

Maryland SICC

STATE INTERAGENCY COORDINATING COUNCIL

Maryland State Department of Education (MSDE)
Division of Special Education/Early Intervention Services
Early Childhood Intervention & Education Branch
200 W. Baltimore Street, 9th floor, Baltimore, MD 21201
(410) 767-0261
Brenda Hussey-Gardner, Ph.D., M.P.H., Chair

SICC General Meeting

JHU Center for Technology in Education
Columbia, Maryland
1:00 – 4:00 PM
March 1, 2012

Minutes

Attendance: Brenda Hussey-Gardner, *Chair*, Mary Kwei proxy for Brenda Wilson, Curtisha Hopkins, Amy Sargent, Elizabeth Kelley, Rachel London, Linda Ramsey, Paula Boykin, Margaret “Mike” Berman, Jessica Siva, *on behalf of Rosemary Johnston GOC*, Debbie Badawi, *Medical Director DHMH*

Excused: Brenda Wilson, Erin Stauder, Rosemary Johnston, William Cohee

Guests: Ed Feinberg, *Arundel County Infants and Toddlers Program*, Kelli Nelson, *Parent*, Sharon Holloway, Sharon Leyden, *Prince George’s County Infants and Toddlers Program*, Wendy Baber, *Montgomery County*, Fran Brenneman, *Montgomery County*, , Rebecca Gardner, *JHH NICU*, Carolyn Fiume, *Parent*, Betty Firsch, *Diamond/Coventry*, Maryann Swann, *MSD*, , Monica Grant, *FCITP*

Staff: Thomas Stengel, Pam Miller, Dan Szczepaniak, Marjorie Shulbank, Brian Morrison, Sherea Makle, Sandra Smothers, Nancy Vorobey

Dr. Hussey-Gardner called the meet at 1:04 p.m.

I. Welcome Remarks and Introductions

- a. Participants introduced themselves, including guest members from various public and private agencies/organizations.
- b. Dr. Brenda Hussey-Gardner welcomed guests.

II. Review/Approval of Meeting Minutes

- a. Minutes were distributed via packet and for approval/edits.
- b. On page 3, Mr. Stengel is listed as Mrs., correct to Mr.
- c. The minutes were approved with the usual 48-hour hiatus to recommend edits.

III. Announcements and Public Comment

Announcements

- a. Marjorie Shulbank announced that the next meeting of the Autism Commission will be on April 17, at the Maryland Department of Transportation, which is very close to the airport. It will be a full day meeting focusing on discussing and prioritizing the recommendations from the workgroup for the final report.
- b. Dr. Valentine’s billing issue was resolved with the assistance of SICC member Michael Berman. He extends a thank-you and no longer needs to make a Public Announcement. Brenda also thanked Mike for her assistance.

Public Comment

- a. No public comments were offered.

IV. ECIE Update

As Interim Branch Chief for the Early Childhood Intervention and Education Branch, Mr. Tom Stengel provided the following information and updates.

