

# **SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION ADVISORY PANEL MEETING**



January 6th, 2011  
MacKay Conf Rm #1  
(1<sup>st</sup> floor, 800 Governors Drive)  
Pierre, South Dakota

## **Chairperson**

Mark Krogstrand

## **Vice Chairperson**

Sarah Carda

### **Panel Functions**

- Advise the SEA of unmet needs within the State in the education of children with disabilities
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities
- Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act
- Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act
- Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities
- Review and comment on final due process hearing findings and decisions
- Advise on eligible students with disabilities in adult prisons- The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons

### **Panel Priorities**

- Transition
- Child Find
- Ensuring quality service providers are available to children with disabilities

Minutes  
January 6<sup>th</sup>, 2011

Members Present	Members Absent
Jim Dunston	Shelly Shaw
Judy Hoscheid	Nora Svatos
Mark Krogstrand	Laura Johnson-Frame
Bernie Grimme	Michelle Greseth
Sarah Carda	Todd Christensen
Elaine Roberts	Lori Dennison
Greg Cooch	Roger Bowie
Kerry Larson	
Lisa Heckenlaible	
Greg Riley	
Marie Ivers	
Gail Eichstadt	
Sara Hoogheem	
Heather Stettinichs	
Jolie Tostenson	

Guests	
Cherie Hill Laura Haberman	Pierre School District
Tim Neyhart	South Dakota Advocacy
Ron Sasso	Community Transitions
Department of Education	
Ann Larsen	State Special Education Programs Director, SD DOE
Alicia Schoenhard	Program Specialist, SD DOE
Wendy Jarvis	Program Specialist, SD DOE

Public	

Minutes Approved (As Read) (As Amended)

Chairperson \_\_\_\_\_  
Signature Date

January 6<sup>th</sup>, 2011

<b>Opening Remarks</b>	
Alicia Schoenhard, SD DOE, began with welcoming members, reviewing the agenda and the minutes with the panel.	
<b>Approval of the Agenda</b>	
<b>Action Item</b> - Members to accept agenda for the <b>January 6<sup>th</sup>, 2011</b> Meeting.	
<b>Motion to accept:</b>	<b>Bernie Grimme</b>
<b>Second motion to accept:</b>	<b>Elaine Roberts</b>
<b>Panel Vote</b>	
<b>Yes</b>	<b>All Members</b>
<b>No</b>	<b>None</b>
<b>Abstain</b>	<b>None</b>
<b>Approval of the Minutes</b>	
<b>Action Item</b> - Members to accept minutes for the <b>October 18<sup>th</sup>, 2010</b> Meeting.	
<b>Motion to accept:</b>	<b>Elaine Roberts</b>
<b>Second motion to accept:</b>	<b>Judy Hoscheid</b>
<b>Panel Vote</b>	
<b>Yes</b>	<b>All Members</b>
<b>No</b>	<b>None</b>
<b>Abstain</b>	<b>None</b>
<b>Public Comment</b>	
There was no comment from the public.	

<b>Special Education Programs</b>
<p style="text-align: center;"><b>Presented by</b></p> <p style="text-align: center;"><b>Ann Larsen and Alicia Schoenhard, SD DOE, Special Education Programs</b></p> <p>Introduction of newest specialist to SEP, Wendy Jarvis.</p> <p>Ann shared the Q&amp;A that was shared with SPED directors during the December call concerning Transfer Procedures. Due to the number of calls on this topic SEP shared the Q&amp;A from OSEP, which can be accessed at <a href="http://idea.ed.gov">http://idea.ed.gov</a>.</p> <p>Ann also covered Open Enrollment procedures (13-28-42.1. Transfer of special education students, 13-28-44. Standards for acceptance or rejection of application to enroll).</p> <p>OCR contacted DOE about a complaint filed against the state of SD regarding their open enrollment policy. The complaint was based on the student's disability. As of now, DOE has not heard back from OCR on the status of the complaint. All requested information has been sent to OCR, but if they continue to find that SD policies are discriminatory, a change in policy may be necessary.</p> <p>Alicia shared news from the first RtI/PBIS luncheon with DOE staff. They provided staff information about where the projects started, where they are now, where they are going, and how DOE staff can get involved. The luncheon was pegged a success with 35 staff joining in conversations about RTI and PBIS.</p> <p>The VR Conference is being combined with the Transition Conference and will be held at the Ramkota in Sioux Falls, October 25-27, 2011.</p> <p>TSLP has received grant funds to promote and implement self-advocacy activities. Districts interested need to contact their TSLP representatives for applications. Five districts will be selected to implement Person Centered Thinking in the IEP process.</p>

Grant applications will be sent out on the SPED listserv, deadline, Feb 1, 2011. Other questions can be directed to Melissa Flor.  
STEP-A Workshops were scheduled for Jan 10-13 across the state for district staff administering STEP-A.  
Additional IEP Workshops were added to the schedule.

### **Auxiliary Placement**

**Presented by**

**Judy Hoscheid, Dept of Social Services**

Auxiliary placement involves group care and residential facilities. Students entering Psychiatric and Intensive Psychiatric Residential Facilities placements must meet eligibility criteria. PRTFs are Medicaid eligible, but daily tuition is not included. All referrals will go to the review team, which includes staff from DSS, DHS, DD, Mental Health, DOC, CPS, and DOE if needed.

Judy and Ann are working on a document that will list the residential treatment facilities in the state and what services they offer, who they can serve, ages they serve, etc.

