

**Continuing Advisory Committee (CAC) Meeting Minutes  
October 1, 2018  
Region 13 Education Service Center  
5701 Springdale Rd. Austin, TX 78723**

**CAC Attendees:** Shemica Allen, Agatha Thibodeaux, Erin Wilder, Laurie Rodriguez, Jana Burns, Rachel Dreiling, Karen Beasley, Kristine Mohajer, Jana McKelvey, Jo Ann Wofford, Elizabeth Donaldson

**CAC Absentees:** Teresa Bronsky, Julia Erwin, Jo Ann Gama, Robin Lock, Stephanie Martinez, Kristin Tassin

**Texas Education Agency:** Stacy May, Keith Swink, Sandra Serna

**9:18 Welcome and Opening-Shemica S. Allen, CAC Vice-Chair**

Shemica S. Allen opened the meeting and reviewed meeting guidelines. Quorum was present

**Legislative Sub-Committee Reports/Work Groups-Shemica S. Allen**

Committee began discussion on legislative report recommendations from each sub-committee.

Dyslexia-TEC §29.004 (d) recommendation. Jana McKelvey recommended changes to (c) rather than adding (d). Recommendation added to the report to change TEC 29.004 (c). Laurie Rodriguez explained a concern regarding recommended changes to (e). Agatha Thibodeaux explained the criteria for adding the recommended changes to (e). Jana McKelvey stated concerns about children who have been diagnosed with dyslexia receiving full FIE due to the comorbid disabilities - would consider adding something in an area of dyslexia to ensure full evaluation conducted for students with dyslexia when needed. Laurie Rodriguez explained broadly the dyslexia evaluation process. Jana McKelvey explained concerns about the current issues with predetermination and possibility of a failure to address comorbid areas. The committee recommended that (e) be removed from the recommendation. Jana McKelvey recommended tabling discussion regarding dyslexia until the handbook is posted. Shemica S. Allen agreed and will add that to the next agenda. Laurie Rodriguez recommended reviewing the Legal framework regarding dyslexia. Jana McKelvey requested the specific code and Laurie Rodriguez shared the TEC and TAC codes.

Graduation Requirements-TAC §74.11. Erin Wilder explained the need for this change to graduation requirements. Laurie Rodriguez explained situations that occur in her LEA regarding students and need to obtain state credit for vocational services. Jana Burns shared concern about where this would appear in the state approved course. Committee recommended that these recommendations be placed under 19 TAC §74.11 Subchapter B (g)(1)(k)

Shemica S. Allen recommended changes to TAC §89.1050(e)(2) to include “prior” before written notice. Laurie Rodriguez explained the PWN was already explained in (h). Committee agreed to with the recommendation to add “prior” before written notice.

Shemica S. Allen recommended changes to TAC §89.1131. Shemica S. Allen explained the current requirements for educational aides and the recommended changes to the certification requirements for education aides. Kristine Mohajer asked if the education certification includes training on trauma-informed care and behavior management. Committee recommended to

require paraprofessionals to complete certain amount of training and professional development hours in special education per school year and also in order to renew their educational aide certificates.

Shemica S. Allen recommended changes to TAC §89.1197. Shemica S. Allen discussed a recommendation to change the request for IEP facilitation be changed from 5 calendar days to 10-15 days. Committee agreed the recommend to change to 5 business days.

Rachel Dreiling recommended changes to TAC §29.005(g). Rachel Dreiling explained the need to add language regarding the review of the behavior intervention plan. The committee discussed the requirement for reviewing the IEP annually and that the BIP is part of the IEP. The committee recommended to incorporate language from the Code of Federal Regulations to state “reviewed periodically, but not less frequently than annually”.

Rachel Dreiling discussed the need for additional LSSPs in schools. Jana McKelvey and Rachel Dreiling will bring additional recommendations for this topic back to the group at the October 30th meeting.

### **Public Comments-Shemica S. Allen**

Public Comments began at 1:00 pm.

Steve Aleman-Disabilities Rights shared information about the Texas vs. USDE Fifth Circuit case regarding Maintenance of Effort

Robbi Cooper-Decoding Dyslexia Texas shared information related to her concerns regarding the dyslexia handbook; the need for full individual evaluations for dyslexia students

Public Comments ended at 1:07 pm.

### **Legislative Sub-Committee Reports/Work Groups-Shemica S. Allen**

Committee continued working on the legislative report. Discussion began again at 1:07 pm.

Rachel Dreiling made a recommendation to change the dyslexia funding. Laurie Rodriguez recommended that the dyslexia funding would fall into compensatory education funding weights. However, Laurie Rodriguez also expressed concerns about the CAC advising on topics outside of special education. Laurie Rodriguez recommended that the committee will need to make recommendations to the compensatory education committee. Agatha Thibodeaux recommended that this topic be tabled until next meeting. Jana McKelvey will draft language for the next meeting regarding the additional recommendation regarding dyslexia. Rachel Dreiling explained her concerns regarding the lack of accountability measures for special education students in the A-F system Laurie Rodriguez shared the special accountability measures in TAPR reports. This topic will be tabled until the next meeting,

Shemica S. Allen shared additional recommendations from Kristin Tassin:

- Recommendations were made to change TEC §21.044 and TAC §228.30. The committee agreed to maintain the recommendations as provided.
- Recommendations were made to TAC §89.1170(a) regarding impartial hearing officers. The committee agreed to maintain the recommendations as provided.

- Recommendations were made to change TAC §89.1196 regarding IEP facilitation. Changes were recommended relating to the requirement that LEAs and parents participate in facilitated IEPs as part of the dispute resolution process before mediation and due process. The committee decided to table this discussion until next meeting.
- Recommendations were made to change TEC §11.1511. Changes were recommended to require board policy requiring an audit of special education programs every 5 years. Laurie Rodriguez recommended minor wording changes and the committee agreed to change “review” in the recommendation to “monitor”.
- Recommendations were made to TAC §11.159 regarding requiring school board members to have training on district governance of laws and regulations related to special education as well as reviewing and evaluating district implementation of special education services. Discussion on this recommendation was tabled until the next meeting.

#### **4:00 Motion to Adjourn**

Elizabeth Donaldson made a motion to adjourn. Agatha Thibodeaux seconded motion. Meeting adjourned a 4:00.