. The panel meets throughout the year. The meetings are open to the general public. The panel is required to prepare and submit an annual report regarding panel discussions, findings and recommendations to the State Board of Education.

Recommendation: Discussion Only

Back-up material attached

SPECIAL EDUCATION ADVISORY PANEL ANNUAL RECOMMENDATIONS TO THE MISSISSIPPI STATE BOARD OF EDUCATION

2014 Key Actions:

- **Implementation of “The Breaking Barriers Award”** which was presented by the Special Education Advisory Panel (SEAP) to an individual with a disability who exemplifies successful transition into the workforce.
- The Transportation Committee advised the department on standardized policy and compliance with Americans Disability Act (ADA) and Individuals with Disabilities Education Act (IDEA) regulations.
- The Positive Behavioral Intervention and Support (PBIS) Committee developed and promoted awareness and the need for universal identification of behavior concerns and strategies to improve academic outcomes for students.
- The Special Education Advisory Panel implemented the first on-site visits to schools to review Exemplary Inclusion Programs. Exemplary Inclusion awards were made to Lockard Elementary School, Indianola School District and Pass Christian Middle School, Pass Christian School District, based on receiving the highest scores.

2014 Recommendations:

- The Special Education Advisory Panel recommends that the MDE continue to authorize school districts to develop and implement Transportation Policies and Procedures for students with disabilities.
- The Special Education Advisory Panel recommends that the MDE Pupil Transportation Department consider posting more in-depth information on school bus loading and unloading procedures.
- The Special Education Advisory Panel recommends that the MDE include the topic of managing student behaviors while transporting to and from school in scheduled training sessions.
- The Special Education Advisory Panel recommends that the MDE include monitoring for universal screening of behavior in school accreditation monitoring procedures.
- There is not currently a mandated assessment of fidelity of implementation of three tiers for Response to Intervention RtI for behavior. Therefore, the Special Education Advisory Panel recommends the Benchmarks of Quality (BoQ) be adopted as the evaluation tool for each tier. The BoQ is a nationally validated tool which has been used to assess fidelity of implementation of PBIS in a research-validated manner.



Mississippi
Special Education
Advisory Panel

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

JULY 2014

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 2013 - 2014

To serve as chairperson for the Special Education Advisory Panel (SEAP) for 2013-2014 has truly been an honor and privilege. The opportunity to effect positive change and improve the educational and lifelong outcomes for students with disabilities is a responsibility that the panel accepts and we work to achieve.

The 2013-2014 year was productive, engaging and deemed a trailblazer year. The Panel implemented a new recognition program and award “The Breaking Barrier’s Award,” which tells the stories of a nominated individual with a disability whose transition into either secondary education environments, a job or career, and into the community with zeal and success. In addition, the Transportation Committee focused on work safety issues, special bus driver training, and advised the department on standardized policy and procedures for school districts and compliance with ADA and IDEA regulations. The Positive Behavioral Intervention and Support (PBIS) Committee raised the awareness and the need for universal identification of behavior concerns and how intervention and supports improve academic outcomes for students. Lastly, the SEAP implemented the first on-site visits to schools selected as finalists for the Exemplary Inclusion Award. The SEAP’s on-site visits added value and accountability to the award process.

I would like to express my sincere appreciation for the information updates, outstanding presentations and work delivered by our speakers: Jean Massey, Graduation Options; Trecina Green, Common Core Standards; Valecia Davis, Standard Based IEPs; Leonard Swilley, School Bus Safety; Selina Merrell, Positive Behavior Interventions and Supports; and the SEAP sub-committee chairpersons and panel members, Breaking Barriers Award Committee: Stacy Todd, Chair, Jacqueline Washington, and Donny Frazier; Transportation Committee: Roger Bullock, Chair, Yvonne Cox, Johnny McGinn, Antwan Clark, and Tonya Green; Positive Behavioral Intervention and Supports Committee: Jenna Escudero, Chair, Hollie Filce, Laurie Heiden, Pam Dollar, Shirley Miller, Nicole Boyd, Sandra McClendon, Janice Dukes and Antwan Clark; and special appreciation gratitude for the guidance of our parliamentarian, Donny Frazier. The committee leadership and member input served as a voice for the unmet needs of students with disabilities and related service.

The Panel thanks the Office of Special Education, our State Superintendent and each member of the State Board of Education. Your collective support and guidance strengthens the outcomes for students with disabilities as they transition from school to a life of independence.

