

LOCAL RIGHT TO EDUCATION TASK FORCE #15

11/8/21 6:30 PM Meeting Minutes

Recording:

<https://caiu-org.zoom.us/rec/share/aURW6eqCouflmOHmBdUcBltig4LOG-uy8mDBcXegRGcnFtrXLW4gpTu5fW6I30E.GimAabW84UR6EP9f>

I. WELCOME & INTRODUCTIONS

<i>Attending:</i>		
<input checked="" type="checkbox"/>	Kathy Gingerich, Chairperson	The Arc of Dauphin County
<input checked="" type="checkbox"/>	Beth Light	The Arc of Dauphin County
<input checked="" type="checkbox"/>	Beth-Ann McConnell	CAIU - Interagency
<input type="checkbox"/>	Holly Turner	CPARC
<input type="checkbox"/>	Kathleen Haigh	Family Member/PEAL Center
<input checked="" type="checkbox"/>	Megan Johnston	Cumberland Perry MH
<input type="checkbox"/>	Adam Wiener	Dauphin County ID
<input type="checkbox"/>	Barb Jumper	CMU
<input checked="" type="checkbox"/>	Bernadette Jayakumar	UCP
<input type="checkbox"/>	Laken Wilson	CPARC
<input type="checkbox"/>	Lissette Johnson	CPARC
<input type="checkbox"/>	Kelly Smiley	CPARC
<input type="checkbox"/>	Lynn Pascoa	Dauphin County MH
<input checked="" type="checkbox"/>	Patti Wiedt, Vice-Chairperson	Parent
<input type="checkbox"/>	Pam Matesevac	Parent
<input type="checkbox"/>	Sherry Campbell	Central Dauphin School District
<input type="checkbox"/>	Melissa Bialis	Central Dauphin School District
<input type="checkbox"/>	Keith Focht	PDE- State Task Force
<input type="checkbox"/>	Deanne Ryan-Washington	West Shore School District
<input type="checkbox"/>	Mary Kay Hunter	Newport School District
<input type="checkbox"/>	Christine Titih	CT HomeCare Services
<input type="checkbox"/>	Morgan Denny	Dauphin County ID
<input type="checkbox"/>	Patsy Gilbert	Parent Advisory Council – Derry Township
<input type="checkbox"/>	Jessica Capitani	Parent Advisory Council – Derry Township
<input type="checkbox"/>	Amanda Neidig	UCP Family Support Specialist
<input type="checkbox"/>	Jacob Becker	CMU
<input type="checkbox"/>		ODP-State Task Force
<input type="checkbox"/>	Irene Reedy	CAIU Student Services Supervisor
<input type="checkbox"/>	Emmy Sasala	Family member
<input checked="" type="checkbox"/>	Michelle Smithman	Family Member Parent to Parent of PA
<input type="checkbox"/>	Gerren Wagner	Family Member, Parent Advocate ABA in PA
<input type="checkbox"/>	Jennifer Mulle	Family Member, Include me PA
<input checked="" type="checkbox"/>	Lisa Butler	Family Member/ The Arc of PA
<input type="checkbox"/>	Cynthia Lamon	Family Member/Lighthouse Human Srvs

<input checked="" type="checkbox"/>	Sandra Wallace	Family Member
<input checked="" type="checkbox"/>	Annie Zelonis	Central Dauphin School District

- II. **DISCUSSION-** Michelle Smithman, Parent to Parent has joined us tonight during the first evening session offered to families. Michelle shared information regarding their support that can be offered through matching individuals with individuals with similar lived experiences. Parent to Parent resources are available to parents and/or caregivers of individuals of any age. There is no limit to times to reach out for Parent to Parent support. For full presentation, please refer to our recording of tonight's session. Please go to the following link for additional information and matching process: <https://www.parenttoparent.org/>

1-888-727-2706 Email:

General Inquiries: info@parenttoparent.org

III.

Jeremy Yale (jjale@pa.gov) The Office of Developmental Programs – Temporary State Task Force Liaison for CAIU #15 - (717) 346-1389.

State Task Force Updates –

- ❖ Presentation - Dyslexia Pilot Program Update – Pamela Kastner – State Lead for Literacy – PaTTAN
Padlet link: <https://padlet.com/pkastner/gaueodp3xnv3bebj>
Password: PADyslexiaPilot

A.

