

Kentucky State Advisory Council for Exceptional Children
Annual Report
Fiscal Year
July 1, 2017 – June 30, 2018
Submitted by Barry D. Lee
Chairperson

OVERVIEW OF COUNCIL

Purpose: The State Advisory Council for Exceptional Children is organized as mandated in the Individuals with Disabilities Education Act Amendments of 2004 for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in Kentucky.

In June 2017, the Governor of Kentucky issued an Executive Order abolishing the State Advisory Panel for Exceptional Children and creating the new State Advisory Council for Exceptional Children. (Executive order **2017-364**)

In July 13, 2018, the Governor of Kentucky issued an additional Executive Order (Executive Order 018-581). The reorganization abolishes the State Advisory Council for Exceptional Children that consists of twenty-six (26) members with many duplicative education backgrounds. The Executive Order creates the State Advisory Council for Exceptional Children as an administrative body that is comprised of not more than twenty-one (21) voting members, with a quorum of appointees who are individuals with disabilities or parents of children with disabilities. Despite its reduced size, this reorganization includes all previous member categories and improves efficiency and economy.

These changes will be addressed by State Advisory Council for Exceptional Children in its first meeting of the 2018-2019 Fiscal Year.

The duties of the council are to:

1. Advise the Department of Education, Board of Education, Education Professional Standards Board, and School Curriculum, Assessment and Accountability Council of unmet needs and desired program changes within the Commonwealth related to the education of children with disabilities, including the suggestion of corrective action plans and personnel development needs;
2. Review and comment on rules or regulations proposed by the Commonwealth relating to the education of children with disabilities and the procedures for distribution of funds under Part B of Public Law 101-476;
3. Review and comment on written findings of fact and decisions from due process hearings, including other reports issued by federal and state authorities relating to exceptional children;

4. Advise the Kentucky Department of Education, the Justice Cabinet and other public agencies on eligible students with disabilities in state and local prisons;
5. Provide opportunities for public input through regularly scheduled public hearings or during general meetings.

The State Advisory Council for Exceptional Children shall be attached to the Kentucky Department of Education for administrative purposes and be provided suitable staff and resource to conduct its work. Upon request of the State Advisory Council for Exceptional Children, the Commissioner of Education shall assign dedicated staff to assist the Council in the performance of its duties.

Membership: Executive Order 201-364

The Governor shall appoint new members by Executive Order to initial terms as follows: Up to Seven (7) members shall serve two (2) year terms, up to seven (7) members shall serve three (3) year terms, and up to seven (7) members shall serve four (4) year terms, beginning June 1, 2017. Further, the Governor shall designate the Chairperson and the Vice Chairperson to serve until the first regular meeting of the Fiscal Year 2018-2019.

The State Advisory Council for Exceptional Children is comprised of 15-21 voting members appointed by the Governor, the majority of whom shall be individuals with disabilities or parents of children with disabilities ages birth through 26, including:

- Two individuals with disabilities or exceptional needs;
- One parent of an exceptional child ages birth through 12 years;
- One parent of an exceptional child ages 13 through 26 years;
- One elementary special education teacher;
- One middle or secondary special education teacher;
- One higher education member who trains and prepares special education teachers;
- One private sector administrator of programs for exceptional children;
- One local education administrator of programs for exceptional children, who shall also be experienced with the McKinney-Vento Act;
- One child welfare agency member responsible for foster care;
- At least one representative of state juvenile or adult correction agencies involved in the delivery of services to disabled children;
- One state education official who carries out activities associated with the McKinney-Vento Homeless Assistance Act;
- At least one state agency member involved in the financing or delivery of services to children with disabilities;
- One member of vocational, community or business organizations concerned with the provision of services to disabled children;
- At least one representative of private schools or public charter schools; and
- Up to six additional members meeting the requirements of the Individuals with Disabilities Act (IDEA) as articulated in 20 USC 1412.

