

Welcome



MDE Office of Special Education
SEAC Business Meeting – November 1, 2017



Today's Focus

1. Significant Disproportionality
2. Due Process
3. Google Docs Orientation

Entering an Acronym-Free Zone

- Please remember that your favorite acronyms may be foreign to your colleagues.
- The first time you use an acronym in discussion, please remember to explain what it means.
- When you slip up, you'll be invited to put a penny into the Acronym catcher cups-as a gentle reminder.
- Thank you in advance.

SEAC Meeting Norms

1. Prepare for Meetings
2. Use Meeting Time well, maintaining focus
3. Communicate in an open, respectful manner.
4. Focus on advisory role tasks

Google Docs

- Beginner
 - Get there
 - Read
- Intermediate
 - Comment
 - Edit
- Advanced
 - Compose
 - Help others use

Public Comment



Federal & State Update and Forecast

Teri Chapman, Director, MDE Office of Special Education



Staff Announcements

- New Hires!
 - Ruth Oda, Program Accountability Unit
 - Clerical Support
 - Joe Polasek, Performance Reporting Unit
 - Data Analyst
- Retirement!
 - Deb Maurer, Administration Team Unit

Contact Us!

OSE Information

- 888-320-3234
 - Monday-Friday
 - 9:00-4:00
- Email Us!
 - mde-ose@michigan.gov

Staff

- Teri Chapman, Director
 - 517-335-0455
 - chapmant2@michigan.gov
- Jan Weckstein, Assistant Director
 - 517-241-4521
 - wecksteinj@michigan.gov
- Joanne Winkelman, Supervisor
 - 517-335-0457
 - winkelmanj@michigan.gov

Organizational Representative Updates

Michigan Association for Computer Users in Learning – Mark Smith

Mission: MACUL helps educators identify sound educational practices related to technology as well as understand the implications of rapid changes in technology. Recognizing the challenges in preparing students, we strive to encompass the entire educational community from preschool through college level.

Website: macul.org & maculcommunity.org

Michigan Association of Administrators of Special Education – Sara Park

Mission: to provide leadership for the development and implementation of quality programs and services for students with disabilities within the total education community. MAASE is a statewide professional educational organization affiliated with the National Council of Administrators of Special Education and the Council for Exceptional Children.

Website: www.maase.org

Michigan Speech Language Hearing Association – Lori Tavigian

Mission: to provide professional support and development, public awareness, and advocacy for professionals in communication sciences and disorders and the individuals they serve.

Website: michiganspeechhearing.org

Member at Large Update

Heidi Ransom

Email: hransom@highfields.org

Lunch

- Bylaws Check In
- Membership Committee meeting
- Google Docs Coaching Support

Ex-Officio Legislative Report

Caroline Liethen, Office of Public and Governmental Affairs
The Legislative Process

Drafting and Introduction of Legislation

- What prompts the introduction of a bill?
 - Legislator's personal cause
 - Constituent request
 - Executive branch recommendation
 - Call to action by the public/media
 - Lobbyist/private interest

Drafting and Introduction of Legislation - 2

- Title reading and referral to committee
 - Every bill must be read three times before it may be passed which is satisfied by reading the bill's title.
 - When the bill is introduced, its title is read a first and second time in the Senate and once in the House, then ordered to be printed.
 - The bill is also referred to a standing committee by the Senate's Majority Leader or the Speaker of the House; usually by topic.

Consideration and Passage of Legislation

- Standing committee review, action, and report
 - Committee members discuss and debate the bill during a public hearing with an opportunity for public participation.
 - The committee may vote on changing the bill's language, passing the bill with or without recommendation, take no action, etc.
- Committee of the Whole
 - Once the bill is reported from committee, the full Senate and House of Representatives will each have an opportunity to consider the bill.
 - During this time, the bill's language may still be changed by members of the Legislature.