STF 2021-2022 Proposed Meeting Dates – all 10:00-12:00 pm

- Wednesday, September 22, 2021
- Wednesday, November 3, 2021
- Wednesday, January 12, 2022
- Wednesday, March 16, 2022
- Wednesday, May 11, 2022

If there are any conflicts of our dates with any major events, please let us know and we will adjust accordingly.

FYI - PDE / BSE Conference scheduled for March (3-5), 2021..

Pennsylvania Department of Education Conference – Making a Difference: Educational Practices That Work!

- **Dates of Conference:**
(Wednesday, March 2nd 2022); (Thursday, March 3rd, 2022); (Friday, March 4th, 2022)
- **Conference Format –**
The 2022 PDE Conference will be offered in a hybrid format – meaning in person at the Hershey Lodge and Convention Center or online through ChimeLive.
- **Registration Fees –**
Local Task Force Chairpersons' and Vice-chairpersons' registration cost to the PDE Conference are paid by PDE.

- **Local Task Force Appreciation Luncheon** - *(Wednesday, March 2, 2022 – 11:30 am – 12:45 pm)* -This LTF Appreciation Luncheon will honor LTF's Chairs and Vice-chairs for all they have done and continue to do. Guest will also include the director and assistant director of the Bureau of Special Education, the 3 PaTTAN Directors, the three Department Chiefs, the PaTTAN Parent Consultants, and the Special Education Directors of all 29 Intermediate units.
- **Parent Scholarship Welcome Dinner** – *(Wednesday, March 2, 2022 - 6:00 pm – 7:00 pm)* -There will be a Parent Scholarship Welcome Dinner where either the Chairperson **or** Vice-chairperson is invited to meet the parents.
- **Substitute LTF Member** - If a LTF Chair or Vice-chair cannot attend the conference they may have one of their members within their LTF take their place.
- **Breakfast with Your Local Task Force** – *(Thursday, March 3, 2022 - 7:00 am- 8:00 am)* - Parents of the conference are invited to a LTF Breakfast to meet the LTF Chair or Vice Chair of their IU Region and the State Task Force members.
- **Rooms** - LTF Chairpersons and Vice-chairpersons - Rooms at the Hershey Lodge and Convention Center - PDE will pay for your room to stay at the Hershey Lodge and Convention Center for **Wednesday night** and **Thursday night** if you live **50 + miles** from Hershey.
- **Rooms** - LTF Chairpersons and Vice-chairpersons - Rooms at the Hershey Lodge and Convention Center - PDE will pay for your room to stay at the Hershey Lodge and Convention Center for **Tuesday night, Wednesday night** and **Thursday night** if you live **120 + miles** from Hershey.

Conferences for the 2021-2022 School Year

Conference Title	Date	Location	Future Conference Dates
Pennsylvania Deaf-Blind Project's Family Learning Conference	June 25-26, 2021	Virtual	June 24-25, 2022 Hybrid/State College
Special Education Leadership Summit	July 26-27, 2021	Virtual	
National Autism Conference	August 2-5, 2021	Virtual	August 1-4, 2022 Hybrid/State College
The Virtual 2021 PA Community of Practice Transition Conference	August 11-12, 2021	Virtual	TBD
HELIX: High Expectations for Low Incidence Disabilities	November 8-10, 2021	Hybrid - In Person at the Penn Stater/Virtual	November 14-16, 2022 Hybrid/State College
Equity is MTSS (MTSS Conference and PA PBS Implementers' Forum)	November 10-11, 2021	Virtual	TBD
Pennsylvania Department of Education Conference	March 2-4, 2022	Hybrid - In Person at Hershey Lodge/Virtual	March 1-3, 2023
AAC Talks Web Conference	May 13, 2022	Virtual	May 12, 2023
PaTTAN Literacy Symposium	June 14-16, 2022	PaTTAN Harrisburg	TBD
PA Community on Transition Conference:	August 11-12, 2021	Virtual	August 10-11, 2022

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 From Arc of PA: The Arc of Pennsylvania
 Report to State Task Force
 November 3, 2021

Special Education Services in Pennsylvania

The following is taken from written testimony by Sherri Landis (Executive Director, The Arc of Pennsylvania) to the Commonwealth of Pennsylvania / House Education Committee on October 6, 2021.

