

**COUNCIL ON EDUCATIONAL SERVICES  
FOR EXCEPTIONAL CHILDREN**

**NC State Advisory Panel**

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**2010-2011 ANNUAL REPORT**

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**Nicole Jimerson, Chairperson**

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

**Mary N. Watson, Director**

## **2010 – 2011 ANNUAL REPORT**

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

**Nicole Jimerson, 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 of 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-four (24) 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 fourteen (14) 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; a representative of a vocational, community or business organization; and a general education administrator 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-four (24) 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 four years. All other terms are two years. A complete list of the members and their terms of office as of the beginning of the 2010-2011 school year can be found at the end of this report.

The Council meets four times a year. During the 2010-2011 year, meetings were held on September 15, 2010; March 16, 2011; and June 15, 2011. The December 16, 2010 meeting was cancelled due to inclement weather.

## 20010-2011: Year-in-Review

### 7/1/09-6/30/10 End of Year Reports for Dispute Resolution

The Council members reviewed the previous year's data for dispute resolution and submissions for the Annual Progress Report (APR).

#### **A. Mediation Program**

The total number of mediations requested was 64 and the total number of mediations held was 39. Reporting to the Office of Special Education Programs (OSEP) requires a breakdown of mediations related to a due process hearing and those not. Those numbers are as follows:

- Mediations related to a due process hearing- 12 held (7 reached agreement- 58%; 5 did not reach agreement).
- Mediations not related to a due process hearing – 27 held (21 reached agreement- 78%; 6 did not reach agreement).

72% of total mediations held reached agreement in 2009-10 [success rate for previous years was: 2008-09 =83 %; 2007-08 = 68%; 2006-07= 83%; 2005-06 = 73%; and 2004-05 = 84%].

#### **B. IEP Facilitation Program**

The total number of requests was 105 and the total facilitated IEP team meetings held was 65. Of those, 69% reached full consensus, 28% reached partial consensus, and 3% did not reach consensus. Participant feedback data remains extremely positive.

#### **C. Complaint Investigations**

A total of 75 letters of complaint were received, of which 51 resulted in a completed investigation. Of the 51 completed complaint investigations, 42 resulted in findings of noncompliance and required corrective action; 44 reports were completed within the 60-day timeline and 6 were completed within an extension to the timeline (98% compliance).

#### **D. Due Process Hearings**

A total of 54 Petitions for Due Process Hearings filed with the following breakdowns:

- Hearings conducted - 2
- Mediated agreements reached - 6
- Resolution Sessions held within 15-day requirement - 28
  - Resolution agreements reached - 18

### **Occupational Course of Study** (9/10)

Freda Lee, DPI Consultant, explained the changes to the OCS following the US DOE letter to June Atkinson notifying DPI that the Extend2 assessments used for NCLB reporting purposes were not aligned closely enough with the assessments for general education students. Approximately 97% of students with disabilities are enrolled in the Standard Course of Study (SCOS); 1% of SWD access the SCOS via the Extended Content Standards and 2% access the SCOS through the Occupational Course of Study at the high School level. The new OCS standards have been aligned with the common core

for math, English/language arts and science. Social studies will be revised after the general education social studies curriculum is finalized. DPI and the NC Virtual Public School are piloting three new blended online courses for the OCS curriculum.

### **Race to the Top (RttP)**

Marie Pitre-Martin, Director of the Curriculum and Instruction Division at DPI, reviewed the RttT initiative which focuses on building capacity, developing an infrastructure and creating sustainable reform. The ultimate goals are increased graduation rates, student achievement, and preparing all students to be career and college ready. All LEAs must have a professional development leadership team (9-13 members). The focus areas are technology, personnel, strategic staffing and professional development.

### **Changes to Deaf/Hard of Hearing and Visual Impairment Services**

Tom Winton, Section Chief at the EC Division, presented on the changes generated from the General Assembly budget bill relative to the two schools for the deaf and one school for the visually impaired. Effective June 1, 2001, all three residential schools were transferred to DPI from the Department of Health and Human Services. With that, nineteen (19) positions transferred to DPI. 97% of students with visual impairments and deaf or hard of hearing impairments attend their local school system. Student populations at the residential schools are as follows: School for the Deaf in Morganton – 80; Eastern School for the Deaf – 80; and Governor Morehead School for the Blind – 50. Further, the General Assembly ordered that one of the schools be closed. A comprehensive analysis is being planned for making that determination.

### **State Performance Plan (SPP)/Annual Performance Report (APR)**

Nancy Johnson, State Performance Plan Consultant for the EC Division, provided an overview of the current data on the Indicators and reviewed the proposed revisions to the SPP/APR, including extending improvement activities and targets through 2012. The SPP and APR were submitted in a timely manner on February 2, 2011. The 2008-09 graduation rates were 56% (within four years) and 63.5% (within five years). The federally set target is 85%. The NC dropout rate has decreased to 7.1%.

### **Occupational Course of Study (6/11)**

Bill Hussey, EC Director of Alamance County Schools and Dr. Nellie Aspel, EC Director of Cleveland County Schools, led a discussion regarding the changes to the Occupational Course of Study (OCS). A demonstration was made of the new blended online module for OCS English. These new courses meet the requirement for highly qualified teacher of record for all core content areas (English, math, science and social studies). While many positive features were noted, the following concerns were noted: a misconception persists that the new blended OCS/NC Virtual Public School courses are designed and delivered in the same way as traditional NCVPS classes; students taking the OCS Algebra, English and Biology classes must take the standard EOCs; a need remains for more general education core content teachers teaching the OCS/NCVPS classes; the cost of the OCS/NCVPS courses to LEAs; and parents not fully understanding all the post-school ramifications of participating in the OCS, i.e. students not prepared for entry into a four year college.

**Ideas for action from Council discussion**

- Collaboration/communication between Council of Administrators of Special Education (CASE) and CESEC; Bill Hussey will take this suggestion to CASE leadership.
- Revise EC website to present information in a user friendly, accessible manner.
- Ascertain the number of active LEA parent advisory panels; and collaborate with the LEA advisory panels.
- Conduct a session at the EC Conference in November on “Parent Involvement and Student Outcomes” (activities pursuant to Indicator 8 data reports).
- Move Agency Updates report to the beginning of the meeting.
- Strengthen relationship with SBE; Council members will check the SBE website for upcoming issues before the Board; SBE members will be invited to Council meetings; Council members are encouraged to attend SBE meetings.
- Conduct a session at the EC Conference in November for parent feedback, i.e. a forum for gathering information regarding unmet needs of SWD.
- Establish subcommittees for issues such as, parent involvement; SBE/CESEC relationship; CASE/CESEC.
- Draft letter objecting to OSEP’s testing provision for only 1% of the total population of SWD.