By virtue of the authority vested by Public Law 94-142 and Executive Order 2017-364, and Executive Order 2017-625, Matthew G. Bevin, Governor of the Commonwealth of Kentucky, appointed the following as members of the State Advisory Council for Exceptional Children:

Anita Carol Dowd, Lawrenceburg, representing individuals with disabilities or exceptional needs. Ms. Dowd shall serve for a term expiring June 30, 2019;

Julie Ann Rubemeyer, Erlanger, representing parents of an exceptional child ages birth through 12 years. Ms. Rubemeyer shall serve for a term expiring June 30, 2019;

William Hadaway Greer, Bowling Green, representing parents of an exceptional child ages 13 through 26 years. Mr. Greer shall serve for a term expiring June 30, 2019;

Anna Katherine Light, Somerset, representing elementary special education teachers. Ms. Light shall serve for a term expiring June 30, 2019;

Donald A. McCormack, Louisville, representing middle or secondary special education teachers. Mr. McCormack shall serve for a term expiring June 30, 2019;

Eric Wesley Umstead, Murray, representing higher education members that prepare special education teachers. Dr. Umstead shall serve for a term expiring June 30, 2019;

Libby Ellen Suttles, Danville, representing private sector providers of programs for exceptional children. Ms. Suttles shall serve for a term expiring June 30, 2019;

Amber Nicole Barnes, Mt. Eden, representing individuals with disabilities or exceptional needs. Ms. Barnes shall serve for a term expiring June 30, 2020;

Melissa Spalding Knight, Lebanon, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Knight shall serve for a term expiring June 30, 2020;

Amy Sue Folker, Frankfort, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Folker shall serve for a term expiring June 30, 2020;

Leisa Carol Hutchison, Bowling Green, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Hutchison shall serve for a term expiring June 30, 2020;

Tricia Shawn Gibbons, Louisville, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Gibbons shall serve for a term expiring June 30, 2020;

Danny Kay Hughes, Monticello, representing members meeting requirements of the Individuals with Disabilities Act. Mr. Hughes shall serve for a term expiring June 30, 2020;

Stephanie Michelle Knipper, Independence, representing members meeting the requirements of the Individuals with Disabilities Act. Ms. Knipper shall serve for a term expiring June 30, 2020;

Kimberly Ann Chevalier, Union, representing public school administrators of programs for exceptional children. Ms. Chevalier shall serve for a term expiring June 30, 2021;

Adria Elaine Johnson, Louisville, representing child welfare agency members responsible for foster care. Ms. Johnson shall serve for a term expiring June 30, 2021;

Carey Cockerell, Georgetown, representing members affiliated with juvenile correction or transitional services. Mr. Cockerell shall serve for a term expiring June 30, 2021;

Joseph Lee Hamilton Jr., Louisville, representing members experienced with the McKinney-Vento Homeless Assistance Act. Mr. Hamilton shall serve for a term expiring June 30, 2021;

Margretta Gayle Hylton, Cannel City, representing state agency members involved with the financing or delivery of services to children with disabilities. Ms. Hylton shall serve for a term expiring June 30, 2021;

Barry Dale Lee, Yosemite, representing members of vocational, community or business organizations concerned with the provision of services to disabled children. Mr. Lee shall serve for a term expiring June 30, 2021 ;

Brent Douglas Hutchinson, Emmalena, representing members of a private schools or public charter schools. Mr. Hutchinson shall serve for a term expiring June 30, 2021.

The Governor designated **Barry Lee as chair** and **Anna Light as vice-chair**.

By virtue of the authority vested Public Law 94-142 and Executive Order 2017-364, and Executive Order 666, Matthew G. Bevin, Governor of the Commonwealth of Kentucky, appointed the following as a member of the State Advisory Council for Exceptional Children to replace Joseph Hamilton, Louisville, who has resigned:

Ravonne Lee Sims, 6210 Elizabeth Court, Prospect, Kentucky 40059, representing members involved with adult corrections. Ms. Sims shall serve for a term expiring June 30, 2021.

YEAR IN REVIEW

Meeting Locations Fiscal Year 2017-2018:

October	10-11	Lake Cumberland State Resort Park Jamestown, KY
November	19-21	52 nd Annual Exceptional Children's Conference The Galt House, Louisville, KY
March	1-2	Capital Plaza Hotel Frankfort, KY

June

11

Barren River Lake State Resort Park
Lucas, KY

Meetings: The activities of the council are governed by its by-laws which were established at March 1-2, 2018 Meeting.

During the 2017-2018 fiscal year the State Advisory Council for Exceptional Children met four times to discuss items to advise the Department of Education, Board of Education, Education Professional Standards Board, and School Curriculum, Assessment and Accountability Council of unmet needs and desired program changes within the Commonwealth related to the education of children with disabilities.

