



# **Idaho Special Education Advisory Panel (SEAP)**

**Annual Report  
2021 - 2022**

**Submitted by Executive Committee:**

**Carly Saxe, Chair  
Laura Wallis, Vice-Chair  
Kristen Nate, Secretary**

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## Acronyms

APR	Annual Performance Report
DMS	Differentiated Monitoring System
FAPE	Free Appropriate Education
LEA	Local Education Authority
IPUL	Idaho Parents Unlimited
ISDB	Idaho School for Deaf and Blind
SDE	State Department of Education
SEA	State Educational Authority – in Idaho, this is the Idaho State Department of Education
SEAP	Special Education Advisory Panel
SESTA	Special Education Support & Technical Assistance
SPP	State Performance Plan
SSIP	State Systematic Improvement Plan
TAESE	Technical Assistance for Excellence in Special Education

## Authority

The Special Education Advisory Panel is established under *20 USC §1412(a)(21)*, as noted below.

### (A) In general

The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

The information above can also be found within *34 CFR §300.167*.

## Membership

The membership of the Special Education Advisory Panel is established under 20 USC §1412(a)(21), as noted below.

### (B) Membership

Such advisory panel shall consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State's population, and be composed of individuals involved in, or concerned with, the education of children with disabilities, including —

- i. parents of children with disabilities (ages birth through 26);
- ii. individuals with disabilities;
- iii. teachers;
- iv. representatives of institutions of higher education that prepare special education and related services personnel;
- v. State and local education officials, including officials who carry out activities under subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 USC §11431 et seq.);
- vi. administrators of programs for children with disabilities;
- vii. representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- viii. representatives of private schools and public charter schools;
- ix. not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- x. a representative from the State child welfare agency responsible for foster care; and
- xi. representatives from the State juvenile and adult corrections agencies.

(C) Special rule

A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities (ages birth through 26).

The information above can also be found within *34 CFR §300.168*.

Per the current By-laws and Operating Procedures of Idaho’s Special Education Advisory Panel (SEAP), membership is further clarified with the following information:

The membership of SEAP shall consist of members appointed by the Idaho State Superintendent of Public Instruction, who is authorized under the law to make these appointments. SEAP shall be representative of Idaho’s population and composed of individuals involved in or concerned with the education of students with disabilities. Parents of students with disabilities and individuals with disabilities shall compose a majority (51% or more) of panel membership.

Other individuals may serve on the Panel as at-large members, appointed at the discretion of the Chairperson. The State special education director or his/her designee shall serve as an ex-officio member of the Panel. The Panel shall not exceed 25 members.

## Membership List 2021-2022

	Member Name	Term	Category Filled***	Representation
1	Sara Bennett	2021-2024	i	Parent (Lewiston)
2	Sally Brown	2019-2022	i, iv	Parent (Caldwell) & Representative of Higher Education (College of Idaho)
3	Barbara Broyles	2021–2024	iv	Representative of Higher Education (U of I)
4	Brian Darcy	*2021-2024	vi	Program Administrator State Education (IESDB)
5	Katie Flores	2021-2024	i	Parent (Caldwell)
6	Gretchen Fors	2021-2024	i	Parent (Boise)

	Member Name		Term	Category Filled***	Representation
7	Jacob	Head	*2019-2022	ii	Self-Advocate
8	Malia	Hollowell	2021-2024	iii	SPED Teacher-West Ada
9	Eric	Lichte	*2021-2024	viii	Charter School – Inspire Charter
10	Angela	Lindig	*2021-2024	i	Parent & IPUL
11	Alison	Lowenthal	*2021-2024	i, ix	Parent & Vocational Rehabilitation
12	Bryan	Maughan	2021-2024	i	Parent (Rexburg)
13	Kristen	Nate	2021-2024 Secretary	x	DHW - Child Welfare
14	Suzanne	Peck	*2021-2024	v	SDE McKinney-Vento/ Homeless Coordinator
15	Sylvia	Purcell	2021-2024	i	Parent (Star)
16	Carly	Saxe	2019-2022 Chair	ii	Self-Advocate
17	Debbie	Siegel	*2020-2023	xi	Idaho Department of Juvenile Corrections
18	Charlie	Silva	Ex-officio	none	SDE Special Education Director
19	Laura	Wallis	*2021-2024 Vice-chair	i	Parent (Ammon)
20	Joey	Ward	2021-2024	xi	Idaho Department of Corrections
21	Robin	Zikmund	*2021-2024	i	Parent (Meridian)
22	**Jill	Mathews	*2021-2024		SDE Family and Community Engagement

\*Indicates a second term

\*\* Indicates As needed and at the request of the State Director of Special Education

\*\*\* Categories as identified in 20 USC §1412(a)(21)(B)

## Current Membership Details

- 22 total members
- 11 members who are parents of students with disabilities and individuals with disabilities (50%)
- We are missing representation in a few areas, as noted below.

