



MAASE Finance and Legislation Agenda Tuesday, October 8, 2013

Committee Members:

Wayne Abbott	Diane Heinzelman	Concetta Lewis	Dawn Weeks	Laurie Montgomery
Angela Telfer	Laurie VanderPloeg	Nadine Harris	Megan Decker	Rebecca McIntyre
Kathy Barker	Laurie Jefsen	Deborah Koepke	Scott Green	Deana Strudwick
John Bretschneider	Mark King	Scott Hubble	Neal Elyakin	Teresa Belote
Menhem Aouad	Tom Koepke	Shari Lidgard-Pullins	Andy Claes	Christine DeWildt
Michael Ghareeb	Greg LaMore	Cherie Wagner	Stephanie Peters	Jamie Goetz
John Cloft	Laura LaMore	Beth Alberti	Christy Callahan	Sally Brueck
Daris Delsi	Jay Raycraft	David Mason	Michelle Brahaney	Eric Kunisch
Jan Weckstein	Jennifer Scott-Burton	Eric Hopstock	Kris Resseguie	Nancy Lubeski
Kathy Fortino	Carolyn Smith-Gerdes	Christine Jeter	Laura Ochoa	Sandi Brueck
Paul Dymowski	Tony Thaxton	Jennifer Cairgnan	Kim Tiel	
Rachel Fuerer	Abby Allen	Nadine Harris	Dave Gough	

MDE Representatives:

John Andrejack, Sheryl Diamond, Teri Johnson, Joanne Winkelman, Nancy Rotarius, Joni Jay, Rene Richardson, Vanessa Winborne, Diane Easterling

Agenda Items:

1. Update from MDE on State and Federal Finance (Andrejack, Easterling, Rotarius)

a) State Update

Easterling: Supplemental School Bill for 2013-14 was presented to Governor Snyder on 9/27/2013, under bill number 4029(h)(1). Governor Snyder has not yet signed the bill. This is a technical bill that cleans out the School Aid Act. It is hope Governor Snyder will sign by end of week.

- Changes include updates to language on Kindergarten definition and age eligibility when including Kindergarten student in membership counts. Bill removes age requirement and prior notification requirements. Any student who is 5 years old prior to count can enroll/count for membership.
- Another change was to section 6(4)(aa) that changed special education definition for birth to 2.
- Cleanup of section 25. CEPI now has until November 1 to develop calculation on changes to the language. Changes to the calculation methodology focused on the overlap of days of enrollment relative to count periods. The new calculation now allows for a numerator of 105 days. Calculation will no longer be based on the entire school year. CEPI application will be open from November to December. Application has not been tested by ISD Auditors for glitches.

Rotarius: MARSE 2012 rule package filed with the Office of the Great Seal on 9/26/2013 this rule package focused on clean up language and removing redundancies with State and Federal Laws.

The 2013-2014 rule package is in the process of being approved by our Regulatory Affairs Officer and is not available to the public at this time. The rule package will focus on the following:

- Separation of the activities of evaluation, determination of eligibility, and IEP development in order to align with the IDEA.
- Due Process
- Qualifications of Teachers and Other Personnel
- Intermediate School District Plans

This rule package will be released for public comment sometime in January or February 2014. Public comment will be collected through an online survey to collate information into spreadsheets for review. Emailed public comments will no longer be accepted. Survey will prompt commenters to use radial dials that provide summary of proposed changes and the reasoning behind them. Public will be prompted to comment in following format:

- Support,
- Support with modification,
- Do not support.

Public is encouraged to provide feedback on which features of the proposed rule package need further revision and the reason why. Sheryl Diamond and Nancy Rotarius are working on a Webinar to explain changes and why proposed rules are recommended that will be posted when the draft language is available for public comment.

ISD Plan Group

ISD plans feedback was requested by EW last year. The 2013-2014 rule package language will work on fine-tuning the language in ISD plans to describe service delivery plan for students. If you currently submit an ISD Plan for approval and there is waiver language that was not in a previously approved ISD Plan, it will need to be submitted as a waiver. NR reviewed ISD Plans and that the most common thing written into 1832e is changes to the caseloads of resource programs.

b) Federal Update (Andrejack, Easterling, Rotarius)

Andrejack: John received communication last week related to Government shut down and the impact on the review of various grants and applications. Discussion was also related CCSS funding. After that, conversation about what is impacted by debate. Currently, applications, grants will not be impacted. MEGS and CMS still open and available for draw down of funds. Will not impact our grants. MSBO receiving question about impact of shut down. No impact as of today but no perspective on long-term impact should shut down last longer. Grants are not impacted by shut down. Grants are forward funding. As of today, all grants are open and available. Will share info as it becomes available.

Notice of proposed rule making OSEP USED. Clarification, trying to provide clarification about what laws is in there. OSEP USED does not have authority to make/change rules/laws. They are providing clarification. Opportunity to provide input and share challenges and concerns. Comments on language with OSEP USED about language in law that does not account for economic downturn. Continue to work with OSEP and USED and various advocacy groups for legislative fix. Continue to work with other states and with MAASE to generate a message and provide a comprehensive response.

