

Annual Report II

Executive Summary

By Catherine Garbacz, Past ACSE Chair

Mandated by federal and state law, the California Advisory Commission on Special Education (ACSE) is required to study issues related to the education and unmet needs of individuals with disabilities and to provide recommendations to the governor, the state legislature, the state board of education, and the state superintendent of public instruction. In light of this charge, the ACSE began its 2003–2004 fiscal year with a unique challenge: the state budget crisis reduced its meeting times by half. It was immediately apparent that the organization needed to define and start working toward its most important goals if it was going to be able to realize them within an abbreviated meeting calendar. The ACSE held a working retreat at its first meeting in October, with the purpose of identifying those goals, streamlining its activities, and becoming a more effective team. The two-day session was successful in accomplishing even more than that: it helped the commission develop and begin a three-year plan of action, creating an ideological compass that will continue to guide the ACSE through the many months ahead. Specifically, for the 2003–2004 fiscal year, the commission approached the following goals with optimism and purpose:

- ◆ Work toward a better understanding of the federal mandates of the No Child Left Behind (NCLB) Act and provide input to our appointing governmental bodies regarding its impact on special education programs
- ◆ Support full funding and passage of the reauthorization of the Individuals with Disabilities Education Act (IDEA)
- ◆ Draft and write letters and position papers on the commission's various concerns, particularly the impact of the California High School Exit Examination on special education students

While the budget crisis has made the year challenging, this report highlights the ACSE's successes and accomplishments, along with its ongoing concerns. The commission's achievements and continued focus would not have happened without the tireless help of the commission members—the professionals, parents, and educational leaders who make up the ACSE and who bring insight and commitment to the many issues facing special education in California. As a result of their work, the ACSE is able to look forward to an increasing participation with its appointing governmental bodies and stakeholders and an improved and strengthened special education climate in the coming years.

Efforts for the Year

By Patty Boyle, Catherine Conrado, Patricia Flores-Charter, Don Shalvey, and Don Burns

In addition to its public meetings, the ACSE worked to provide input to various educational and policymaking organizations in an effort to effect positive change in special education in the state. Despite its abbreviated meeting schedule, the commission was able to accomplish the following during its 2003–2004 year:

- ◆ Reviewed, analyzed, and made written recommendations on proposed legislation
- ◆ Expanded its collaboration with the State Board of Education (SBE) to include a standing agenda item for a report from the ACSE at every SBE meeting, as well as a standing agenda item at ACSE meetings for a report from the SBE executive director
- ◆ Reviewed the history, literature, and practices on standardized assessments; out of this effort produced a position paper on the California High School Exit Exam (written and organized by Commissioner Flores-Charter)
- ◆ Applied for and was granted two slots on the 15-member statewide advisory panel designed to review those practices on the California High School Exit Exam that affect students with disabilities
- ◆ Continued to exert pressure to ensure reauthorization and full funding of the Individuals with

Disabilities Education Act (IDEA)

- ◆ Supported the development and completion of a statewide Individualized Education Program (IEP) template and process (as represented by Commissioner Boyle)
- ◆ Maintained a relationship with a variety of parent, teacher, and special education administrator groups to ensure continued dialogue and collaborative problem-solving on issues related to students with disabilities

The following specific areas of concern were identified last October and vigorously addressed throughout the subsequent months.

The California High School Exit Exam

The ACSE placed the California High School Exit Exam (CAHSEE) high on its list of priorities. A passing score on this test is necessary before a student can receive a high school diploma, so it is vital that the test be fair for all students. ACSE commissioners studied high-stakes testing in the U.S. from 1980 to the present, and a summary of this research was presented to the commission at their October 2003 meeting. In general, the commission has worked to advise liaisons from the governor, the state senate, and the state assembly, along with State Board of Education members and California Department of Education staff, on the commission's continuing concerns with the development and implementation of the CAHSEE. The ACSE wrote a letter to the California State Board of Education, expressing these concerns. Over a period of four years the commission also read and reviewed six evaluation reports of the CAHSEE conducted by the Human Resources Research Organization (HumRRO). A summary of this study was presented at the ACSE meeting in March 2004. In April 2004, the ACSE began developing a position paper on the CAHSEE. Through its upcoming work on the state advisory panel for the CAHSEE, the ACSE is committed to ensuring that reasonable accommodations to the test are made available for those students with disabilities who take it, and to providing fair and equitable assessment opportunities for those students whose disabilities make unreasonable the prospect of taking the test or earning a general high school diploma.



