

MONTGOMERY COUNTY BOARD OF EDUCATION COMMITTEE ON SPECIAL POPULATIONS

November 7, 2008

The meeting was called to order at 9:00 a.m. with the following Board members and Board support staff present: Shirley Brandman (chair), Sharon Cox, Laura Steinberg, and Glenda Rose (recorder).

Staff and invited guests: Judy Pattik, Carey Wright, Gwen Mason, Steve Zagami, Alison Steinfels, Holli Swann, David Patterson, and Kay Romero.

Minutes

The minutes from September 10, 2008, were approved.

Update on Special Education Litigation Expenses

Staff presented the committee with a summary of special education appeals including applications filed (mediation and hearing), outcomes, Maryland State Department of Education (MSDE) complaints, and costs. According to staff, the number of cases has decreased over the years due to increased collaboration, proactive problem solving, and professional development. However, staff indicated that litigated cases are increasingly complex and require a number of days to mediate or settle through the hearing process. Staff also advised that the shifting of the burden of proof has resulted in appellants putting on longer initial cases that often require more lengthy response.

Staff reviewed the MCPS processes in place prior to litigation. There is a dispute resolution committee that triages cases to determine if there are individual or systemic issues that can be resolved. This committee has representatives from many different MCPS areas. The committee review looks at alternatives to litigation. If there is a need to make a systemic change, staff addresses these issues through professional development and added resources.

Most cases involve parents seeking private placement, IEP or FAPE services not provided, evaluation not completed on time, and procedural violations. The MSDE cases are mostly procedural and, when MCPS loses a case, there is an effort to ameliorate the situation with corrective procedures.

Staff has monthly meetings to keep issues on the radar screen in order to be proactive in their action plans. Also, there are random record checks in the schools followed by reviews and audits with the school principal and the Office of School performance (OSP). The disproportionality of coding students and suspension rates are targeted for review. There is also a database for information on suspensions, schools, and trend data.

Members of the committee suggested that there be a process for publishing the data regarding special education litigation. The Committee also discussed the need to develop a process for feedback from parents.

Action/Followup:

- Develop feedback loop for parents
- Collect trend data to verify appropriate programming
- Share information with principals
- Enumerate cases where the student was never in MCPS
- Collect data on fiscal management trends and subsidiary costs
- Follow graphically what is going on

Alternative Programs

As requested from the previous meeting, Mr. Zagami provided the committee with the following information:

<u>Enrollment on October 31, 2008</u>	
Emory Grove	52
Fleet Street	14
Glenmont	9
Hadley Farms	17
McKenney Hills	33
Phoenix at Emory Grove	7
Phoenix at McKenney Hills	5
Randolph	36
Karma	13

The committee inquired about students receiving services, and how those students are identified. Staff explained that students are referred to Alternative Programs, Level 2 and 3, through the schools after school-based intervention fails (Alternative Programs, Level 1). Level 1 Alternative Programs are located in every secondary school. The pupil personnel worker (PPW) and alternative teacher make the recommendation. There has been and will continue to be review teams to examine the requests and provide feedback for approval or revision of instructional plans and recommendations.

The committee asked about evaluation of the program or how does the system know when Alternative Programs are successful. Staff explained that the Level 1 program is run in the school and is overseen by the principal and OSP. The students enrolled in the Level 2 and 3 programs have exit criteria to indicate successful completion of the program with an extensive database. Furthermore, these students receive grades, assessments, and HSA scores.

The committee wanted to know how staff ascertains that a plan is good but not effective for Level 1 alternative students. Staff replied that OSP gives a packet to school staff and monitors Level 1. Furthermore, the Positive Behavior

Intervention and Support (PBIS) framework provides a database for office referrals, behavior issues, suspensions, and a tracking system for alternative program students in order to provide strategies for teachers. Also, the system is working with the Collaboration Council to provide individualized wraparound services for students and their families.

The committee inquired about the success of students after they return to their home school and is there follow up or tracking. Staff replied that the PPW continues to work with the students. The committee asked how long the PPW follows up with the student, and how many of these students receive diplomas.

When this item is rescheduled, OSP staff will be invited to attend.

Action/Followup:

- Prepare gap analysis
- Verify the best model for MCPS
- Review professional development based on the model with school counselors
- Review Alternative Programs (Level 1) and have an A&S meeting with principals
- Review data for Alternative Programs (Levels 2 and 3) for the long-term and short-term
- Analyze the connection with OSP and monitoring
- Update at the end of the school year
- Share the packets sent to principals
- Track students that graduated or dropouts
- Enumerate where interventions are appropriate but not effective

Central IEP Referral Trends

This item was deferred to a later meeting.

Review of MSA Data for Special Education Students

Staff presented a handout that indicated the following:

MSA Reading Spring 2008 -- Grades 6 through 8

LAD / 15+ hours		Resource / 15 hours		Transitioning Students		Total	
NTested	%Proficient	NTested	%Proficient	NTested	%Proficient	NTested	%Proficient
947	49.1	60	78.3	55	20.0	1,062	49.2

MSA Math Spring 2008 – Grades 6 through 8

LAD / 15+ hours		Resource / 15 hours		Transitioning Students		Total	
NTested	%Proficient	NTested	%Proficient	NTested	%Proficient	NTested	%Proficient
948	26.5	60	60.0	53	.0	1,061	27.0

Staff explained that in 2007 more students were basic, and there has been a slight improvement with students reaching proficiency. The committee wanted to know if there were more students that were nearing proficiency, and staff agreed to provide the information.

In order to bring students to proficiency, there is a need to increase the rigor and pace of the curriculum for students with disabilities. Mandatory professional development with more instructional strategies is an essential part of teaching math to the students.

Case managers for students transitioning from secondary learning centers review how the students are doing and provide changes in schedules and interventions as soon as there is a need. Staff remains committed to ensuring that students to have access to general education curriculum and qualified instructors. Literacy and math coaches are working with special educators to implement and design instruction.

Action/Followup:

- Review the “cut scores” to determine how close students are to proficiency
- Provide HSA data

Position Paper on the Alt-MSA

This item was deferred to a later meeting.

NEXT MEETING

The next meeting of the committee will be held on December 19, 2008, at 9:00 a.m. in Room 120.

The meeting adjourned at 11:00 a.m