- a. Interviews for the position of Branch Chief for the ECIE Branch were held this week. There were 5 applicants interviewed, and recommendations were forwarded to Marcella Franczkowski for approval; they have been sent to human resources for further processing and scheduling of a second interview for one or more candidates. There were several applicants from different states, as well as Maryland.
- b. The Part C Regulations Stakeholder Workgroup met on February 24, 2012. The group began reviewing the regulations and making revisions to the draft document. The ECIE branch is in process of reviewing notes and will provide updates to the SICC.
- c. Brian Morrison gave a report on the current Maryland's Part C Regulations – COMAR Title 13A, Subtitle 13 document which needs restructuring and revision. The new regulations will be divided into two Chapters: (1) Provision of Early Intervention Services to Young Children and Their Families and (2) Administration of Early Intervention Services. The current regulations are all included in one Chapter. Brian also commented on the dedication and enthusiasm of the workgroup members.
- d. The Part C Regulations Stakeholder Workgroup will make a recommendation to the Assistant State Superintendent for the child ending age for the Extended IFSP Option., the recommendation of the Part C Regulations Unless each jurisdiction was able to decide whether to include developmental screening as part of their local evaluation and assessment process, the Workgroup decided not to include screening as part of the statewide ITP evaluation/assessment process. This decision does not impact mass developmental screening done by primary care physicians, child care providers, health department nurses, etc. Developmental screening training of childcare providers is a component of the Race to the Top Early Challenge Grant.
- e. A detailed timeline for revising the State ITP Interagency Agreement and the Part C State regulations was distributed and reviewed.
- f. Kelli Nelson suggested that once the revised Part C Regulations have been changed, they should be posted to the MSDE website.
- g. The State Application for Part C Federal Funds was posted on MSDE's website for public comment. MSDE is requesting conditional federal approval for federal fiscal year 2012 (7/1/12 to 6/30/13) because the Part C regulations will not be completed when the MSDE submits the application to the federal Office of Special Education Programs on April 16, 2012. This strategy does not negatively impact Maryland's Part C Program. The revised Part C State regulations must be completed by April, 2013.
- h. Part C Application Budget:
 1. Section 3-A of the Part C budget are expenditures for MSDE staff.
 2. Section 3-B are expenditures for public awareness, training, monitoring costs, data collection, program supplies, telephones and printing.
 3. Section 3-D are expenditures requested by SICC members for travel and parent stipends.

4. Section 3-E are expenditures for services statewide based on a one-day snapshot count; the amount per service is based on the percentage of children that have, e.g. speech-language pathology on their IFSPs on a certain day.
 5. Section 3-F are local administrative costs for local jurisdictions based on local budget figures for SFY 11.
 6. Section 4-B are expenditures for MSDE indirect costs based on a formula that OSEP approves.
 7. Section 3-H is a sum of all the above sections totaling \$7,400,012. This is a preliminary Part C allocation for Maryland.
- i. Preschool Special Education
 1. Nancy Vorobey stated that the kick-off of the Taskforce for the Strategic Implementation Plan for Preschool Special Education is on March 27th and a second meeting will be held on May 18th. The MSDE is in the process of inviting stakeholders from local jurisdictions. The process will incorporate the vision of the MSDE leadership. Taskforce members will have an option of attending meetings or reviewing taskforce plans without attending the meetings. The meeting location will be at CTE.

V. SICC Report

- a. Legislative Action Committee
 - i. Session
 1. Rachel London stated that the legislative budget hearings were heard by both the House and the Senate and the ECIE Legislative Booklet was distributed.
 2. The Parent/Teacher unpaid leave bill – hearing was held last week in the House, and went well. This bill would allow parents to take unpaid leave up to 4 hours for specific meetings, e.g. IEP, IFSP. The Senate hearing is next week. A comment was presented regarding the privacy issue and how that would be dealt with at the workplace.
 3. HB 596 This bill would amend the current 5 day rule which requires LSS to give parents access to documents five days prior to an IEP meeting. The proposed change would have decreased the timeframe from 5 business days. Parents are taking the lead to oppose this change.
- b. Age Adjustment for Prematurity – Next Steps
 - i. Dr. Hussey-Gardner presented a PowerPoint entitled Age Adjustment & Early Intervention: Summary of SICC Recommendations. It included historical information as well as a letter to the SICC from a parent with concerns regarding age adjustments. The presentation also discussed the historical perspective of the age adjustment study and the recommendations made by the SICC to the MSDE. OSEP suggested that we need consistency on this issue statewide. At the conclusion of the study, the SICC task force recommended the following steps:
 1. Identify NICU Follow-Up Programs throughout Maryland;
 2. Gather child count information from several NICUs (e.g., <1200, >1200 & <36 weeks);
 3. Identify what other states are doing; and