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The California Alternate Performance Assessment

The Advisory Commission on Special Education continues its commitment to and support of the development of California's Alternate Performance Assessment (CAPA), an assessment and accountability measure for students for whom participation in statewide general assessments is not appropriate. Each student is administered the CAPA at one of five levels, the level determined by the Individualized Education Program (IEP) team and based on the student's grade and level of functioning.

A Content Review Committee for the test has been working to improve the CAPA. An ACSE representative was assigned to the subgroup from this committee that reviewed test items in the area of language arts. This group worked to refine and develop test items that were in line with those language arts skills that are typically taught in classrooms of students with moderate to severe disabilities. The group's intent was to make the items consistent across the five CAPA levels so that students' progress could be demonstrated from year to year.

The ACSE participated on this committee again in the summer of 2004 and will continue to work in support of providing students with the most effective assessment possible, aligning it with the students' curricula and, through the test, providing students with an opportunity to demonstrate the skills they have acquired.

The Individualized Education Program (IEP) Task Force

The Individualized Education Program (IEP) Statewide Task Force was formed in 2002 with the charge of identifying areas of strength and need in the IEP process and devising improvements that would ensure educational benefit and procedural guarantees under federal and state laws and regulations. The task force's final recommendations were presented to State Superintendent of Public Instruction Jack O'Connell in September 2003. Included was an IEP template that is being piloted by Special Education Local Plan Areas (SELPAs) across the state. In addition, an

alternative IEP process that stresses educational benefit was presented, with the goal of receiving from the federal Department of Education a waiver that would allow California to pilot this process. This is awaiting the reauthorization of IDEA.

At the recommendation of the task force, the ACSE wrote a letter to the State Board of Education in March 2004, requesting that accommodations stated within a student's IEP be allowed during high-stakes testing. The ACSE hopes that the recommendations from the SELPAs that are piloting the templates will further direct and refine IEP processes, resulting in a more consistent and manageable process that still maintains procedural safeguards and legal mandates.

Charter Schools

This year, the ACSE participated in a work group with members of the CDE's Special Education Division and its Charter Schools Unit. This group addressed a number of the issues facing charter schools: as their numbers increase, so also do the challenges related to their delivery of services, their LEA status, their SELPA formation, and the development of their capacity to provide both the required and the desired student support. The charter schools work group will continue to meet throughout the next calendar year, with recommendations for the schools emerging through the CDE staff, the ACSE, and the Advisory Commission on Charter Schools.

Transition

Through its representation on the Partnership Committee on Special Education's work group on Transitions to Adult Living, the ACSE became committed to helping improve transition efforts for students with disabilities. These efforts, as defined in the work group, include developing training opportunities for transition stakeholders, disseminating information about the transition process, and creating avenues for advocating and improving services. To contribute to the effort, the ACSE has announced its own Best Practices Award in Transition, the recipient of which will be announced in the ACSE meeting in November 2004.

Legislation

The ACSE acted on **Assembly Bill 1564**, which attempted to expand the legal mandates of the Individuals with Disabilities Education Act (IDEA) to include community colleges. The ACSE opposed this bill as it was originally written, concerned that the cost of expanding IDEA mandates beyond high schools would too severely tax an already underfunded system. The ACSE instead recommended that the bill add the requirement that the California Department of Education and postsecondary service providers meet and confer to improve currently existing transition services for students with disabilities so that they would be less likely to need IDEA-funded services once they are attending a community college. As a result of the ACSE's efforts, the bill is in its final form, having incorporated the ACSE's recommended requirement.

