

# MAINE STATE LEGISLATURE

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# MAINE ADVISORY COUNCIL ON THE EDUCATION OF CHILDREN WITH DISABILITIES

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Annual Report  
July 1, 2007 to June 30, 2008

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## **Our Values:**

**All Children Have Value.**

**All Children Are Individuals.**

**All Children Are Learners.**

**All Children Deserve A Quality of Life That Includes:**

Safety, Security, Acceptance, Respect, Trust, and Opportunities.

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Children's pictures courtesy of the Pine Tree Society Camp  
Communicate 2007.

**This report is also available in alternate formats.**

**For more information, please call the Department of Education at (207) 624-6650 (voice), 1-888-577-6690 (dial) (TTY), or visit the MACECD web site at:  
<http://www.maine.gov/education/speced/macecdhome.htm>**

**DEDICATION**  
**William A. Davis, Ph.D.**

In appreciation of his many years of service to children with disabilities and to special education, the Maine Advisory Council on the Education of Children with Disabilities recognizes Professor William Davis and sincerely thanks him for his commitment, as an educator and as Director of the Institute for the Study of Students At Risk.

The Institute for the Study of Students At Risk, established in 1988, serves as a center for research and policy analysis on broad-based issues and concerns involving families of children and youth at risk of dropping out of school. It provides both practitioners and policy makers with essential information regarding appropriate services for children and youth with special needs as well as for those considered to be "at risk."

The Institute is sponsored and funded by the College of Education and Human Development, University of Maine and the Division of Special Services, Maine Department of Education.



## Vision

The Maine Advisory Council's vision for all children is excellence in education. The Council embraces life's opportunities for all children.

## Mission

The Mission of the Maine Advisory Council on the Education of Children with Disabilities (MACECD) is, in recognition of the dignity and worth of all individuals, to identify critical issues and advocate for educational excellence for all children; and to advise the Maine Commissioner of Education, State Board of Education, State Legislature, U.S. Department of Education, and the public concerning the unmet needs of students with disabilities.



## Purpose of this Report

The activities and recommendations of the Maine Advisory Council on the Education of Children with Disabilities (MACECD) are hereby submitted in this annual report to the United States Department of Education Secretary (USDOE), Office of Special Education Programs (OSEP), State of Maine Governor, State of Maine Legislature, State Board of Education, the Maine Commissioner of Education, and the public.

The Council's recommendations focus on the needs of children and youth with disabilities, ages birth through twenty. The recommendations are interdependent, rely on executive leadership, and may require legislative action, as well as interagency coordination and collaboration for their successful implementation. The recommendations call for leadership, long-range planning, and the fortitude to remain focused on long-term goals. The goal of this commitment is to provide the best educational opportunities and services for all children and youth.

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## MACECD Guiding Principles

The Council strives to:

1. Forge collaborative partnerships among families, educators, agencies, and all community partners;
2. Network locally and nationally to gain knowledge about problems, solutions and trends;
3. Recommend proactive changes in policies and practices which promote quality education and the opportunity for children to realize their full potential; and,
4. Promote quality education by monitoring the services provided to children.

## Greetings from the MACECD Chair 2007-2008

It has been a busy year for the Maine Advisory Council on the Education of Children with Disabilities. As a group of dedicated volunteers with the best interests of kids with disabilities ages birth through 20 in mind, we started our year with a two day planning meeting. This meeting was held at the Fireside Inn in Auburn Maine. We had a full agenda for two days including current events in the education system, presentations from youth and other stakeholders, and a thorough review of the upcoming work for the year.

The Council began its work on the Annual Performance Report (APR) and the State Performance Plan (SPP). We were asked by the Department of Education to look at these documents with a critical eye and assess what needed to be addressed in order to insure accurate and adequate service delivery to the students receiving Special Education Services in the state of Maine.

Another task at the planning meeting was the establishment of committees for the year. These committees are: Due Process and Quality Assurance Monitoring, Early Transition, Student Performance, and Evaluation, Services and Treatment. Along with Council Coordination (the steering committee) and the full Council, these committees met once a month in Augusta. These committees assessed the data and made advisory recommendations to the Commissioner of Education Susan Gendron on unmet needs in their respective subject areas.