This year’s report summarizes our efforts and lists recommendations to meet the unmet needs of students. The SEAP members volunteer their time and talents to advocate for students with disabilities. We sincerely petition the Mississippi Board of Education to consider the SEAP’s recommendations and input as it focuses on areas of critical need for the State’s students.

As a parent of a child with special needs and advocate for individuals with disabilities, my hopes and expectations are positive outcomes for students and families. With support and accountability from the Board, the SEAP and I will continue to advocate for the fulfillment of the unmet needs of students, actively tell their stories and celebrate the abilities and accomplishment of students with disabilities.

Respectfully submitted,

Deborah Giles

Deborah Giles,

2013-2014 Chairperson

Mississippi Special Education Advisory Panel

Addressing Transportation Issues for Students with Disabilities

During the 2013-2014 School Year, it was recommended and approved that the Special Education Advisory Panel (SEAP) form a committee to address concerns regarding transportation for students with disabilities. The term “Special Education” means “specially designed instruction to meet the unique needs of a child with a disability.” Transportation is one of the related services required when necessary for a child to benefit from special education. This report shall discuss questions relating to the guidelines, policies, and procedures recommended to guide those responsible for developing an action plan for the safe delivery of transportation services to students with special needs. It is recommended that school districts and special services departments throughout Mississippi consider the Advisory Panel’s recommendations.

Summary

Based on public comments and information from members representing their constituency groups, the Transportation Committee makes the following recommendations to the Mississippi Department of Education, Office of Special Education. The Pupil Transportation Department has several topics of interest that school districts can use in order to develop and implement policies and procedures for transporting students with special needs. Refer to <http://www.mde.k12.ms.us/safe-and-orderly-schools/pupil-transportation>.

1. **Issue:** The SEAP is concerned with the policies and procedures school districts throughout the State are currently utilizing.

Recommendation:

The SEAP recommends that the OSE continue to authorize school districts to develop and implement Transportation Policies and Procedures for students with disabilities. Suggested areas of training are: school bus safety, school bus drivers and school bus monitor trainings, regular maintenance and repair of working parts (such as tie downs and lifts) and parent surveys. This policy should also include procedures for funding transportation services (to and from school, special events, etc.). These policies should be made available on the school district’s website.

2. **Issue:** The SEAP is concerned about the techniques being utilized when loading and unloading students with disabilities.

Recommendation:

SEAP appreciates the collaborative efforts between OSE and the Transportation Department to utilize ADA Guidelines for Individual with Disabilities – Part 37 Transportation Services as a valuable resource in assuring safe and orderly transportation services throughout the State. The SEAP recommends that MDE-Pupil Transportation Department consider posting more in-depth information in order to offer assistance to school districts on school bus loading and unloading procedures.

3. **Issue:** The SEAP is concerned about the need for training on managing, reporting, and specific consequences school bus-related disciplinary infractions. For example, once transportation has been implemented and the driver, attendant, or transportation director finds the transportation plans safe; a student's behavior may change and create an unsafe environment; or the transporters may need more information or assistance from the special education staff.

Recommendation:

SEAP suggests that MDE include the topic of managing student behaviors during transporting in scheduled training sessions. These concerns can also be addressed during IEP meetings on behavior-related incidents. The transportation representative should be invited to participate in the IEP meetings and offer input as needed.

Resources for Transportation

According to the Individuals with Disabilities Education Act (IDEA), the Federal regulations for implementation define transportation as:

34 CFR § 300.34 Related Services. (October 12, 2006)

“(16) Transportation includes –

- (i) Travel to and from school and between schools;*
- (ii) Travel in and around school buildings; and*
- (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.”*

34 CFR § 300.107 Nonacademic services. (October 12, 2006)

“The State must ensure the following:

(a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.

(b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreation activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.”

Section 504 of the Rehabilitation Act of 1973

34 CFR § 300.104 Discrimination prohibited

“...No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

In accordance with Section 504, it is possible for a school district to be required to provide specialized transportation services to a student with disabilities who is not in special education. Documentation of the students 504 Plan is essential. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.”

Recommended Guidance for Implementation of Transportation as a Related Service

I. The Individualized Education Program (IEP) Process

The Individualized Education Program (IEP) Committee is an official group that proposes educational programs for students with disabilities. During these official IEP meetings the related services that are necessary for a student to benefit from special education are suggested. If it is determined that a student needs specialized transportation as a related service, the Transportation Director shall be invited to participate in the IEP process and serve as an additional resource.

