

**COUNCIL ON EDUCATIONAL SERVICES
FOR EXCEPTIONAL CHILDREN**

NC State Advisory Panel

2007-2008 ANNUAL REPORT

Dr. Jane Young, Chairperson

Staff support provided by the
**North Carolina Department of Public Instruction
Exceptional Children Division**

Mary N. Watson, Director

2007 – 2008 ANNUAL REPORT

COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION EXCEPTIONAL CHILDREN DIVISION

Dr. Jane Young, Chairperson

The Council on Educational Services for Exceptional Children (CESEC) is established in accordance with Section 300.167-300.169 of the federal regulations, Section 1412(a)(21) of the Individuals with Disabilities Education Act (IDEA 2004) and Section 115C-121.1 of the North Carolina General Statutes as the State Advisory Panel to the State Board of Education. The purpose of the Council is to:

- Advise the Board of unmet needs within the State in the education of children with disabilities;
- Comment publicly on rules and regulations proposed by the Board regarding the education of children with disabilities;
- Assist the Board in developing evaluations and reporting on data to the United States Secretary of Education as required by IDEA;
- Advise the Board in developing corrective action plans to address findings identified in federal monitoring reports required by IDEA;
- Assist the Board in developing and implementing policies related to the coordination or services for students with disabilities; and
- Carry out any other responsibilities as designated by federal law or the State Board of Education.

MEMBERSHIP

The Council currently has a membership of twenty-three (23) individuals. Two members are appointees of the Governor. Two members are appointees of the President Pro Tempore of the Senate and another two of the Speaker of the House. The thirteen (13) appointees of the State Board of Education represent: individuals with disabilities; parents of children with disabilities; teachers; 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; administrators of programs for children with disabilities; representatives of private schools and public charter schools; and a representative of a vocational, community or business organization concerned with the provision of transition services to children with disabilities. Four (4) State agency members represent the Departments of Public Instruction, Health and Human Services, Juvenile Justice and Delinquency Prevention, and Correction. Twelve (12) of the twenty-three members are parents of children with disabilities, and one (1) member is an individual with a disability. Recommendations for vacancies and term expirations have been submitted.

The term of appointment for members appointed by the State Board of Education is for four years. All other terms are for two years. A complete list of the members and their terms of office as of the beginning of the 2007-2008 school year can be found at the end of this report.

The Council met four times during the 2007-2008 year: September 12, 2007, December 12, 2007, March 19, 2008, and June 11, 2008.

2007-2008: Year-in-Review

End of Year Reports for Dispute Resolution (7/1/06-6/30/07)

A. Mediation Program

The total number of mediations requested was 116 and the total number of those held was 59. Reporting to the Office of Special Education Programs (OSEP) requires a breakdown of mediations related to a due process hearing and those without a hearing. Those numbers are as follows:

- Mediations related to due process hearing- 7 held (4 reached agreement; 3 did not reach agreement).
- Mediations not related to a due process hearing – 52 held (45 reached agreement; 7 did not reach agreement).

This represents a success rate of 83% of mediations held reached agreement.

The 2005-06 success rate was 71% and the 2004-05 success rate was 84%.

B. IEP Facilitation Program

The total number of requests was 217 and the total facilitated IEP team meetings held was 162. Of those, 99% reached full or partial consensus. Participant feedback data was extremely positive.

C. Complaint Investigations

A total of 70 letters of complaint were received, of which 48 resulted in a completed investigation. Of the 48 completed complaint investigations, 33 resulted in findings of noncompliance and required corrective action. The remaining 15 cases resulted in no findings of noncompliance.

Four (4) complaints were issued beyond the 60 calendar day requirement.

D. Due Process Hearings

A total of 48 Petitions for Due Process Hearings were filed with the following breakdowns:

- 30 cases were withdrawn and closed without a hearing due to the following:
 - 24 resolution sessions were held resulting in agreements
 - 6 mediation sessions were held resulting in agreements
- 2 decisions were rendered after a hearing.
- 1 case was dismissed.
- 2 cases remained open at the end of the year.

Literacy Consultants

The Council received and reviewed the five-year report of the State Improvement Project (SIP). The focus of the SIP grant is reading, writing and math; recruitment and retention of highly qualified teachers; increasing graduation rates and decreasing drop out rates; and promoting parent involvement.

State Performance Plan (SPP) and Annual Progress Report (APR)

The 20 Indicators for the SPP were reviewed with the Council. The SPP is analogous to a 6-year IEP for the state and the APR is our annual review of progress made toward our targets. As stakeholders, input was solicited from Council members regarding setting the State targets for Indicators 16, 17, 18 and 19. Dr David Test reported on the data collection for Indicator 14 (post-secondary outcomes). The Potsdam Institute for Applied Research is a national call center and it is conducting the random sample calls to collect post school data relative to graduation, drop out and transition. The 2006-07 data were reported to OSEP by the February 1, 2008 due date.

NC Virtual Public Schools

John Brim, Chief Operating Officer of the NC Virtual Public Schools (NCVPS), presented information on NCVPS and the Learn and Earn program. DPI has offered online courses since 2003. The NCVPS is a supplementary online program for high schools and includes interaction with the online course instructor. The program provides an opportunity for students to recover credits or to take courses that they may not otherwise be able to take, such as accelerated courses, second languages and courses that the LEA would not otherwise be able to offer due to financial reasons. During the 2006-07 school year, there were 1,539 students in accelerated courses and 5,451 students in credit recovery. NCVPS is in the process of addressing Section 504 and IDEA compliance issues, as well as Section 508 requirements for web pages to be accessible.

State Policies, Guiding Practice and Forms

The NC *Policies Governing Services for Children with Disabilities* were approved by the State Board of Education on November 1, 2007. The *Policies* reflect only the law, while the *Guiding Practices* document best practices. New forms have been developed to reflect changes in the law with the 2004 reauthorization.

Service Delivery Model for Students with Visual Impairments and/or Hearing Loss

Tom Winton, DPI Section Chief of Instructional Support and Related Services, reported on the results of the legislative directive to DPI and DHHS to evaluate the current service delivery model to students with vision loss and or hearing loss and to determine if management should be transferred to DPI. The UNC Chapel Hill School of Government was contracted to: review how well the current model meets the federal and state legal mandates; identify the current service delivery model; give an overview of national best practices in service delivery; and report what the stakeholders believe is appropriate in educating students with visual and/or hearing losses. Recommendations of DHHS and DPI were to establish two task forces with a one year reporting period. One will examine how FAPE is ensured for visually impaired and hearing impaired students (viability of residential schools in continuum of services). The second task force will examine administrative issues.

Committees of the Council

Pollye Pruitt, Consultant for Dispute Resolution, and Jana Griggs, EC Director of Buncombe County Schools and Council member, attended the Mid-South Interagency Coordinating Council and State Advisory Panel Regional Meeting in April of 2008. Ms. Pruitt presented materials and information from the meeting regarding how other states structure and use their State Advisory Panels. From the discussions that followed, three committees were formed, i.e. By-laws, Public Relations (print materials) and Meetings. Each committee will present recommendations to the Council at the September 2008 meeting.