

State Advisory Committee for Children with Disabilities
NH Department Of Education
Minutes of January 8, 2014 Meeting

In Attendance: Bonnie Dunham, Senator Nancy Stiles, Mike Pinard, Candace Cole-McCrea, Kestrel Cole McCrea, Joan Holleran, Dan Ward, Catherine Meister, Heidi Cloutier, Janet Reed, Mary Ellen Pantazis, Sue Marcotte-Jenkins, Ellen Boudreau, Michelle Rosado, Dick Cohen.

Guests: Zita Bodonyi, David Boudreau, Carolyn Blasko (parent of child with disability), Santina Thibedeau-State Director, Bureau of Special Education, Alan Parady-NH Association of Special Education Administrators (NHASEA)

Agenda Item I: Welcome, Introductions and Comment from the Chair.-Bonnie Dunham

- Bonnie welcomed the group and introductions were made.
- During public comment, Bonnie recognized Alan Parady who wanted to report on an issue with a potential impact on the Medicaid to Schools Reimbursement Program. Alan discussed concerns that have been raised with the definition of “duplicative services” in the newly approved Medicaid rules, specifically with the potential for misunderstanding the meanings of two phrases, “same functionality” and “same period of time” in that definition. Alan questioned how this might impact families whose children receive Medicaid-funded services at both home and school, and whether families’ concerns may lead them to revoke their consent for their school districts to utilize their child’s Medicaid through the Medicaid to Schools program, which provides school districts with \$20 million per year to help pay for medically necessary related services for eligible children with disabilities. NHASEA will be writing a letter to the Commissioner of the NH Department of Education asking her to work with the Commissioner of the NH Department of Health and Human Services to issue a joint memorandum clarifying the issue. Alan asked SAC if we would also write a letter to the Commissioner.

Agenda Item II: Approval of minutes and Public Comment:

- Candace Cole McCrea made a motion to approve the December 2013 minutes and Dan Ward seconded the motion, with the amendment to include a comment that parents may be afraid to file a complaint for fear of retaliation. All in favor, with abstentions from members not there.

Agenda Item III: Bureau of Special Education Update ~ Santina Thibedeau

- Santina reviewed the statewide census by disability chart from 2000-2012 with a lower trend, however, autism was higher. Why is this trend happening? It could be more PBIS (Positive Behavior Intervention and Supports) in schools, or students may be identified less frequently as Other Health Impaired (OHI). Response to intervention (RTI) and the decline in the overall school population were also mentioned. Charter school students fall under regular education/ public school enrollment. Annual IDEA report to congress is a good tool to review data.
- Santina reported on what the Bureau is doing in next several months: Working with the Smarter Balance initiative ~ An example would be an IEP team would say a child would need these accommodations from NECAP, and smarter balance has identified accommodations as; access, accommodations and functions – three tools to be utilized. Teachers across the state are being trained as well as special education teachers are being trained on getting them familiar with new accommodations. Smarter Balance will be implemented a year from this March 2014. In NHSEIS, accommodations will hopefully be endorsed and be able to be put in NHSEIS.

Agenda Item IV: Legislative update and Update from SAC Liaisons:

- There are three bills that may be of interest to SAC in the Senate; S-2660-R (there is not much information on it), and S- 2781-R, and S-2782-R. Senator Stiles is hopeful they will be put through and appreciates SAC members getting questions to her.

- Bonnie encouraged anyone interested in serving as the SAC liaison to the indicator 8 group to please let her know.
- In response to the concerns that were raised earlier in the meeting, Bonnie made a motion, which was seconded by Catherine Meister and unanimously approved by to make the following request to the Commissioner of the NH Department of Education:
The State Advisory Committee (SAC) on the Education of Children/Students with Disabilities requests that the Commissioner of the NH Department of Education work with the Commissioner of the NH Department of Health and Human Service to clarify the language in He-W530.05 (b)(25) by issuing a joint memorandum to confirm the two Departments' continuing commitment to maintaining the integrity of the Medicaid-to-Schools program by stating that a child's receipt of Medicaid-to-Schools funded services (which by definition are medically necessary services to enable a child to receive a Free Appropriate Public Education) do not impede the child's ability to receive Medicaid-funded services outside of school (which also must be medically necessary). The SAC requests that this joint memorandum be issued as quickly as possible.
- There were no reports from SAC Liaisons

Agenda Item V: Old business

- Draft of proposed language from the "unmet needs" subcommittee:
The SAC recommends that the Commissioner of the NH Department of Education adopt and pursue a goal that all New Hampshire schools implement, with fidelity, evidenced-based safe and supportive model system of supports which encompasses academic, social, emotional and positive behavioral components such as Positive Behavioral Interventions and Supports (PBIS).

There was consensus on a committee level that this be recommended to the Commissioner of the NHDOE. Motion was made by Dick Cohen and Heidi Cloutier, seconded. After discussion, Dick Cohen then amended the motion, seconded by Candace Cole McCrea, stating further that "we encourage the NHDOE commissioner to pursue all policy and funding opportunities including federal and state grant opportunities". After additional discussion, the motion was rescinded, with the subcommittee planning to revise the motion for the February meeting.

- Report from "Failed Implementation of IEPs" subcommittee. Proposed recommendations from the subcommittee (handout was provided) were reviewed by Sue Marcotte-Jenkins. SAC members were asked to review and be ready to vote at February meeting. Santina will discuss the recommendations with SAC at the March meeting. (Due to Diana Petschauer's presentation on Read and Write Gold - discussion is tabled to the March meeting). SAC members may send any comments on the proposal to Sue Marcotte Jenkins via Terry.

SAC Vacancies: The following membership categories are vacant: special education teacher, special education administrator, Institute on Higher Education, state juvenile agency, homeschooled students with disabilities, more parents are needed.

Agenda Item VI: New business, Current Events, Information to Share

- PIC (Parent Information Center) is having a hockey fundraiser with the Monarchs in March.
- Janet Reed has group of students (RSEC Academy) that present to special education directors ~ for training on what it is like to be a special education student. Janet will send SAC the link to this group.

Agenda Item VII: Adjournment

- Janet Reed made a motion to adjourn the meeting. Dick Cohen seconded. The next meeting is February 5th, with snow date of February 12th
- Meeting adjourned at 6:50 pm.