All members of the IEP Committee may not have knowledge of the specifics and skills regarding the above areas. It is important that the team use the reports offered from the professional agencies when developing the student's IEP. The IEP committee shall include, but not be limited to, participants that are able to offer expertise in numerous areas, including the parents of the child; not less than one regular education teacher of the child (if the child is, or may be participating in the regular education environment); not less than one special education teacher of the child, or, where appropriate, not less than one special education provider; representative of the public agency qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about general curriculum and is knowledgeable about the resources of the public agency; an individual who can interpret the instructional implications of evaluation results, at the discretion of the parent or the agency; individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, the child with a disability, and someone qualified to assist in determining transportation needs as appropriate.

1. The Transportation Director/representative shall gather information regarding the student's transportation needs in order to properly plan for a timely, efficient, and safe initiation of services.
2. During the IEP meeting the Transportation Director/representative shall inform the IEP committee members regarding the transportation setting (Special Education Bus). This information shall include, but not be limited to, the following:

- a. The style and structure of the vehicle the student would likely be assigned to ride;
- b. Conditions regarding temperature extremes during loading/unloading on the bus;
- c. Pickup and drop-off;
- d. The type of method/occupant securement arrangements to be utilized;
- e. Whether or not the vehicle is equipped with an emergency communication system;
- f. To answer questions pertaining to the degree of trainings and skills of the bus drivers; and
- g. The need for a bus attendant (the SEAP advises the school district consider the use of bus monitors on the special education buses).

II. Active Participants

It is essential for the Transportation Director/representative to be an active participant in the IEP meeting if transportation is addressed as a related service and if the student will need special care or interventions (has adaptive or assistive equipment needs) during transit. During this time, the following concerns may be explained:

1. Safe transportation and the length of the ride from home to school and back.
2. Does the student have medical, physical or behavioral alarms that may cause unexpected risks to the student and others?
3. Can the assistive or adaptive equipment discussed be safely secured and transported? Are there adequate instructions provided? Some examples are: mobility device, mobile seating devices, ventilators or oxygen equipment that has been recommended for use by occupational and/or physical therapists, or rehabilitation vendors.

III. Professional Development Opportunities

Specialized training should be made available to all those responsible for making program decisions for special education students, including the requirement for transportation as a related service. Those persons should have knowledge in various areas which would include but not be limited to:

1. When transportation staff would be consulted or included in the IEP team process;
2. State and local transportation policies and procedures, including communications and reporting procedures;
3. Transportation regulations which could assist in determining if transportation would be appropriate as a related service;

4. Alternative transportation options;
5. Current legislative, legal, and administrative decisions;
6. Types of equipment and occupant securement systems used;
7. State and local laws related to child abuse and reporting procedures;
8. Federal, State and local rules of confidentiality;
9. Routine and emergency health care to students during transportation;
10. Wheelchair Safety Guidelines.

IV. Statement of Justification of Pupil Transportation Services

Mississippi Department of Education

Safe and Orderly Schools/Pupil Transportation

Leonard Swilley, Director

“All school bus drivers are required to be recertified every other year. If the driver is involved in an accident that appears to be negligence on behalf of the driver they (the bus driver) must be recertified the very next summer. Additionally, districts are allowed to go beyond the training that is required through the Mississippi Department of Education. Also be mindful that training sessions for the bus drivers and the aides are offered generally during the third week of each summer. All special needs drivers and aides are welcomed and encouraged to attend. Many school districts make that certification mandatory for the driver and the aides in their school district.

There is no set amount of time for a school bus route. This includes both regular education students and special needs students. Our office does recommend and caution transportation directors to do their very best that they can to minimize the actual route times of students, when feasible. Thus, they are required to constantly review their routes for efficiency and safety and make adjustments as needed”.