The commission also closely followed and particularly supported **Assembly Bill 2326**, the Braille Reading Standards Bill, which was chaptered and is now helping ensure Braille literacy for children with visual impairments by setting standards for Braille instruction, similar to the English language standards for print materials for sighted children. This bill has required the creation of the Assembly Bill 2326 Task Force, which advises the State Board of Education and the Superintendent of Public Instruction on this issue.

Assembly Bill 152 currently holds the commission's attention and support. This bill would serve to conform state law to federal requirements for special education in such areas as pupil identification, assessment, and eligibility; the development of IEPs; and pupil confidentiality.

Focus for the Future

Parents and educators face a myriad of challenges in their efforts to ensure quality services for children and young adults with disabilities. The challenges are compounded by budget shortfalls, various agency regulations, and a shortage of qualified staff. The dialogues with all of the stakeholders who appear at the ACSE meetings offer a valuable source of information and communication for the commissioners, helping them guide their efforts to serve the needs of infants, preschoolers, students, and adults who receive special education services in California.

The Advisory Commission on Special Education

is an advisory body required by federal and state statutes to provide recommendations and advice to the State Board of Education, the Superintendent of Public Instruction, the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in California special education.

Membership* Directory, 2004–2005

Public Members

Patty R. Boyle, pjrb@comcast.net
Don Burns, nfbcleg@jps.net
Catherine Conrado, Chair,
cconrado@lodiUSD.k12.ca.us
Catherine E. Garbacz, grbcz@aol.com
Karla Geller, geller_karla@lacoE.edu
Emma Sanchez-Glenny, eglenny@emsofl.com
Angela Hawkins, angiethom@aol.com
Fern Laethem, laethemf@saccounty.net
Janet Mangini, jmmangini@hotmail.com
Barbara Rickard Monroe, 916/264-4499 (fax)
Don Shalvey, Vice-Chair,
don.shalvey@aspirepublicschools.org
Jim Woodhead, jim.net@att.net

Student Members

Eileen Barham, 916/327-3706 (fax)
Nicholas J. Clark, 916/327-3706 (fax)

Executive Secretary

Alice D. Parker, 916/445-4602; 916/327-3706 (fax)
aparker@cde.ca.gov

Legislative Members

Charles Poochigian, Senate, 916/445-9600; 916/327-3523 (fax)
senator.poochigian@sen.ca.gov
Assembly Member, Vacant

Governor's Office, Secretary for Education Liaison

Jeannine Martineau, State Board of Education, 916/319-0827
aschloeman@cde.ca.gov
Hanna Skandera, Office of the Secretary for Education,
916/323-0611; 916/323-3753 (fax)

State Special Schools Liaison

Ronald Kadish, 916/327-3850; 916/445-4550 (fax)
rkadish@cde.ca.gov

Commission Staff Liaison

Dennis Kelleher, 916/327-0842; 916/327-3706 (fax)
dkellehe@cde.ca.gov

Commission Secretary

Susan Garrett, 916/445-4602; 916/327-3706 (fax)
sgarrett@cde.ca.gov

* For information regarding the activities of—or any of the current vacancies on—the Advisory Commission on Special Education, please contact the commission's liaison, Dennis Kelleher (see contact information above); or visit the ACSE website at <http://www.cde.ca.gov/sp/se/as/acse.asp>.

Acknowledgements

The Advisory Commission on Special Education wishes to acknowledge the dedicated contribution of former commissioner Patricia Flores-Charter, who gave tirelessly of her time and talents to serve children with disabilities in California. Patricia's extensive knowledge, passionate contributions, and articulate expression in print and in person furthered immensely the work of this commission. She will be greatly missed.

Commission meeting dates and locations, 2004–2005*

September 23–24	Sacramento	February 24–25	Sacramento
November 4–5	Sacramento	March 24–25	Sacramento
January 27–28	Sacramento	May 26–27	Sacramento

* Exact dates may change. Please visit the ACSE website (<http://www.cde.ca.gov/sp/se/as/acse.asp>) or contact the commission's secretary for the most current information or to obtain a schedule. Location: California Department of Education, 1430 N Street, Sacramento, CA 95818.



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