

MINUTES OF THE COMMISSION ON SPECIAL EDUCATION ACCESS AND EQUITY
for Monday, November 25, 2013

Johns Hopkins University School of Education
Center for Technology in Education
6740 Alexander Bell Drive, Columbia, Maryland 21045

The Commission on Special Education Access and Equity (“The Commission”) held its second regular meeting on Monday, November 25, 2013, at 1 p.m., at the Johns Hopkins University School of Education, Center for Technology in Education, in Columbia, Maryland. The following Commission members were present: Marcella E. Franczkowski, Chair; B. Gigi Ayeh-Robertson; Carol Beck; Ellen A. Callegary; Harold J. Cyr; Tomi Fabri; George Failla, Jr.; Sandra French; Chabre V. Hall; Kalman R. Hettleman; Stephanie Livesay; Gwendolyn J. Mason; The Honorable Karen S. Montgomery; Theresa Parham; The Honorable Paul J. Pinsky; Leslie Seid Margolis; Denise O. Shaffer; Angela Vaughn-Lee; The Honorable Alonzo T. Washington; and Janet Wilson.

The following staff to The Commission were also present: Donna Riley, Rosemary King Johnston, and Sheréa Makle, from the Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS).

WELCOME AND INTRODUCTION

As Commission Chair, Ms. Franczkowski, opened the meeting with an acknowledgement of The Commission members, staff, and guests. Ms. Franczkowski recognized Kalman Hettleman as a recent appointee to the Commission. Ms. Franczkowski explained that food and refreshments are not allowable expenses under Federal and State grant guidelines, and that the meeting refreshments were donated by MSDE-DSE/EIS staff.

MINUTES

As Commission Chair, Ms. Franczkowski called for review of the Minutes for The Commission meeting held on September 30, 2013. A motion to accept the Minutes as written was made and seconded. The motion passed unanimously and the Minutes were approved without discussion or correction.

DISCUSSION OF COMMISSION RECOMMENDATIONS ON THE TOPIC OF PROCEDURAL SAFEGUARDS

Ms. Franczkowski called for a discussion of recorded recommendations. Ms. King-Johnston summarized the recommendations recorded by The Commission at the meeting held on September 30, 2013, on the focused topic of Procedural Safeguards. Ms. Franczkowski opened the discussion of recommendations. Discussion followed.

- Motion to accept Recommendation #1, as amended with: “AT PARENT’S REQUEST.”
YES - 19
NO - 0
ABSTAIN – 1

- Motion to accept Recommendation #1, amended with language added: “ON FAMILY SURVEY.”
YES- 6
NO- 8
ABSTAIN - 6

- Motion to accept Recommendation #1, amended with language added: “ON FAMILY SURVEY.”
YES- 6
NO- 8
ABSTAIN - 6
- Motion to accept Recommendation #1, amended with language added “AT LEAST ANNUALLY”
YES-12
NO-7
ABSTAIN-1
- Motion to accept Recommendation #2, with amended language: replace “will” with “shall”.
YES- 19
NO-0
Abstain – 1
- Motion to accept Recommendation #3 up to the statement “AT LEAST...”
YES- 19
NO- 0
ABSTAIN-1
- Motion to table the discussion on Recommendation #3, regarding new added language beginning with, “AT LEAST...”.
YES-Unanimous
NO-0
Abstain – 0

FOCUSED DISCUSSION ON THE TOPIC OF ELIMINATING DISPARITIES

Ms. Franczkowski introduced the following subject experts from the MSDE to provide data and support The Commission’s discussions: Robin Ziegler, Branch Chief, School and Community Nutrition Programs, Office of School Effectiveness; Ilhye Yoon, Title III/ELL Specialist, MSDE Division of Curriculum, Assessment and Accountability; and Dori Wilson, Branch Chief, Family Support and Dispute Resolution, DSE/EIS.

Ms. Franczkowski presented demographic data relating to disparities for students with disabilities, including Race/Ethnicity, identification of English Language Learners and students eligible for/receiving FARMS (Free and Reduced Meals), and complaints and dispute resolutions. Ms. Yoon provided brief overview of the differences between LEP, EL, and ELL designations and the ESOL programs.

Following robust discussion of the data and related policies, procedures, and results, Ms. Franczkowski recommended, and The Commission agreed that in lieu of recording recommendations for the topic of Procedural Safeguards, The Commission would record requests for additional data from the MSDE to further support discussion and drive the Commission’s recommendations. Ms. Franczkowski agreed that the MSDE-DSE/EIS would provide data if accessible and if doable without additional costs to the DSE/EIS.

The following data requests were recorded:

- All data within Ms. Franczkowski presentation for today's meeting
- Demographic data by disability code
- Disproportionality data
- Mediation declined
 - o By Local School System
 - o By Parento By Both
- Graduation, Drop out Rate by race
- Short-term exclusions
- Alt MSA versus diploma by race and disability
- Overlay of nonpublic placement and mediation/due process correlations

PUBLIC COMMENT

Kellie Meissner, Chairperson, Special Education State Advisory Committee (SESAC) provided written remarks regarding the work of Special Education Citizens Advisory Committees (SECAC) in local jurisdiction to support families know their rights and support their children with disabilities.

ADJOURNMENT

With no further agenda items, Ms. Franczkowski adjourned the meeting at 3:35 p.m.

Submitted:
Marcella E. Franczkowski, M.S.
Chair

Date: January 10, 2014
Approval Date: January 16, 2014