**Americans with Disabilities Act (ADA)
Office of Civil Rights**

Federal Transit Administration
U.S. Department of Transportation
1200 New Jersey Avenue
Washington, D.C. 20590
(888) 446-4511 (voice/relay)
www.fta.dot.gov/ada

**School Transportation News (Federal
Laws)**

<http://stnonline.com/>

**Individuals with Disabilities Education
Act (IDEA)**

**Office of Special Education and
Rehabilitative Services**

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-7100

(202) 245-7468 (voice/TTY)

www.ed.gov/about/offices/list/osers/osep

**Mississippi Department of Education
Safe and Orderly Schools/Pupil
Transportation**

P.O. Box 771

Jackson, MS 39205-0771

Phone (601) 359-1028

FAX (601) 359-3184

www.mde.k12.ms.us

Assessing and Monitoring Implementation of Behavior Support

During the 2013-14 School Year, the Positive Behavior Committee addressed issues surrounding interventions for students with behavior problems. Behavior of students has been an ongoing concern, as unwanted behaviors negatively influence the engagement and achievement of students and the ability for schools to operate smoothly as a whole. Student behavior was systematically addressed, perhaps for the first time in Mississippi, in the Three Tier Instructional Model which was adopted by the State Board of Education (SBE Policy 4300) on January 21, 2005. While this model suggests a systematic method to address both academic and behavioral concerns, this Model is not mandated for behavior, and its implementation is not monitored. This lack of accountability by schools and districts makes for disparity in opportunities for children, including children with disabilities, to have their academic and behavior needs monitored and addressed consistently.

Summary

Based on the work of the Behavior Committee, which was completed in collaboration with the Mississippi State Personnel Development Grant (REACH MS), a Federally funded grant program to the MS Department of Education focusing on Positive Behavioral Interventions and Supports (PBIS), the following Issues and Recommendations are given:

1. **Issue:** There is not currently a requirement for universal screening of behavior of all students. This must be required and monitored.

Recommendation:

Include monitoring for universal screening of behavior (both internalizing and externalizing) in school accreditation monitoring.

2. **Issue:** There is not currently a mandated assessment of fidelity of implementation of three tiers for Response to Intervention (RtI) for behavior.

Recommendation:

The Benchmarks of Quality (BoQ) be adopted as the evaluation tool for each tier. Unlike the suggested Essential Elements Matrix, the BoQ is a nationally validated tool which has been used to assess fidelity of implementation of PBIS in a research-validated manner.

Resources for Positive Behavioral Interventions and Supports (PBIS)

Additionally, other state initiatives are strongly aligned with Positive Behavioral Interventions and Supports (PBIS), and would benefit from the structure and assessment of fidelity of implementation outlined in PBIS systems. It would be beneficial to increase infusing of PBIS into the initiatives described below:

Initiative	Commonalities between PBIS and initiative	Evaluation of Implementation
<p><i>Response to Intervention (Behavior Component)</i> <i>Suggested practices for all Mississippi schools; not mandated.</i> <i>Mississippi’s Model for RtI is a comprehensive, problem-solving, and multi-tiered strategy to enable early identification and intervention for ALL students who may be at academic or behavioral risk. The multiple tiers provide increasingly intense student-focused interventions. RtI should be applied to decisions and results in a well-integrated system of instruction with interventions guided by student outcome data</i> (p. 16). http://www.mde.k12.ms.us/curriculum-and-instruction/curriculum-and-instruction-other-links/response-to-intervention-teacher-support-team</p>	<p>RtI and PBIS offer opportunities to address academic and behavior problems with interventions at different levels of support.</p>	<p>Essential Elements Matrix (not mandated)</p> <p>Benchmarks of Quality (not mandated)</p>
<p>SAFE AND ORDERLY SCHOOLS <i>Mandated for all Mississippi.</i> <i>Part A is designed to conduct a quick review of the school’s safety plan as well as to determine the programmatic approaches the school administration uses to change the focus on school safety factors from reactive to proactive. The checklist provides for a quick perusal of the school’s safety plan for evidence of the criteria listed in each of the categories A-S</i> (p.1). http://www.mde.k12.ms.us/school-improvement/evaluation-instruments-training-manual</p>	<p>...”An effective system is one in which students know and can explain the school’s expectations for behavior, as well as consequences for violating expectations...”</p>	<p>Safe and Orderly School Appraisal: Part A (School Safety Plan Checklist) (mandated)</p> <p>Comprehensive School Safety Plan (mandated)</p>
<p>DROPOUT PREVENTION <i>Mandated plan developed by each district.</i> <i>Each school district shall implement a dropout prevention plan approved by the Office of Dropout</i></p>	<p>Creating positive based supports and services that focus on behavior:</p>	<p>Dropout Prevention Plan</p>