Consideration and Passage of Legislation - 2

- Five-day rule
 - A bill must be printed, reproduced, and in the possession of each house for at least five days before it may become law.
- Immediate effect
 - A bill may be given immediate effect by the Legislature by a two-thirds vote in each house which makes it law when filed by the Secretary of State.
 - Seventy-four representatives and twenty-six senators

Enactment of Legislation

- Enactment by the Legislature
 - If language is changed, the respective house must concur.
- Approval by the Governor
 - The Governor may sign the bill making it law immediately, on a date specified in the bill, or at the expiration of ninety days after the Legislature adjourns sine die.
 - The Governor may veto the bill and return it with stated objections.

Enactment of Legislation – 2

- Approval by the Governor - Continued
 - The Governor may choose to neither sign nor veto the bill.
 - If the Legislature is in session or recess, the bill becomes law after fourteen days.
 - If the Legislature has adjourned sine die (“without day”), the bill does not become law after fourteen days.
- Legislative Veto
 - The Legislature may override the Governor’s veto by a two-thirds vote in each house.

The Budget Process

- Submission of department requests
 - The State Budget Office issues program guidelines to the departments including assumptions regarding revenue changes, federal funds, and economic adjustments. Departments then submit their requests to SBO for preliminary budget recommendations to the Governor.
- Revenue estimating conference and executive budget recommendation
 - Recommendations are fine-tuned including national and state economic indicators to formulate an accurate prediction of revenue available for appropriation in the upcoming fiscal year.

The Budget Process - 2

- Appropriations subcommittee
- Standing appropriations committee
- Committee of the Whole
- Approval by the governor and line-item veto power
 - The Governor has additional authority to veto any distinct item or items appropriating money in any appropriation bill. The parts approved become law.
 - Vetoed items are void unless the Legislature overrules the veto by a two-thirds vote of each house.

Participation in the Legislative Process

- Committee bill records available online
- Sign up for committee email alerts
- Contact and provide feedback to your own senator, representative, and the bill sponsor. Next, contact the bill's committee chair and members of the committee.

Participation in the Legislative Process -2

- To testify, you should contact the chair's office to provide prior notification of your attendance and a copy of your testimony. When you attend the hearing, you will be asked to fill out a state provided testimony card and you will have a brief opportunity to speak.
 - All written testimony will be provided to committee members and made available to the public.
- The most effective testimony are often based on facts and statistics rather than emotion.
 - Present measurable outcomes instead of opinion.

How to Follow Committees

[Sign up for committee email notices at the House and Senate websites](#)

- (www.legislature.mi.gov)
 - Committees
 - Signup or Cancel Committee Meeting Emails
- Senate Education Committee

How to Follow Committees - 2

- Senate K-12, School Aid, and Education Appropriations Subcommittee
- House Education Committee
- House School Aid and Education Appropriations Subcommittee

Education Personnel Reference Repeal

- HB 4166 was placed on 3rd reading in the Senate on October 19, 2017.
- The bill would repeal Sections 1742 and 1743 of the Revised School Code pertaining to the employment of additional personnel to implement special education programs.
 - Section 1742 requires an intermediate school board, when employing additional personnel to implement special education programs or services, to employ first an employee of a constituent district whose employment is discontinued because the constituent district is discontinuing the special education program or service for which the person was employed.

Education Personnel Reference Repeal - 2

- Section 1743 requires an intermediate school board, when providing special education programs and services that were previously provided by a State agency within the ISD, before employing any additional personnel for the purposes of implementing the special education program or service, to employ first a person of a State agency whose employment is discontinued because a State agency is discontinuing a special education program or service for which the person was employed.
- The special education personnel employed under both provisions are generally entitled to all rights and benefits for which they would otherwise be entitled had they been employed by the constituent district or intermediate school board originally, except that the controlling board has the option to subject them to another probationary period of one year.

Exemption of Law Enforcement Officers from Seclusion and Restraint Requirements

- HB 5126 was referred to 2nd reading in the House of Representatives on October 26, 2017.
- The Seclusion and Restraint package enacted as P.A. 394-402 of 2016 defined ***school personnel*** as including all individuals employed in a public school or assigned to work regularly and continuously under contract or under agreement in a public school, or public school personnel providing services at a nonpublic school.
- The bill would add that the definition would not include a law enforcement officer assigned to work regularly and continuously under contract or under agreement in a public school.

