State Advisory Panel

April 17, 2019

Minutes

Meeting came to order at: 10:09

**Present**

Libby Stone-Sterling

Anne Belanger

Jenny Clair

Carrie Woodcock

Gwen Sartoris

Cheryl Neiverth

Leanna Simao

Jodie Hall – Via phone

1. **Introductions**
2. **Advising as the goal of the SAP – Libby Stone-Sterling, Chair**

* The Panel’s role is to advise the Department of Education (“DOE”) on unmet needs and needs of the party’s each member represents.
* The State Advisory Panel (SAP) is one collective voice that is there to assist the DOE in decision making.
* In the fall, the SAP will reconvene regarding requirements and roles more in depth.

**Discussion:** Parties had discussion on how the SAP will help the greater good for children and why the SAP’s workvmatters. It was discussed and understood that the SAP is a collective voice that is there to encourage decision making in the DOE. For example, the SAP had valuable input in proficiently-based diploma bill and with MUSER changes.

1. **SAP Communications – Carrie Woodcock, Vice-Chair**

* The SAP acts as one voice, not as individual people.
* Members of the SAP should refrain from public comment on behalf of the Panel, unless it was discussed and agreed upon as a group.
* The SAP works towards the goal of having one collective, neutrally agreed upon stance on issues, before giving comment on the issue.

1. **SAP Membership and Legislative Update – Anne Belanger, Director of Department of Education Special Services**

* The SAP’s function is to advise DOE on issues that may arise.
* The Panel is put in place to be a neutral voice, that will advise and inform, not to advocate or plead as case.
* The Panel is mandated to have members of specific groups, and primarily seated by parents. The goal is to have a fair representation of the state, including target areas that are not currently represented. Some of these areas are Western Maine, Aroostook County and Down East Maine.
* Carrie suggested sending an email to the 4 regions that are currently not represented on the SAP.
* Ann proposed having membership on a rotating basis. In this proposal, members would be appointed by the Governor or Commissioner. Each member will have a seat number and end date. After the initial year of membership, members would rotate on a 3-year reappointment phase.
* After the initial membership, selection of members to renew their membership would be selected at random and in increments of one-third of the panel. This would be done until all parties are appointed, at which time the 3-year appointment rotation would occur.

1. **LD 1370 – An Act to Address Violent Behavior in the Classroom – Libby Stone-Sterling**

* LD 1370 has a public hearing scheduled on April 17, 2019 at 1:00 p.m.
* This bill requires schools to immediately investigate violent behavior and to develop an action plan for the student. It also prohibits schools from counting time away from work due to an injury resulting from violent behavior against a school employee’s sick leave.

**Discussion:** There was concern on important text that is missing from the bill, not what it does include. The was also voiced concern with the possibility that the Bill would inadvertently target special needs children. There was discussion on how the State is protecting children in this bill, as well as the employee of the school and whether or not this will increase the number of cases of seclusion and restraint. The panel also discussed the letter drafted by Brian and Courtney. There was confusion on if the letter was intended for the SAP or the Committee. The SAP does not want to take a stance for nor against this bill, they simply want to advise on violations of current laws. Ann Belanger will be attending the work session answer any special education questions and advise on (possible) violations in the bill.

1. **Dispute Resolution – Jeanette Sedgwick, Department of Education**

* Dispute resolution is to serve both the districts and parents.
* Options in dispute resolution are due process hearings, complaint investigations and stand-alone mediations.
* The Department encourages mediation as it is far less contentious than a hearing.
* Districts and parents in Maine are good about sitting down to resolve issues.
* A Due Process Hearing is a legal proceeding that ultimately ends with a third-party decision maker (an impartial hearing office) coming to a conclusion. This course of action often results in the breaking of a relationship with the district and parent.
* A Complaint Investigation is less formal than a due process hearing. This is a mainly paper based process, with the impartial complaint investigator reviewing documents provided by each party.
* Any timelines for deadlines and resolution start when the district receives it, encouraging transparency in all matters.
* DOE ensures that any corrective action mandated is taken within 1 year.
* The goal of this process is to find what is best for the child and ensure it is implemented.

**Discussion:**

* There was discussion on why mediations are kept confidential. By keeping mediations confidential, parties cannot use what is said in a later hearing or investigation. This opens communication and encourages successful resolution.
* These processes are Department funded. The mediators and hearing officers are hired and paid for by the Department. They only expense to party’s are attorneys, if they wish to hire one.

**Next SAP meeting: June 12, 2019**

**Meeting adjourned: 12:07 p.m.**