This year the Council updated the by-laws to better reflect the mission of a seamless system of a birth through twenty Advisory Council. As a group we have improved our knowledge and use of assistive technology in council meetings. We have also worked on preparing for the upcoming year and the issues that will be ahead of us, based on the state budget cuts.

It has been a pleasure and an honor to serve as the chair of such an important council. I am proud to be a member of such a group. I want to thank all of the support personnel from the Department of Education for their willingness to find the answers to our requests and our esteemed facilitators who work tirelessly to keep us on track and organized.

I invite anyone who reads this report and wants to learn more about the MACECD mission and work to visit a meeting or check out our website: [www.maine.gov/education/speced/macecdhome.htm](http://www.maine.gov/education/speced/macecdhome.htm). MACECD welcomes public comment at its monthly meetings and we look forward to hearing from you.

Sincerely,  
Deborah Gardner  
MACECD Chair  
Washington County

### **Functions of the Council**

As Maine's State Interagency Coordinating Council pursuant to 20 U.S.C. §1441, the Council shall:

1. Advise and assist the Department of Education (DOE) in the performance of its duties as lead agency pursuant to Section 635(a) (10) of IDEA, particularly the identification of sources of fiscal and other support for services for early intervention programs, assignment of financial responsibility to the appropriate agency, and the promotion of interagency agreements;
2. Advise and assist the DOE in the preparation of applications and amendments thereto;
3. Advise and assist the DOE regarding the transition of toddlers with disabilities to preschool and other appropriate services; and
4. Prepare and submit an annual report to the Governor and to the Secretary of Education on the status of early intervention programs operated within the State for infants and toddlers with disabilities and their families.

In addition, the Council may advise and assist the DOE regarding the provision of appropriate services for children from birth through age five. The Council may advise appropriate agencies in the State with respect to the integration of services for infants and toddlers with disabilities and at-risk infants and toddlers and their families, regardless of whether at-risk infants and toddlers are eligible for early intervention services in the State.

As Maine's State Advisory Panel pursuant to 20 U.S.C. §1412 (a)(21), the Council shall:

1. Advise the DOE of unmet needs within the State in the education of children with disabilities;
2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
3. Advise the DOE in developing evaluations and reporting on data to the Secretary of Education under Section 618 of IDEA;
4. Advise the DOE in developing corrective action plans to address findings identified in Federal monitoring reports under IDEA; and
5. Advise the DOE in developing and implementing policies related to the coordination of services for children with disabilities.

The Council performs all of the above functions as one body, without drawing lines or distinctions between its dual roles as Interagency Coordinating Council and State Advisory Panel, in order to provide seamless guidance on the education of all infants, toddlers, and children with disabilities.



## About the Council

The Council shall consist of persons appointed by the Commissioner of the Department of Education. The membership meets the requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq., as amended, [20 U.S.C. §1412(a)(21)(B) for Part B (3-20), and 20 U.S.C. §1414(a) and (b) for Part C (0-2)] and fulfills the requirements under Part B (three to twenty years old) and Part C (birth to two years old). The development of the Maine Advisory Council on the Education of Children with Disabilities is an ongoing process. Members are sought from all counties in the state. Staff from the Special Services Team of the Maine Department of Education are assigned to provide technical assistance to MACECD in order to enhance the Council's ability to execute its responsibilities.

We look forward to a close working relationship between the Maine Department of Education (MDOE) and MACECD. Your comments about this report and your ideas/advice about children with disabilities are welcome at the contact below and at any meeting of the Council.

<http://www.maine.gov/education/speced/macecedhome.htm>



## CHARGES FOR MACECD COMMITTEES

**Introduction:** According to the bylaws, the Council may establish or dissolve committees and work groups for the purpose of carrying out the work of the Council. Officers of the Council must be designated by the Council.

**Council Coordination:** The charge of Council Coordination, the officers of the Council, is to maintain communications with the Maine Department of Education (MDOE), develop agendas, discuss membership categories for the committees and for the Council, trouble shoot when needed, and provide Council maintenance.

For the 2007-2008 period, the following four working committees were formed at the fall conference in response to concerns indicated in a letter from the federal Office of Special Programs (OSEP).

**Early Transition:** To focus on the transition and demonstrated progress of children with disabilities/developmental delays from Part C to Part B by targeting unmet needs and coordination of services.