2. Update from MDE OES Program Accountability Unit (Diamond, Winkelman)

Winkelman: Alternative Assessment- MEAP-Access (2%). Feds would like to remove the exemption from the regulations for the 2% option. When the public comment period was open, MI did not offer comments since MI agreed to discontinue the 2% assessment (MEAP-Access) in the ESEA Flexibility Waiver application. 2013-14 was going to be the last year for the MEAP-Access since MI was going to use the Smarter Balanced Assessment. The regulations have not been finalized but it assumed that 2013-14 will be the last year for MEAP-Access. The options for 2014-2015 school year will be MEAP or MI-Access.

The Legislature has prohibited the MDE from implementing the Common Core State Standards at this time. MDE staff is not in communication with the SBAC or the Dynamic Learning Maps Consortia. The Senate is crafting a different resolution than what was passed in the House so the issue will have to go back to the House for a vote before work can resume on DLM and SBAC.

3. Fall CASE Update (Scott-Burton)

Burton: Fall CASE Board meeting was attended by Burton, Thaxton, and Bentley. Discussion focused on developing:

Strategic goals,

- PD Leadership in Special Education,
- Policy,
- Mentorship,
- Professional Development Community of Practice,
- Special Education Community of Practice,
- Leadership in identifying and connecting research to practice,
- Financial strength of organization (CASE).

Working committee on how the various committees work can be strategically identified and the complementary overlap identified

Burton: CASE BOARD: POLICY: CASE Policy Committee (that includes Burton and Fortino) is working with a CASE and CEC group including CASE/CEC president Chambers to develop areas of focus for the reauthorization of IDEA now that ESEA has been re-authorized. Focus will be to streamline, review, organize, and prioritize information in preparation for conversation with federal legislators. President Chambers will meet with legislators on 10/30/2013 when she testifies in the Senate.

Comments regarding IDEA re-authorization generated from survey results focused on the following areas:

- Full funding
- General Education Curriculum
- MOE
- Support in general education setting
- Staff evaluation

Other information that the CASE BOD discussed in addition to the survey focused on IDEA RE-authorization:

- Mental Health,
- Mental Health in schools:
- Senator Stabenow has co-sponsored bills addressing these areas currently going through US Senate.

Burton: Attorney from Indianapolis is working with School Attorney Association and AASA on Due Process and IEE. Attorney attended CASE BOD Meeting to identify issues of common interest for both groups and to identify areas of collaboration between groups on Due Process and IEE.

4. Other items:

a) Mental Health Commission and Education Workgroup (Tinberg & Scott-Burton)

Senator Warren is leading and chairing committees on mental health in schools to identify current collaboration, practices and barriers. Any thoughts on mental health need to be emailed to Donna Tinberg. Senator Warren's Chief of Staff will be present at MAASE Mental Health conference to hear input and feedback from group.

b) IDEA MOE Proposed Regulation Amendment (Scott-Burton)

Burton: Writing Comments about MPRM and clarification around MOE. Communication with JA and JB and others includes MASA. Clarifications are helpful in general, however, if so much conversation is needed begs question on whether clarifications are clear. Discussion around eligibility and identifying availability of funds. JA will help with language to clarify and amend the law. Continue to work on comment around the above areas. We have until December for individual proposed comments. LAC will work on the proposed draft comments for the membership.

c) ISD Plan Updates (VanderPloeg)

VanderPloeg: KB Rule package about to come out for public comment has language about 1832(e) which feedback was requested by EW last year. ISD plan is requiring greatly reducing the requirement and plan will continue to concentrate around programs and services. Next group package next year will work with policy to develop recommendation for programs and services. Representation from around state and region are working to raise awareness. The language will work on fine-tuning the language in ISD plans to describe service delivery plan for students. ISD Plans accepting Waiver like language if language was in previous ISD Plan. New plans will require waivers application. NR reviewed ISD Plans and determined that waivers under 1832 e is requesting waivers on Resource programs and is not showing the crisis that is indicated in conversation with respect to caseload law

d) IDEA Funding for Virtual/Cyber Charters (Thaxton & Scott-Burton)

&

e) MASA-MAISA Legislative Update (Thaxton)

Thaxton: MAISA members met with MAPSA members regarding funding system and equity of access to Special Education funding for statewide cybercharters. Primary concern by MAPSA related to how cumbersome the process is under IDEA and Act 18. The position taken by MAPSA was the funding system needs to be simplified. There was not much support from ISD Superintendents and Directors of Special Education to offer relief because the system was designed to work for Charters as well.

MAISA will create a 16th goal to develop how funding and support is designed for students with disabilities. MAASE may be approached by MAISA to identify MAASE members to serve on this work group. MAISA has a process through current legislation to share funds with charter schools. Charter school is about choice and not about ease of access to funding. There is concern about outward migrations of the EAA. Issues raised by Virtual Charter School regarding equity in distribution of Act 18 relative to 105 and 105c. Jennifer Burton raised the question about how the distribution of 504 federal \$ to virtual school students, the obligations of 504 with “some SE services” as a part of the 504, and the obligation of FAPE by the resident district. Much more information is needed as conversation is still in infancy. Intended to remain a standing committee question and update.

f) Role of F & L Committee – (Ghareeb)

Ghareeb: F and L Committee is focused in 4 areas:

- Learning about topics/issues related to finance and legislation and how they impact special education;
- Recommendation to MAASE president when action has been determined to be warranted;
- Work on behalf of the whole membership;
- Provide a venue of participation for MDE.

LAC works for the president and the executive board

- Develops products
- Acts on initiatives
- Role is the “work horse” of the legislative forums

g) Other