State Advisory Panel

September 18, 2019

Minutes

**Present:**

Libby Stone-Sterling

Christine Sullivan

Carrie Woodcock

Cheryl Neiverth

Gwen Sartoris

Erin Frazier

Brian Cavanaugh

Nancy Lander

Courtney Angelosante

Sherreccia Jackson

Jodie Hall

Ann Belanger

Jeannette Sedgwick

Shawn Collier

Artulean McKenna

Valerie Mattes (via conference line)

**1. Introductions**

**2. Department of Education and Disproportionality – Shawn Collier**

**A.** The Department has been comparing students’ risk of one race to the risk of other races/ethnicities combined to determine disproportionality in areas of identification and discipline.

**B.** If a district is identified as being significantly disproportionate, they must identify what contributes to that risk and must set aside 15% of their IDEA funds to address the disproportionality.

**C.** The risk-ratio is the extent of disproportionality outcome of one racial group compared to all others.

**D.** The cell-size is the minimum number of students required before risk-ratio is required to be calculated.

**E.** Thresholds are set to avoid misrepresented data if there is not enough information to compare.

**F.** Maine’s current cell size is 10 (numerator) and the *n* size is 30 (denominator).

**G.** Maine’s alternate risk-ratio is 3 – number compared to the State-wide risk.

If there is only one group represented in a district, there stands a chance for misrepresented severe disproportionality.

**H.** Multi-year flexibility looks across 3 years to determine a disproportionality rate.

**I.** Reasonable progress states that districts don’t have to be identified as signifyingly disproportionate if they have made reasonable progress to reduce their disproportionate rates through each group.

**J.** How progress is being measured is not a fixed figure federally – some states have chosen percentages; others have chosen specific numbers and those numbers vary from State to State.

**K.** The rate of disproportionality is based on 14 key items:

I.) Identification of children ages 3–20 as children with disabilities

II.) Intellectual disabilities

III.) Specific learning disabilities

IV.) Emotional disturbance

V.) Speech or language impairments

VI.) Other health impairments

VII.) Autism

VIII.) Placement of children with disabilities ages 6–20 in the regular ed classroom less than 40% of the day  
IX.) Placement of children with disabilities ages 6–20 in separate schools and residential facilities (not including homebound or hospital, correctional facilities or private schools)  
X.) For children with disabilities ages 3–20, out-of-school suspensions and expulsions of 10 days or fewer  
XI.) For children with disabilities ages 3–20, out-of-school suspensions and expulsions of more than 10 days

XII.) For children with disabilities ages 3–20, in-school suspensions of 10 days or fewer

XIII.) For children with disabilities ages 3–20, in-school suspension of more than 10 days  
XIV.) For children with disabilities ages 3–20, total disciplinary removals, including in-school and out-of-school suspensions, expulsions, removals by school personnel to an interim alternative education setting, and removals by a hearing officer

**L.** The following race/ethnic groups are identified by parents and examined for disproportionality:

I.) Hispanic/Latino  
II.) American Indian or Alaska Native  
III.) Asian  
IV.) Black or African American  
V.) Native Hawaiian or Other Pacific Islander  
VI.) White  
VII.) Two or more races

**J.** Maine currently does not use Reasonable Progress or Multi-Year Flexibility. However, increasing the ratio number to 3.5 and using the Multi-Year Flexibility model would decrease the number of significantly disproportionate districts from 11 to 0. Only decreasing the ratio number to 3.5 and not adjusting the model used would decrease it to one district, that may be improperly measured as disproportioned.

***Open comment on Disproportionality:***

**A.** Compared to similar states, Maine has a low disproportionality rate.

**B.** If they are found to be significantly disproportionate, districts must use 15% of Federal funds to correct the problem. This can be done through:

I. Compensation and early intervention efforts

II. Supporting children who aren’t identified but need some added assistance in general education

III. Children currently identified

**D.** The data used for these reports are collected from the October enrollment counts.

**E.** Parents usually identify which race or ethnicity the student identifies as during enrollment.

**F.** Maine uses the most common cell, *n*, and ration size numbers (10, 30 and 3 respectively)

**G.** Under the current model, 11 Districts in Maine were found significantly disproportionate last year.

**E.** Brainstorming over possible solutions and issues with this system:

I. Possibly using the multi-year flexibility

II. Technical assistance should be offered for Districts on what they can use the 15% to make the fund effective.

III. Districts do not have the ability to challenge a finding of disproportionality

***Voting on a new model will occur at the next meeting with the voting options as:***

***To raise risk-ratio to 3.5 and use the multi-year flexibility***

***Raising just the risk-ration to 3.5***

***Raising the risk-ration to 3.5 and using the multi-year flexibility for one year***

***Keep the model used and risk-ration number as is***

**3. Membership update – Ann Belanger**

**A.** Aroostook County, Western Maine, Penquis Region (Penobscot and Piscataquis counties) and Washington county are missing representation on the Panel.

**B.** Appointments have been made at random in one, two- or three-year appointment terms. Any one person representing a region or county may continue to do so if no one else in the region has expressed an interest.

**C.** By-laws will be reviewed during orientation at October’s meeting.

**D.** Appointment letters were passed out to those in attendance or emailed and mailed to members not in attendance.

**4. OSEP Determinations – Ann Belanger**

**A.** For the first time in recollection, DOE met all requirements for OSEP. This is based of several factors in:

I. Performance

II. Monitoring

II. Due process

**B.** The Department was found as Universal, regarding needing assistance from USDOE. No technical assistance is required this year but can still be sought out by the Department if the need arises.

**5. Priorities for this year – discussion**

* 1. Restraint and Seclusion
  2. PBIS group to come and present to the Panel
  3. Continued interest in the CDS bill
  4. Special educator shortage
  5. Lack of school psychologists in the State of Maine
  6. Universal Pre-K
  7. Inclusiveness in schools, including least restrictive environments
  8. Updates on post-high school education programs and transition planning (the Panel’s involvement will be limited)
  9. Social and emotional learning
  10. Connectivity of schools to Special Ed students in corrections
  11. Equity and transition resources
  12. Assessments in special ed
  13. Support positive stories

**Public Comment:**

Stephanie with the Department of Corrections was in attendance. Stephanie has vast education and psychological experience. She will be working on revamping the teacher led model at DOC.

**Meetings for 2019-2020 school year:**

October 23, 2019 – Room 103A

November 20, 2019 – Room 600

December 11, 2019 – Room 103A

January 15, 2020 – Room 103A

February 26, 2020 – Room 103A

March 18, 2020 – Room 103A

April 15, 2020 – Room 103A

May 20, 2020 – Room 103A

June 17, 2020 – Room 103A