- OSEP work (B12 & C8)
- Vision of a blended effort between DHHS and DOE Departments and CDS.
- Monitoring progress of the CDS system's data collection and procedures and the T/TA provided for necessary change.
- Monitor the landscape for emerging early transition issues.
- Identifying barriers to transitions and establishing a reporting system that tracks progress in removing barriers.

**Evaluation, Services and Treatment:** To advise the MDOE in the design and finance of a 0-20 single point of entry data system for all components of the IDEA, which includes referral, screening, referral for eligibility assessment, placement for services, completion of IFSP/IEP, or exiting the system at any point in the process.

**Due Process and Quality and Compliance Monitoring:** To make recommendations to the MDOE with respect to meaningful data collection that is required in order to:

- identify and remedy concerns in response to applicable federal requirements, and
- address quality assurance through systemic improvement of services for children with disabilities.

**Student Performance:** To review how the State gathers and reports performance and compliance data for children 0-20 to report out publicly and to make appropriate recommendations toward improving reliability and consistency.

2007-2008

MACECD Recommendations to Maine Department of Education (MDOE)  
Developed by the source committees identified.

1. October 2007: MACECD recommends that the state design and finance a 0-20 single point of entry data system for all children.

AND

2. March 2008: MACECD recommends that MDOE, with the new data collection system vendor, clarify the extent to which the contract provides assurance that there be one single point system of entry for 0-20 in order to meet the federal data reporting requirements.

AND

3. April 2008: MACECD recommends that MDOE commit to one single data collection system 0-20 and provide MACECD ongoing information about implementation. Questions: Could "medical billing" be added to Infinite Campus? Why is Case-e not being imbedded in Infinite Campus so a 0-20 system would be used?

Source Committee: Evaluation, Services and Treatment

**Maine Department of Education Response**

Brian Snow reported to MACECD on June 20, 2008 that student data will be transferred from MEDMS to Infinite Campus and ready for use during 2008-2009. Infinite Campus has the capability of a single birth through twenty system. While it is technologically possible to marry data from one system to another, such as Case-e being used by Child Development Services, disparate data systems do not house similar data collected in similar fashion. The single data system vision may be in place by 2013. Brian Snow will be updating MACECD in September.

4. November 2007: MACECD recommends that MDOE determine if Case-e is Student Information Fields/Student Information System compliant. MDOE will determine if the Early Childhood Outcomes Summary can be added to the Case-e system.

Source Committee: Evaluation, Services and Treatment

**Maine Department of Education Response**

Some of the fields in Case-e are also part of the child outcome summary form.

5. November 2007: MACECD recommends that CDS Case-E and MEDMS data should be readily available for use in the Annual Performance Report, made directly available for review by MACECD and by others designated by the Department, and the data analysts should have direct access to it for timely review and submission.

AND

6. November 2007: MACECD recommends that MDOE create an electronic manner, via the CDS Case-e system, to report outcomes data (for C3 and B7 indicators).

Source Committee: Evaluation, Services and Treatment

**Maine Department of Education Response**

Student data that has been in MEDMS will be transferred and ready for use in school year 2008-2009. MEDMS has not had the capability of providing reports by query. Infinite Campus does have the capability of reporting by query. CDS Case-e data reports are generated by the CDS data analyst and are available for review by MACECD and by others designated by the Department, and the data analysts should have direct access to it for timely review and submission. The data that is reported by the CDS sites are available to the CDS data analyst, who responds to a data query. The data in the CDS System is used by CDS in the development of the Annual Performance Report for both Part C and Part B.

7. November 2007: MACECD recommends that MDOE, via the CDS state office, conduct follow up regional training to ensure consistency and quality of data entry by CDS staff responsible for data entry at regional sites.

Source Committee: Evaluation, Services and Treatment

**Maine Department of Education Response**

An MDOE analyst provided training to CDS staff on March 24 and May 26, 2008 using their responses to the CDS site profiles generated by the data CDS sites submitted.

8. February 2008: MACECD recommends that MDOE forward to MACECD the CDS Administrative Letters on an ongoing basis.

Source Committee: Evaluation, Services and Treatment

**Maine Department of Education Response**

Debra Hannigan, CDS State Director, will facilitate the forwarding of all current Administrative Letters and any future CDS Administrative Letters. She has requested an updated mailing list for this task and will send the letters electronically when the list is made available to her.