## Future Action

Currently, membership on the SEAP does not comply with Federal guidelines and current by-laws in the following areas:

- the percentage of individuals with disabilities or parents of children with disabilities is less than the required 51%; and
- we are missing representation from:
  - Local education officials;
  - Other State agencies involved in the financing or delivery of related services to children with disabilities; and
  - Private schools.

It is suggested that future recruitment focus on these areas. It may also be necessary to update the by-laws to increase the membership number to accommodate the required representation.

## Duties and Priorities

The duties of the Special Education Advisors Panel (SEAP) are identified in the three areas listed below, namely, 20 USC §1412(a)(21), 34 CFR §300, and the Special Education Advisory Panel By-laws and Operating Procedures.

### 20 USC §1412(a)(21)

The duties of the SEAP are established under *20 USC §1412(a)(21)*, as noted.

#### (D) Duties

The advisory panel shall —

- i. advise the State educational agency of unmet needs within the State in the education of children with disabilities;
- ii. comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- iii. advise the State educational agency in developing evaluations and reporting on data to the Secretary under Section 1418 of this title;
- iv. advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under this subchapter; and
- v. advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.

The information above can also be found within *34 CFR §300.169*.

## 34 CFR §300

Additional duties listed in *34 CFR §300* include: (Continued numbering from last section for ease of reference.)

- vi. Consults with the State Department of Education (SDE) if they wish to use IDEA Part B funds to supplant (meaning replace) Federal, state, or local funds.

*Per 34 CFR §300.164. Waiver of requirement regarding supplementing and not supplanting with Part B funds.*

(c) If a State wishes to request a waiver under this section, it must submit to the Secretary a written request that includes -

- (4) Evidence that the State, in determining that FAPE is currently available to all eligible children with disabilities in the State, has consulted with the State advisory panel under §300.167.

- vii. Reviews findings from hearings and appeals on the provision of FAPE.

*Per 34 CFR §300.513- Hearing decisions.*

(d) *Findings and decisions to advisory panel and general public.* The public agency, after deleting any personally identifiable information, must -

- (1) Transmit the findings and decisions referred to in §300.512(a)(5) to the State advisory panel established under §300.167; and

*Per 34 CFR §300.514- Finality of decision; appeal; impartial review.*

(c) *Findings and decisions to advisory panel and general public.* The SEA, after deleting any personally identifiable information, must -

- (1) Transmit the findings and decisions referred to in paragraph (b)(2)(vi) of this section to the State advisory panel established under §300.167;

- viii. Advises on the issue of disproportionality representation in special education and setting risk ratios.

*Per 34 CFR §300.647(b) Significant disproportionality determinations.*

*(1)(iii)(A) Must be based on advice from stakeholders, including State Advisory Panels, as provided under Section 612(a)(21)(D)(iii) of the Act;*

## **Special Education Advisory Panel By-laws and Operating Procedures**

Additional duties are listed in the By-laws and Operating Procedures. Specifically: (Continued numbering from last section for ease of reference.)

- ix. Advise the State Department of Education (SDE) on the education of students with disabilities who have been convicted as adults and incarcerated in adult prisons; and
- x. Advise the State Department of Education (SDE) on its comprehensive system of personnel development (CSPD) function to aid in recruiting, preparing, and retaining qualified personnel.

## **SEAP Priorities**

To provide policy guidance to the Idaho State Department of Education (SDE) with respect to special education and related services for children with disabilities, the following priorities were established for 2021-22.

- (1) Assist the SDE. with the State Systematic Improvement Plan (SSIP). (This falls under duty iii.)
- (2) Assist the SDE with the Parent Survey. (This falls under duty iii.)
- (3) Assist the SDE with issues regarding securing and retaining qualified Special Education Personnel. (This falls under duty x.)

*It is important to note that these priorities were established in prior years, and due to the impact of COVID-19 on education, these priorities have been continued into subsequent years until they can be adequately addressed.*

## **Activities and Actions**

Throughout 2021-22, the Special Education Advisory Panel (SEAP) met regularly to carry out the duties of the Panel.



## Executive Committee Meetings

The SEAP Executive committee is comprised of the Chair, Vice-Chair, and Secretary. They met with the Special Education Director for the State Department of Education five times via phone conference to review new member applications, make recommendations for membership, and plan agendas for upcoming meetings.