The council met in four locations throughout the state to allow multiple stakeholder groups the opportunity to participate with the panel and attend the public hearings. All meetings are advertised and open to the public. The background workings of the council (Reservations, copies, technology, etc) is supported by **Joseph McCowan Systems Consultant IT, Division of Learning Services, KDE**

To keep council members were kept current on activities for children and youth with disabilities in the Commonwealth and updates were provided at each meeting by **Gretta Hylton, Director Division of Learning Services, Kentucky Department of Education.**

In October 2017, the newly appointed Council met at the Lake Cumberland State Resort Park in Jamestown, Kentucky to begin to establish the goals and work of the council.

A Public Hearing was advertised and held during all meetings to allow an opportunity for public input from parents of children with disabilities, professionals, education leaders and other interested citizens regarding any issues in the education of children and youth with education disabilities. Speakers were mainly parents.

Committee Work: One of the first activities for the year was to understand the role of SACEC and to advise KDE in the area of Significant Disproportionality and CEIS Review and was provided support by **Chris Thacker, Technical Assistance Specialist with the Human Development Institute (HDI) at the University of Kentucky and Jerrod Slone, Intervention Consultant, KDE.**

The worked to assist in following timeline

June-October 2017

States must meet with stakeholders to develop:

- Reasonable risk ratio thresholds
- Reasonable cell sizes
- Reasonable n-sizes
- Reasonable progress
- Number of years of data to be used for designation

- Justification for each of the items above

August-December 2017

- State to review and revise policies and procedures necessary to comply with the new regulations.

January-March 2018

- Public hearings and opportunity for comment on new policy and procedures.

The Kentucky ratio right now is 3. The council's task was to determine needs to decide if that is appropriate. They also need to decide on what is "reasonable" progress. There is no suggestion provided by law and no good studies. Most states are at 3 years.

The council met in November at the 52nd Annual Exceptional Children's Conference in Louisville, KY, to continue the orientation for SACEC and to advise KDE on the significant disproportionality. During the meeting the council was trained on the role and purpose of the council.

The role of the council is to provide advice. SACEC advises the Department of Education, Board of Education, Education Professional Standards Board, School Curriculum Assessment and Accountability Council. The last 4 are different in Kentucky than other states.

After hearing numerous presentations about the calculation of significant disproportionality, the Council voted to recommend the following counts to KDE:

- Cell size=10
- n-size=30
- risk ratio threshold=3.0
- reasonable progress=0.05
- number of years of flexibility=3

The work of the council continued in 2018 with two additional meetings. The goal by the end of the year for the new council was to establish by-laws, begin to have an understanding of programs and supports for students with disabilities, and to elect an executive council.

October 2017 Major Agenda Items and Presenters:

SACEC Purpose and Duties

- Todd Allen, Deputy General Counsel, Office of Legal, Legislative and Communication Services, KDE

KDE SAPEC history and structure of KDE and DLS

- Gretta Hylton, KDE
- Debbie Mays, Manager, Diverse Learners, DLS, KDE

Significant disproportionality and CEIS Overview

- Chris Thacker, Technical Assistance Specialist, Human Development Institute (HDI), University of Kentucky

- Jarrod Slone, Intervention Program Consultant, Division of Learning Services, KDE

Significant disproportionality and CEIS formulas and impact

SACEC processes and 2018 meeting schedule

SACEC Open Forum

Significant disproportionality and Coordinated Early

Intervening Services (CEIS) feedback

- KDE Team

KDE Update

- Gretta Hylton

Cooperative update

- Stephanie Little, Director, Kentucky Educational Development Corporation (KEDC)

November 2017 Major Agenda Items:

SACEC Orientation Training and Priority Setting

- Shauna Crane, Associate Director Technical Assistance for Excellence in Special Education (TAESE)

Hal Heiner, Secretary, Kentucky Education and Workforce Development Cabinet

Data Analysis Overview of Significant Disproportionality and CEIS for Kentucky

- Susan Wagner, TAESE Data Analyst Data Driven Enterprises

Significant Disproportionality Data Scenarios

- Susan Wagner, TAESE Data Analyst Data Driven Enterprises

Data Analysis and SACEC Recommendations

- Susan Wagner

Council Planning

KDE Update

- Gretta Hylton, Director, Division of Learning Services, KDE

KDE Strategic Plan/State Systemic Improvement Plan (SSIP) update

- Amanda Waldroup, Division of Learning Services, KDE
- Veronica Sullivan, Division of Learning Services, KDE