9. March 2008: MACECD recommends that MDOE identify leadership with oversight over data collection department-wide, including CDS.

Source Committee: Early Transition

**Maine Department of Education Response**

The Commissioner has hired Brian Snow who reports to the Commissioner and has oversight for data collection across the department.

10. May 2008: MACECD recommends that the Department gather data to enable it to account to OSEP for due process timelines not being met.

AND

11. May 2008: MACECD recommends that the Department devise a form so that MACECD, on a monthly basis, can automatically receive information about actions in the preceding 30 days, including number of hearings in process, number resolved, nature of complaints, prevailing party, extensions and reasons for extensions, de-identified demographic information.

Source Committee: Due Process and Quality and Compliance Monitoring

**Maine Department of Education Response**

Regarding your recommendations about Due Process, when you note “complaints”, are you referring to State complaints and/or complaints which are administrative hearings? It is my understanding that in regards to the State complaints last year, the Department of Education was 100% compliant. That is, the U.S. Department of Education’s Office of Special Education does recognize that extensions for extenuating circumstances are allowed in calculating complaint investigation timelines. Currently, the docket database does indicate by a check mark whether an extension has been granted. Currently, you are correct that the specific reason for the extension is not necessarily retrievable on the docket database. On the State complaints, if there are extenuating circumstances, the complaint investigation report usually gives the reason for the extenuating circumstances.

Regarding MACECD’s request for more information on a timely, on-going and consistent basis regarding Due Process data, it is possible to generate reports on a regular basis. We would like to further explore what is being requested and what might constitute reasonable timeframes.

12. May 2008: MACECD supports the MDOE monitoring and technical assistance programs and recommends that they continue to be a priority even in the face of budget shortfalls.

Source Committee: Early Transition

**Maine Department of Education Response**

DOE will continue to monitor and provide technical assistance to ensure quality services are provided for youth in both the Part C and Part B programs. Data collection will continue and quality services will be offered State-wide.

## 2007-2008 MACECD Attending Membership

<u>Name</u>	<u>Category</u>
Kathy Adams	Service Provider
Karin Ahl-Geiger	Parent, Service Provider
Heather Ball	Individual with a Disability, Personnel Preparation
Maribeth Barney	Service Provider
Chris Bean	State Agency Representative
Brenda Bennett	Parent, Individual with a Disability
Teresa Berkowitz	Administrator
Tom Bouchard	Teacher, Administrator
Bill Breton	Personnel Preparation
Jean Bridges	Head Start Agency
Linda Brissette	State Child Welfare/Foster Care
Elizabeth Collins	Parent
Lisa Collins	Maine Developmental Disabilities Council
Carol D'Amelio	Parent
Jean Eaton	Special Education Administrator (ret.)
Wendy Flannery	Parent
Deborah Folsom	Principal
Alfreda Fournier	Administrator
Deb Gardner	Individual with a Disability
Sue Henri-Mackenzie	Parent, Individual with a Disability
Arthur Hosford	Bureau of Insurance
Rhonda Kaiser	Service Provider
Libby Kaut	Parent, Service Provider
James Kilbride	Special Education Director
Jonathan Kimball	Service Provider
Mary Jo Laniewski	Parent
Sandy Lannon	Parent, Teacher
Melanie Miller	Parent, State Agency Representative
Barb Neilly	Principal
Rachel Posner	State Agency Representative
Phil Potenziano	Parent, Administrator
Lori Prestridge	Parent, State Agency Representative
Shelley Reed	Homeless Children/Youth Representative
Diane Smith	Service Provider
Margi Snyder	Individual with a Disability
Debra Sodoma	Parent
Kathy Son	Parent
Loraine Spenciner	Personnel Preparation
Libby Stone-Sterling	Service Provider, Parent
Nancy Sullivan	State Legislator/Teacher
Lyndsay Vachon	Parent
Patti Williams	State Agency Representative
Susan Witt	Parent
Dee Wright	Grandparent
Howard Wright	Grandparent
Jean Youde	Parent, Service Provider
Kathleen Young	Maine Developmental Disabilities Council

## MDOE Contacts

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## Child Development Services Contact

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## Facilitators

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