“Special Education Services in Pennsylvania is at a crucial point, Pennsylvania led the Nation in providing a public education to students with disabilities following PARC consent decree in 1971; however, school districts struggle to provide students with IDD the essential supports and services they are entitled to under the Individual with Disabilities Act (IDEA) due to historic under funding at both the Federal and State level. The outbreak of the COVID-19 pandemic and the shift to virtual learning has also significantly impacted the education of students with IDD. Students with IDD face great challenges in this time of online learning as many of the supports and services they need to access learning and receive a free, appropriate public education (FAPE) do not readily adjust to a remote learning format.”

“For the state, and school districts, to ensure that students with IDD receive the fullest educational supports and services possible, The Arc of Pennsylvania make the following recommendations for reform:

- In part, prioritize an inclusive educational experience for students with IDD.
- Support school districts in the recruitment and retention of qualified staff - such as special education teachers, paraprofessionals, educational assistants, etc. – who support students with IDD in the classroom
- Promote better coordination and access to vocational education for students with more complex needs.
- Shift the Burden of Proof to school districts in a Special Education Due Process Hearing.
- Apply the Special Education Funding Formula to charter schools.

The Arc of PA Website

The Arc of Pennsylvania’s website at www.arcpa.org has recently been redesigned. This redesign will provide parents, individuals, families, professionals, and the public with the latest information relevant to individuals with intellectual and developmental disabilities.

Disability Employment Awareness Month

On September 21, 2021, Governor Tom Wolf issued a Proclamation establishing October 2021 as Disability Employment Awareness Month. In such Proclamation, Governor Wolf declared that “all Pennsylvanians should have the opportunity to live and work with dignity, freedom, and economic self-sufficiency. Workplaces that welcome the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and a strong economy; ...” Taken “in part” from the “Disability Employment Awareness Month” Proclamation.

Helping Teens with disabilities prevent and treat depression, anxiety

“Teens with disabilities are up to five times more likely to suffer from mental, emotional and behavioral health disorders than adolescents without disabilities, University of Illinois Chicago researchers say, and care coordination services help these young people get the medical care and social services they need to be healthy. However, current care coordination programs usually do not provide mental health treatment or offer preventive mental health interventions.” Now, researchers at UIC have been awarded \$7 million from the Patient-Centered Outcomes Research Institute to assess whether integrated behavioral health care coordination, which includes a tailored mental health treatment component, achieve better outcomes than a standard state agency care coordination program.”

From the Arc of PA In Touch of 10/8/21. Additional information can be accessed at: <https://today.uic.edu/helping-teens-with-disabilities-prevent-and-treat-depression-anxiety>

Education Law Center of Pennsylvania

The Education Law Center of Pennsylvania, Public Interest Law Center, and the law firm O'Melveny have joined together to file a lawsuit on behalf of school districts, parents, and two statewide organizations against legislative leaders, state education officials, and the governor. This group is asking for a court order that will force the legislators to comply with the state constitution and ensure that all students receive access to a high-quality public education. ¹ elc-pa.org

"The case initially filed in 2014 on behalf of parents, school districts and statewide organizations in response to the failure of Pennsylvania's legislature to adequately and equitably fund public education, was remanded to Commonwealth Court in September 2017 by the State Supreme Court, which ruled that the claims in our care are subject to judicial review. ² elc-pa.org

Commonwealth Court Judge Renee Cohn Jubelirer has scheduled a trial start date of November 12, 2021. Attorneys expect the trial in Harrisburg to run through December. From elc-pa.org

The Arc of Iowa V Reynolds Lawsuit / Mask

Eleven parents of children with disabilities and Iowa's disability groups have filed a federal lawsuit challenging an Iowa law that bans schools from imposing mask mandates in schools. Earlier this year, the Iowa legislature passed House File 847. It would prevent local school districts from requiring anyone to wear a face mask and it was signed into law by Governor Kim Reynolds.

On September 13, 2021, Robert W. Pratt, Judge / U.S. District Court ordered that:

1. Defendants; Governor Reynolds, Director Lebo, and the school districts, are ENJOINED from enforcing Iowa Code section 280.31 banning local public-school districts from utilizing their discretion to mandate masks for students, staff, teachers and visitors.
2. Notwithstanding the provisions of Rule 65 (C), the court finds this Temporary Restraining Order shall issue immediately, without bond or security, in light of the nature of the conduct temporarily enjoined, and the fact that Defendants will not suffer any costs or damages in the event that the Court determines that the Defendants were wrongfully restrained.
3. The Temporary Restraining Order shall remain in full force and effect until the court enters an Order of Plaintiff's request for a preliminary injunction. If the parties desire to have an additional hearing on the matter after briefing the request for a preliminary injunction, counsel shall confer and contact Chambers with a proposed hearing date.
4. The court is entering this order to prevent further injury, and loss to plaintiffs."