4. In collaboration with MSDE, hold focus group meetings of SICC and LITP leaders to discuss the impact of the following policy strategies on children, families & local programs:
 - a. Chronological Age (CA) for eligibility & Individualized Family Service Plan (IFSP) development
 - b. CA for eligibility & Adjusted Age (AA) for IFSP development
 - c. AA for eligibility & IFSP development
 - ii. Dr. Hussey-Gardner stated that steps 1 and 2 were completed by one of her former students and presented the information (e.g., 6 NICUs in Maryland & child count information from 3 NICUs). She currently has a student willing to gather data from other states.
 - iii. Tom Stengel stated that the ECIE Branch would serve on the SICC committee created for consideration of age adjustment.
- c. Financial Disclosure
- i. The State Ethics Commission determined that all SICC members are required to complete the State financial disclosure form. The deadline for the current disclosure period is April 30, 2012.
 - ii. Members who serve on other State committees/commissions that already require the completion of the disclosure form must amend the form that they originally completed and indicate that they are also a member of the SICC.

VI. Presentation & Discussion

- a. Maryland's Part C Definition of Eligibility.
 - i. Dr. Ed Feinberg discussed the history of state definitions of Part C Eligibility. A fair number of children in Anne Arundel County are barely eligible and are children between 2-3 years of age, typically a 24 month male with a 25% expressive language delay. He discussed the Hanen Program, an IFSP treatment strategy provided to parents and these children by Speech-Language pathologist and/or teachers. This approach involves child observation/treatment/videotaping and parent classes to enhance their knowledge of communication techniques

Dr. Feinberg posed the question "Should children who are only 25% delayed in one area of development be eligible for IFSP services?" He noted the need to confront the fact that there will not be an increase in funding from federal, State and local sources, and, that this will result in a dilution of services for the children and families served. He recommended looking at the research and what other states are doing and suggested we involve ASHA in our considerations to help us determine if children with only a 25 percent expressive language delays are "slow talkers" or children who are truly delayed and in need of services. On this issue, there are vast differences across the nation in state early intervention systems. He questioned whether providing early intervention services to children with a 25 percent language delay are the best use of public resources. He presented this question: What kind of evidence is available in the literature?

- ii. Monica Grant, Frederick County Director, asked: is the database searchable for speech only services. Answer: Brian Morrison, yes.

- iii. Various questions and concerns regarding the 25% delay criteria were discussed.
 - iv. Paula Boykin's response was that at this time, there is no mechanism to utilize resources for a "response to intervention model" for children under the age of three or for preschoolers on an IEP. IFSP services are designed as a fluid and dynamic, process that can be used in this way for children who may have less intense needs or for children who need more intervention services.
 - v. Kelli Nelson thanked the SICC for allowing her to attend this important meeting and to share her thoughts. Kelli's perspective was that Dr. Feinberg's concerns are related to the broad eligibility criteria for early intervention services, most notably, children experiencing delay in receptive/expressive language, especially for young boys. This concern stems from the challenges he has faced with lack of additional resources. Ms. Nelson understands his proposal to create an Adhoc Task Force to look at the eligibility criteria. Kelli expressed her concern regarding a change in the Part C eligibility criteria. She believes that to do so would be a slippery slope and did not understand why we would reduce eligibility before looking at other areas including reducing the number of children or age range of children served under the extended option. She went on to further state that this should be looked at from a fiscal standpoint as there are other mechanisms (such as Part B dollars), for children beyond age three.
 - vi. Sharon Leyden stated that a longitudinal study needs to be discussed with a need to be providing services that will produce best practice for outcomes to children and families. Spend money on most effective practice.
 - vii. A Task Force will be formed looking at what is state-of-art, the best possible way to proceed with eligibility/service delivery service implementation in the state of Maryland.
- b. Serving Children under 12 months.
- i. Tom Stengel: 1) Regulation/commitment to children for evaluation/assessment/early intervention for children who are abused, homeless, etc. What are the local procedures within jurisdictions for providing the above services for these children; and 2) Families involved with multiple early intervention/early childhood programs may be confused and may not understand the role/purposes of the programs. Are there overlapping services? Can these programs work together and share resources to improve outcomes for children and families?
 - ii. Dr. Hussey-Gardner asked Dr. Ed Feinberg if he wanted to share his additional comments regarding serving children under 12 months and he chose to table the discussion as so much discussion had already occurred around eligibility.

Dr. Hussey-Gardner adjourned the meeting at 2:45 p.m.