<p>Prevention of the State Department of Education by the 2012-2013 school year, and annually thereafter. http://www.mde.k12.ms.us/dropout-prevention-and-compulsory-school-attendance/state-dropout-prevention-plan</p>	<p>attendance and effort.</p>	
<p>MISSISSIPPI STATEWIDE TEACHER APPRAISAL RUBRIC (M-STAR) <i>Mandated evaluation of all Mississippi public school educators. The Mississippi Department of Education (MDE) has created the MS Statewide Teacher Appraisal Rubric (M-STAR) to gather information on teacher strengths and areas of challenge to provide support and development and improve student success (p.1). The Mississippi Teacher Performance Standards are designed to provide a shared and focused understanding of the priorities, values, and expectations of Mississippi teachers in their work of educating students. (p.3). http://home.mde.k12.ms.us/docs/procurement-library/m-star-system-guide.pdf?sfvrsn=0</i></p>	<p>Assesses teachers on domains including planning, assessment, instruction, learning environment, and professional responsibilities.</p>	<p>Mississippi Statewide Teacher Appraisal Rubric (M-STAR)</p>
<p>Mississippi Senate Bill 2015 (Bullying Prevention) <i>Law for prevention of bullying; must be included in school safety plans; mandated. Before December 31, 2010, each local school district shall include in its personnel policies, discipline policies and code of student conduct a prohibition against bullying or harassing behavior and adopt procedures for reporting, investigating and addressing such behavior. The policies must recognize the fundamental right of every student to take reasonable actions as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing (Section 2). http://www.mde.k12.ms.us/docs/healthy-schools/sb2015sg.pdf</i></p>	<p>An act to prohibit bullying or harassing behavior in the public schools.</p>	<p>None – must be integrated into other plans</p>

Special Education Advisory Panel Membership 2013-2014

- (1) **Parents of children with disabilities (ages birth through 26)**
 1. Ms. Deborah Giles,* — 2013-2017
 2. Ms. Nicole Boyd,* Oxford Exceptional Children’s Society — 2013-2017
 3. Ms. Jacqueline Washington,* Mississippi Department of Health — 2012-2016

- (2) **Individuals with disabilities**
 4. Mr. Johnny McGinn, ♦ Director, Client Assistance Program — 2013-2017
 5. Mr. Antwan Clark, ♦ Information Technology Specialist — 2013-2017
 6. Ms. Mary Troupe, ♦ Executive Director, Coalition for Citizens with Disabilities — 2011-2015
 7. Mr. Roger Bullock, ♦ Independent Living Specialist, Living Independence for Everyone, Inc. — 2013-2017

- (3) **Teachers**
 8. Ms. Octavia Carson,* ♦ MS School for the Blind — 2011-2015
 9. Ms. Janice Dukes,* Pearl School District — 2011-2015
 10. Ms. Stacey Todd, Lamar County School District — 2012-2016

- (4) **Representatives of Institutions of Higher Education that prepare special education and related services personnel**
 11. Dr. Sidney Rowland, University of Mississippi — 2010-2014
 12. Dr. Hollie Filce, University of Southern Mississippi — 2010-2014
 13. Dr. Tracy Knight-Lackey, Jackson State University — 2012-2016

- (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.)**
 14. Ms. Barbara Greene, McKinney-Vento Homeless Representative — 2013-2017

- (6) **Administrators of programs for children with disabilities**
 15. Ms. Tonya Green, * Executive Director of Exceptional Ed — 2012-2016
 16. Ms. Yvonne Cox, * Special Education Director — 2013-2014
 17. Ms. Jenna Escudero, Former Special Education Director — 2013-2014

- (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 — 2011-2015

- (8) **Representatives of private schools and public charter schools**
 20. Dr. Jacquelyn Thigpen, Cleveland Public Schools — 2010-2014
 21. Ms. Laurie Heiden, * Mississippi Children Home Services — 2013-2017
- (9) **Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities**
 22. Ms. Pam Dollar,* Mississippi Parent Training and Information Center — 2011-2015
 23. 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**
 24. Ms. Sandra McClendon, Mississippi Department of Human Services — 2010-2014
- (11) **Representatives from the State juvenile and adult corrections agencies**
 25. Ms. Tamara Meriweather, Oakley Training School — 2011-2015

** 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 students 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 minutes of the Panel meeting. 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.