Executive Committee meetings were held on:

- (1) August 31, 2021
- (2) October 26, 2021
- (3) December 3, 2021 (to plan for the work session)
- (4) February 1, 2022
- (5) May 2, 2022

## General Meetings

The Idaho Special Education Advisory Panel (SEAP) met and conducted business four times during the 2021-22 school year as follows:

	Date	Type	Location
1	September 13, 2021	In person	State Department of Education, Boise, Idaho
2	November 8, 2021	In person	State Department of Education, Boise, Idaho
3	February 14, 2022	Via Zoom*	N/A
4	May 16, 2022	In person	Idaho School for Deaf and Blind (ISDB), Gooding, Idaho

\*A Zoom meeting was held due to increased COVID-19 infection rates in February.

Panel meetings were open to the public and complied with Idaho's Open Meeting Law requirements. (Idaho Code §§ 74-201 through 74-208). Meeting minutes are posted at <http://sde.idaho.gov/sped/seap>.

## Work Sessions

One work session was held on December 13, 2021, to allow SEAP members the opportunity to understand and discuss reporting standards for the Annual Performance Report (APR) and State Performance Plan (SPP).

## Activities of the Panel

The following activities occurred during meetings throughout the year in alignment with the duties and priorities of the SEAP. The members of the SEAP:

- Facilitated new member orientation, with a presentation by Technical Assistance for Excellence in Special Education (TAESE);
- Received information from the SDE concerning State, Federal, and fiscal updates;
- Discussed and Provided Feedback on the following;
  - Annual Performance Report (APR)/State Performance Plan (SPP);
  - Differentiated Monitoring System (DMS) 2.0;
  - Significant Disproportionality;
  - Idaho Pyramid Collaborative;
  - Cultivating Readers Update and Enhanced Opportunities; and
  - Dispute Resolution.
- Evaluated SDE and SESTA-created parent resources;
- Participated in training specific to serving on groups, presented by Idaho Parents Unlimited (IPUL);
- Toured the Idaho School for Deaf and Blind (ISDB) in Gooding, Idaho; and
- Elected officers for 2022-23.
  - Chair – Laura Wallis
  - Vice-Chair – Katie Flores
  - Secretary – Kristen Nate

## Panel Actions in 2021-22

Duties identified from 20 USC §1412(a)(21), 34 CFR §300, and the Special Education Advisory Panel By-laws and Operating Procedures were completed as noted. Future suggested action is also noted below.

Duty	Method
i.	Time was given in each SEAP meeting to discuss unmet needs for children with disabilities as identified by panel members, SDE staff, and other guests.
ii.	Rule and regulation changes affecting the education of children with disabilities rarely come from outside the SDE, so the SEAP did not have the opportunity to comment publicly this year. However, feedback is regularly given to SDE staff to be used when developing proposed rule and regulation changes internally.

Duty	Method
iii	Multiple SEAP meetings, including general meetings and a work session meeting, focused on helping the SDE develop reporting data. Updates on this data will be presented in future SEAP meetings for continued feedback from the panel.
iv.	No current corrective action plans to address findings identified in federal monitoring reports were presented to the SEAP for their feedback. Any future reports will be presented in regularly scheduled meetings.
v.	No specific work was done to advise the SDE on developing and implementing policies relating to the coordination of services for children with disabilities. However, continued progress was made to advise the SDE on programs for children with disabilities that are currently operating within the state. It is anticipated that future policies will be brought to the SEAP for their feedback.
vi.	No waivers involving Part B funds were requested by the SDE during this year, so no time was spent in this area this year.
vii	No findings from hearings or appeals on the provision of FAPE were presented to the SEAP this year. The SEAP was presented information about the number of disputes handled throughout the year. It is anticipated that any related findings will be presented in future meetings in the upcoming year.
viii.	Ongoing work was focused on identifying and addressing significant disproportionality. It is anticipated that this will continue to be a focus of future meetings.
ix.	No specific questions were presented to the SEAP this year for them to advise on the education of students with disabilities who have been convicted as adults and incarcerated in adult prisons. It is anticipated that future information will be presented to the SEAP in general meetings.
x.	There was no discussion about the SDE comprehensive system of personnel development (CSPD) function to aid in recruiting, preparing, and retaining qualified personnel during the year. As this closely aligns with one of the state's SEAP priorities, it is anticipated this will be a topic of discussion in future meetings.

## Update on SEAP Priorities

1. Assist the SDE with the State Systematic Improvement Plan (SSIP)

Updates were to given by the SDE to the SEAP throughout the year, and feedback was provided when requested. This will continue to be a priority moving into the next year.

2. Assist the SDE with the Parent Survey

This was not discussed during the current year. An update from the SDE will be requested next year to determine if this needs to continue as a priority.

3. Assist the SDE with issues regarding securing and retaining Qualified Special Education Personnel

The SEAP panel recommends this continue to be a priority. Due to the continuing impacts of COVID-19, this continues to be an area of great concern.