State Performance Plan/Annual Performance Report (SPP/APR) update

- Debbie Mays, Manager, Diverse Learners Branch, Division of Learning Services, KDE

Cooperative Update

- Melissa Reynolds, Regional DoSE, Southeast/Southcentral Education Cooperative

Open Forum

March 2018 Major Agenda Items:

Question and Answer Session with the Commissioner

- Stephen L. Pruitt, Commissioner of Education

Operational SACEC Duties

- Review By-laws
- SACEC Officer and Committee Overview
- 2018 meeting schedule

KDE Due Process Update

- Todd Allen, Deputy General Counsel Office of Legal, Legislative and Communication Services, KDE

Transition Services Presentation

- Elizabeth Theisen, Certified Counselor Office of Vocational Rehabilitation (OVR) Education and Workforce Development Cabinet

Update about the work of KY-SPIN

- Stella Beard, Education and Outreach Coordinator KY-SPIN, Inc.

SACEC Committee Development Discussion

SACEC Committee Member Assignment

KDE Update

- Gretta Hylton, Director, Division of Learning Services, KDE

Diverse Learners Branch Update

- Debbie Mays, Manager, Diverse Learners Branch, Division of Learning Services, KDE

Cooperative Update

- Latricia Bronger, Jefferson County Exceptional Child Education Services Cooperative

Open Fourm

June 2018 Major Agenda Items:

KDE Update: Mission, Vision and Commissioner's Priorities

- Gretta Hylton, Director, Division of Learning Services, KDE
- Veronica Sullivan, Assistant Director, Division of Learning Services, KDE

Division of Learning Services Update

- Debbie Mays, Manager, Diverse Learners, DLS/KDE

Significant Disproportionality

- Chris Thacker, Technical Assistance Specialist Human Development Institute (HDI), University of Kentucky

Annual Determinations

- Joe McCowan, Systems Consultant IT, Division of Learning Services, KDE

Cooperative Update

- Christel Bogar, Director, Ohio Valley Educational Cooperative (OVEC)

Adverse Childhood Experiences Training

- Barry Lee

SACEC Election of Officers

Executive Committee Members

Chair: Barry Lee

Vice-Chair: Anna Light
Secretary: Tricia Gibbons
Member-at-large: Melissa Knight
Member-at-large: Bill Greer

Outcomes for SACEC

- 1. Advise the Department of Education, Board of Education, Education Professional Standards Board, and School Curriculum, Assessment and Accountability Council of unmet needs and desired program changes within the Commonwealth related to the education of children with disabilities, including the suggestion of corrective action plans and personnel development needs;**

After hearing numerous presentations about the calculation of significant disproportionality, the Council voted to recommend the following counts to KDE:

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- 2. Review and comment on rules or regulations proposed by the Commonwealth relating to the education of children with disabilities and the procedures for distribution of funds under Part B of Public Law 101-476;**

SACEC Orientation Training and Priority Setting

- Shauna Crane, Associate Director Technical Assistance for Excellence in Special Education (TAESE)

Data Analysis Overview of Significant Disproportionality and CEIS for Kentucky

- Susan Wagner, TAESE Data Analyst Data Driven Enterprises

Significant Disproportionality Data Scenarios

- Susan Wagner, TAESE Data Analyst Data Driven Enterprises

Data Analysis and SACEC Recommendations

- 3. Review and comment on written findings of fact and decisions from due process hearings, including other reports issued by federal and state authorities relating to exceptional children;**

This is an area that SACEC will implement into the agenda for all future meetings starting in the 2018-2019 year

- 4. Advise the Kentucky Department of Education, the Justice Cabinet and other public agencies on eligible students with disabilities in state and local prisons;**

SACEC is still seeking guidance on how to properly advise in this area

5. Provide opportunities for public input through regularly scheduled public hearings or during general meetings.

The council met in four locations throughout the state to allow multiple stakeholder groups the opportunity to participate with the panel and attend the public hearings. All meetings are advertised and open to the public.

It was a pleasure serving as Council chair for 2017-2018. Over the course of 2017-2018 all members have learned our role and how we can work for better opportunities for children and youth with disabilities. I look forward to serving another term as Chair for the 2018-2019 State Advisory Council for Exceptional Children.

Barry D. Lee