Case 4:21-CV-00264-RP-5BJ
Document 32
Filed 09/13/21

Pennsylvania General Assembly

House Bill 85

This bill would require our post-secondary colleges to adopt policies that would allow existing documentation in the IEP, 504 Plan or a record of disability from another institution of higher education, or documentation from the military to be accepted as a proof of a disability. House Bill 85 remains in the House Education Committee.

House Bill 250

This bill expresses the desire of its sponsors that the Department of Education create curriculum for Health Classes that will provide a framework for positive discussion and increased understanding. House bill 250 remains in the House Education Committee.

House Bill 272

This bill proposes to address the following issues related to Pennsylvania's Charter School Law:

- Right to know
- Protecting your property tax dollars
- Protecting the future of our kids

House Bill 272 remains in the House Education Committee.

House Bill 365

House Bill 365 would update language in the PA School Code to remove derogatory language in referencing to students with intellectual and developmental disabilities. House Bill 365 was voted favorably out of the Senate Education Committee and is eligible to be brought before the full senate for a vote.

House Bill 458

This Legislation is designed to provide that, in the event of a residency dispute between school districts, a school district would not be permitted to remove a child from school until the dispute has been fully resolved and it has been determined which school district should correctly enroll the child. House Bill 458 remains in the House Education Committee.

House Bill 540

House Bill 540 would implement the Special Education Funding Commission's recommendation to "apply the same funding principles used in the formula for school districts to determine a school district's payment for a special education student enrolled in a charter or cyber charter school...". House Bill 458 remains in the House Education Committee on April 9, 2021.

Senate Bill 542

Senate Bill 542 would remove the across-the-board assumption of a 16% special education population rate per school district to using the school district's actual percentage of special education population. Senate Bill 542 was referred to the Senate Education Committee on April 9, and remains in that status.

Senate Bill 664

SB 664 enables students with IDD who turned 21 and graduated at the end of the 2020-21 school year the ability to opt in for an additional year due to the impact of COVID-19. Senate Bill 664 became law as Act 66.

HB 1335

On April 21, 2021 Representative Brian Sims and Representative Jessica Benham issued a Memorandum to members of the House of Representatives relevant to "Sexuality Education and Affirmative Sexual Consent." Such Memorandum states that "Students in Pennsylvania deserve to have a health and sexuality education that empowers them, teaches them to value their autonomy and keeps them safe. Sexuality education is vitally important, it should be comprehensive and include inclusive, accessible, science - based information with the goal of holistically supporting the health and well being of young people. HB 1335 was referred to the House Education Committee on May 5, 2021.

House Bill 1749

On May 20, 2021, Representative Rosemary Brown, posted a Memorandum to all House members relevant to Special Education Cyber/Charter School Funding. In such Memorandum, Representative Brown states "In the near future, I plan on introducing legislation which would implement the bipartisan 2013 Special Education Funding Commission's recommendation for applying the same education funding principles used to distribute state special education funding to school districts, in the calculation used to determine a school district's tuition payment for a special education student enrolled in a charter school.

House Bill 1749 was referred to the House Education Committee on July 30, 2021.

House Bill 1809 – Changed to House Bill 726

On June 22, 2021, Representative Jason Ortity, posted a Memorandum to all House members regarding his plan to introduce a bill that creates an early literacy pilot program. Beginning in the 2021-22 school year (if enacted), the PA Department of Education will work with willing school districts to address student reading needs. This program will focus on the “science of reading” which is an evidence-based reading instructional practice that integrates listening, speaking, reading, spelling, and writing.

House Bill 726 was referred to the House Education Committee on October 5, 2021.

House Resolution 138

On August 5, 2021, Representative Karen Boback, posted a memorandum to all House members regarding her plan to introduce a resolution directing the Joint State Government Commission to study special education lawsuits in the Commonwealth. The study will examine the Office for Dispute Resolution. House Resolution 138 was referred to the House Education Committee on September 15, 2021.