School Calendar – Pre-Labor Day Start

- HB 5157 was referred to the House Education Reform Committee on October 19, 2017 and received a hearing on October 26, 2017.
- Currently, schools may not begin before Labor Day unless the district, ISD, or PSA secures a waiver from the Superintendent of Public Instruction or the district, ISD, or PSA's collective bargaining agreement provides a school calendar.

School Calendar – Pre-Labor Day Start - 2

- The bill would replace the prohibition on a pre-Labor Day start – with the two above exceptions – with a provision that a district's or PSA's schools may not be in session on the **Friday before Labor Day** and may not be in session on **any Monday or Friday in August**, beginning with the 2018-19 school year.
- Amendments were adopted to exempt Early/Middle College Programs, locally approved balanced calendars, severe cognitive impairment programs (R 340.1738), and severe multiple impairment programs (R 340.1748) from the prohibition on Monday and Friday sessions in August.

Deaf, Deafblind, and Hard-of-hearing Assessments; Bill of Rights

- HB 5158-5159 were referred to the House Health Policy Committee on October 19, 2017 and received a hearing on October 25, 2017.
- HB 5158 would create the EMPOWER (Early Meaningful Parental Outreach with Educational Resources) Law within the Revised School Code, to prescribe assessments and developmental milestones for deaf, deafblind, and hard-of-hearing students (“designated children”) from birth to age 8.
- HB 5159 would create the Deaf, Deafblind, and Hard-of-hearing Children’s Education Bill of Rights Law within the Revised School Code.

Questions

- Caroline Liethen, Legislative Liaison
 - Office: 517-373-1948
 - Cell: 517-449-1974
 - liethenc@Michigan.gov

I welcome and appreciate your feedback on possible or pending legislation!

Chairperson's Report: Due Process Hearing Reports

DATA

From July 1, 2017 to October 15, 2017

Due Process Complaints filed: 11

Expedited Due Process Complaints: 1

Dismissed/Withdrawn Due Process Complaints: 2

Final Decisions and Order: 0

Pending Due Process Complaints: 9

Alternatives for Dispute Resolution

- Due Process Hearing
 - Hearing officer forum
- Complaint Procedures
 - Investigative rather than adjudicated
- Mediation
 - Not decisional
 - Voluntary with both of the above processes

Comparison

State Complaint Procedure

- Filed by an individual or organization
- Minimal burden for parents, including the avoidance of an attorney
- A “look back” limitation period of 1 year from date of filing
- 60 calendar day period for processing
- No appeal process

Due Process Hearing

- Parent or district only
- Attorney representation needed
- Decision by an Administrative law Judge
- A “look back” limitation of 2 years from date of filing
- 75 calendar day period for processing
- Right to judicial appeal

Significant Disproportionality

Sub-Committee Reports

- Bylaws - Sarah Park
- Membership - Fran Loose

Wrap Up

Take Aways

- Google Docs –helpful, but need more, including at lunch
- Liked the seating arrangement
- Legislation 101 review very helpful
- Standards for advocacy service forecast

To Do's

- Turn in sig dispro notes by this Friday to Fran
- Sig dispro vote by ~11/15
- Move interactions to earlier time
- Court case to be discussed in Dec
- Email questions re: Google Docs after reviewing Aaron's PPT

December Forecast

- OSE updates - Top 10 in 10, Least Restrictive Environment, Annual Priorities
- Due Process Findings
- Forecast beginning of 2018-19 recruiting efforts
- Next Meeting: December 6, 2017
 - Lansing Community College West – LCC West
 - 5708 Cornerstone Drive, Lansing, MI. 48917
 - Registration Message 2 weeks ahead

Online Evaluations

Your responses will support planning future meetings.

1. Relative to Teri's presentation, what still puzzles you? What concerns do you have?
2. From the perspective of your specific SEAC role, what went well in today's meeting?
3. Given your experience today, what would improve the next meeting?
4. Other comments/questions?

Motion to Adjourn

Thank you for participating