### **Transfer of Guardianship**

**Presented by**

**Tim Neyhart, South Dakota Advocacy Services**

In South Dakota, for students on IEPs, at the age of 18, all parental rights that are a part of the IEP process transfer to the student. If parents believe their child with a disability will not be able to make good decisions, they will need to plan ahead to ensure a guardianship is in place when the student turns 18. Guardianship in SD is state law. There are no federal statutes directing the conduct of guardianship.

A “protected person” is any individual for whom a guardian or conservator has been appointed other than for reasons of minority. A “guardian” is someone appointed by the court to be responsible for the personal affairs of a minor or protected person, but does not include one who is only a guardian ad litem. A “conservator” is someone who is appointed by the court to be responsible for managing the estate and financial affairs of a minor or protected person.

Districts should know that it is important to talk with parents about the procedures of transferring guardianship because it is a legal proceeding and it will require a lawyer to assist.

Questions concerning the guardianship program through the DHS (<http://dhs.sd.gov/gdn>) should go through Velda Bartel at 773-5990 or 1-800-265-9684.

## **Traumatic Brain Injury**

### **Presented by**

#### **Ron Sasso, Program Director of Community Transitions**

Community Transitions has been providing quality brain injury rehabilitation services since 1988. They also provide cutting-edge cognitive therapy, as well as telerehabilitation services. It was founded by the Brain Injury Support Group of the Black Hills in 2003, and started the Annual Black Hills Brain Injury Conference in 2006. Ron noted that the loss of consciousness is the best indicator that a person has sustained a brain injury; however, loss of consciousness is not necessary to sustain a brain injury. 5.3 million Americans currently live with disabilities due to traumatic brain injuries and 50,000 people die each year from this type of injury. Brain injuries can affect the whole person; thinking, personality, social, vocational, health, and independent living. In children it may result in ADHD, ADD, Anxiety Disorder, Learning Disabilities, and/or Mental Retardation. It's important for the family to play an active role after a brain injury to help foster independence, provide emotional support, and push the person to do more as (s)he becomes more capable. Brain injury support groups are currently in the following SD cities: Aberdeen, Rapid City, and Sioux Falls.

The 6<sup>th</sup> Annual Black Hills Brain Injury Conference: May 5-6, Rapid City Ramkota, sponsored by Community Transitions. [www.brainrehab.org](http://www.brainrehab.org).

## **High School Transition**

### **Presented by**

#### **Cherie Hill and Laura Haberman, Pierre School District**

Cherie and Laura explained the importance for special education teachers to help students develop self advocacy skills to help them stand up, speak out and move from dependence to independence. The objectives to their transition course at the high school are to help their students: become motivated to engage in transition planning, to engage in meaningful and useful self-evaluation, identify and select feasible and personally desired transition goals and activities, monitor the implementation of their transition plans and make adjustments when needed, take responsibility for their own post-high school transition, and improve personal accountability for their education. The course also works on the following areas of transition, including independent living, education and training, employment and careers, and personal and social life.

Cherie and Laura quoted a former student as saying: "Students need a helping hand, not a shoulder to rest on. We need strategies to help ourselves, because it is tough out of high school. This class helped me accept my learning disabilities and I can now speak up and that makes a better relationship."

### Miscellaneous Topics

The panel is scheduled to review the FFY 2009 APR on January 24<sup>th</sup>, 2011 before the February 1, submission. Information for the meeting will be sent out via email and will be conducted over Microsoft LiveMeeting.

The South Dakota OSEP visit will take place during the week of September 12<sup>th</sup>, 2011. SEP will notify the panel with more information as it becomes available.

Elaine Roberts spoke briefly about SD Parent Connections being recognized as 1 of 8 national PCs invited to participate in the OSEP leadership initiative. They will work with OSEP to better utilize technology to work with parents, schools, and communities. Elaine will share more information with the panel at a later date when they get started on the work.

Ann shared the updated Voices for Children, Mental Health guide with the panel. Copies will be distributed to administrators, but additional copies are available. Parents could contact Voices for Children for copies. The guide will be updated on the website as well: <http://www.sdkidsmentalhealth.org/images/stories/a-parents-guide-to-mental-health.pdf>.

Ann is working with John Copenhaver to offer a SPED Law Conference in South Dakota. Optional dates: May 24-25, with lunch during day 1. Presenters may include Jim Walsh, Art Senozea, Ernie Hartwig, and Melinda Jacobs.

### Yearly Planning

Priorities: Ann will be supporting another cohort of the on-line SLP masters program. If panel members know of individuals who would like to participate, they would need to contact Ann for more information. The individual must be employed by a South Dakota district or cooperative. The program will reimburse individuals for 1, 3-credit course per semester.

### Schedule Upcoming Meetings

Marie has begun contacting possibilities for locations and presenters for the April meeting in Brookings, April 18-19. She will send contact information to Alicia to contact to make arrangements.

It was suggested to send the logon information out on the SPED listserv for future meetings, in order to attract a public crowd in addition to the panel members, especially when specialty speakers are on the agenda.

### Adjourn

**Action Item-** Adjourn the meeting at **4:30 PM** until **April 18<sup>th</sup> and 19<sup>th</sup>, 2011**

<b>Motion to accept:</b>	Jolie Tostenson
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<b>Second motion to accept:</b>	Greg Cooch
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### Panel Vote

<b>Yes</b>	All Members
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<b>No</b>	None
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<b>Abstain</b>	None
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