From ODP www.myodp.org
From PDE-BSE



Bureau of Special Education – Monthly Update

November 2021

- **Cyclical Monitoring Training for 2020-21:**
<https://www.pattan.net/Legal/PDE-Resources/Cyclical-Monitoring-for-Continuous-Improvement-CM>
- **Onsite Monitoring During COVID**
 - BSE Advisor & LEA will discuss monitoring logistics prior to monitoring
 - Discussion driven by LEA's Health & Safety Plan
 - If exposure or positive case occurs, BSE Advisor and LEA will communicate as soon as possible to determine next steps for completing monitoring
- **Special Education Plan Training:**
<https://www.pattan.net/Legal/Special-Education-Plans>
 - Phase 3 Plans are due March 1, 2022
 - Phase 1 Plans are due May 1, 2022
 - Phase 2 Plans are due May 1, 2023
- **Pennsylvania Alternate Assessment Important Calendar Dates:**
<https://www.pattan.net/assets/PaTTAN/fd/fda1d945-63a0-416f-b7a6-fd7baefe6c3a.pdf>
- **Transition:**
New website <https://www.pasecondarytransition.com/>

- **United States Department of Education Office of Special Education and Rehabilitative Services put out a Return to School RoadMap: Child Find Under Part B of the Individuals with Disabilities Act on September 30, 2021.**

<https://sites.ed.gov/idea/idea-files/return-to-school-roadmap-development-and-implementation-of-ieps/>

- **BSE RA Email Account:** The Bureau of Special Education continues to encourage engagement with the rapdespecial@pa.gov for collaborative problem solving and informational needs of parents and stakeholders.
- **PaTTAN – PaTTAN Pod** episodes cover a variety of topics in the educational field that are based on supporting student achievement. Dawn Durham, a PaTTAN employee provides a myriad of topics / speakers for families and educators to view on YouTube. <https://www.pattan.net/News/PaTTANpod>

III. **CAIU #15 Local Task Force Elections-** Not applicable at this time

IV. MEMBER UPDATES

Families: Nothing to share at this time

Arc of Dauphin County: Beth Light and Kathy Gingerich shared that they are busy. It was shared that teacher staffing at some districts are not where it should be and parents are voicing this concern more often.

Weekend respite opportunities cannot start until qualified staff are hired.

Information regarding their next TEACH session will be sent out soon on their speaker, Office of Dispute Resolutions Susan Pesavento.

CAIU: Nothing to report at this time

CPARC: No one in attendance however information from their Advocacy Talks has been shared recently and more will be shared in the upcoming months.

Cumberland Perry MH & IDD: Megan Johnston reported that services across the counties continue to meet concerns with levels of capacity. Family Based services are better with capacity. Every level is feeling the strain.

Dauphin County MH/ID & CMU: No one in attendance

UCP: Bernadette Jayakumar spoke about difficulties with staffing as well for their Friday Night respite options. This was something they offered pre-pandemic. Individuals are asking for this program but at this time this cannot occur due to lack of staffing. T

There will be Carlisle Commons RC Theater Sensory Sensitive Movie happening but dates are being confirmed.

Information on this will be reported in their newsletter which can be found on their site.

<https://www.ucpcentralpa.org/news/>

V. LTF MEETING PLANS

Proposed Local Task Force Meetings Please note 11/8/21 Evening Meeting Time

September 27, 2021 10:00- 11:30 am
<https://zoom.us/j/96898962744?pwd=NThkbXo1a2lkTHJYcFRuRU1BZ0xYUT09>
Passcode: 152743

November 8, 2021 6:30 pm-7:30 pm *Evening Meeting*
<https://zoom.us/j/97386338892?pwd=cXhST3ZYeWpSNkhITlhQWFRFbWdOUT09>
Passcode: 716724

January 24, 2022 10:00-11:30 am
<https://zoom.us/j/99896521857?pwd=UEI5VnRXUU5CeU1aNmxsRIIHbTdmQT09>
Passcode: 363364

March 21, 2022 10:00-11:30 am
<https://zoom.us/j/98722911775?pwd=dytKcEhFUUF6bmNOd1FBL0JHNzI0QT09>
Passcode: 137881

May 16, 2022 10:00-11:30 am
<https://zoom.us/j/99311746890?pwd=K2NWVWxIZnV0bEJoV2VBZGtJVGZHQ09>
Passcode: 033848