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To the Governor of South Dakota,

The South Dakota Department of Education Special Education Advisory Panel continues its service in an advisory role to the Department of Education Office of Special Education Programs (SEP) on behalf of children with disabilities and their educational opportunities. This annual report highlights the priorities, recommendations, and activities of the South Dakota Panel for Children with Disabilities (SDAPCD) for the past fiscal year.

The SDAPCD is committed to working to enhance the lives of students with disabilities. Parents, individuals with disabilities, and professionals representing diverse areas of expertise work together to provide insight, guidance, and direction to SEP so that South Dakota can continue to provide our students with the best possible education.

Panel efforts and focus during this past year, July 1, 2022 – June 30, 2023, include improving transition outcomes for students with disabilities, panel member training, sharing of information amongst the panel, providing input to and receiving updates from SEP.

Chairperson Meaghan Neuberger

### The South Dakota Advisory Panel Overview

The South Dakota Advisory Panel for Children with Disabilities is composed of individuals from around the state and selected by the Governor of South Dakota. The SDAPCD advises the Department of Education SEP on educational issues related to students with disabilities.

In compliance with this responsibility, the SDAPCD conducted public meetings in Pierre, SD. The SDAPCD also provides access to meetings statewide through South Dakota Public Broadcasting.

SDAPCD's role as a stakeholder group for Special Education includes providing suggestions and advice to the State DOE on critical issues regarding special education services throughout South Dakota.

SEP wishes to thank the SDAPCD members for their assistance and guidance.

## Administrative Rules of South Dakota

### 24:05:14:18. State advisory panel -- General.

The department shall establish and maintain 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.

### 24:05:14:19. State advisory panel -- Membership.

The advisory panel must consist of members appointed by the Governor, or any other official authorized under state law to make such appointments, be representative of the state population, and be composed of individuals involved in, or concerned with, the education of children with disabilities, including:

- (1) Parents of children with disabilities, ages birth through 26;
- (2) Individuals with disabilities;
- (3) Teachers;
- (4) Representatives of institutions of higher education that prepare special education and related services personnel;
- (5) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007;
- (6) Administrators of programs for children with disabilities;
- (7) Representatives of other state agencies involved in the financing or delivery of related services to children with disabilities;
- (8) Representatives of private schools;
- (9) Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- (10) A representative from the state child welfare agency responsible for foster care; and
- (11) Representatives from the state juvenile and adult corrections agencies.

A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities, ages birth through 26.

#### 24:05:14:20. State advisory panel -- Duties.

The advisory panel shall:

- (1) Advise the department of unmet needs within the state in the education of children with disabilities;
- (2) Comment publicly on any rules proposed by the department related to the education of children with disabilities;
- (3) Advise the department in developing evaluations and reporting on data to the U.S. Secretary of Education under section 618 of the IDEA;
- (4) Advise the department in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the IDEA; and
- (5) Advise the department in developing and implementing policies related to the coordination of services for children with disabilities.

## **SDAPCD Responsibilities**

- 1. Advise the State Education Agency (SEA) 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 SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act.
- 4. Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act.
- 5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
- 6. Review and comment on final due process hearing findings and decisions.
- 7. Advise on eligible students with disabilities in adult prisons. The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.

# **SDAPCD Meeting Information**

The SDAPCD meets quarterly, and meeting information can be found at <u>South Dakota Boards</u> and <u>Commissions</u> website under Special Education Advisory Panel for Children with Disabilities:

- Meeting minutes
- Future meeting dates
- Current meeting agendas
- Supporting documents for current meetings
- Recording of meeting

# **SDAPCD Membership**

The advisory panel is made up of sixteen SDAPCD members from across SD. Eight of those members are parents of children with disabilities or individuals with disabilities, which represent 50% of the membership.

Panel Members	
Name: Eric Anderson	Name: Larry Ayres
Representation: Juvenile Justice	Representation: Parent
Location: Rapid City, SD	Location: Doland, SD
Term Ends: Agency Required	Term Ends: Resigned 6.30.2022
Name: LeAnne Bawek	Name: Angie Brown
Representation: Parent	Representation: Parent
Location: Doland, SD	Location: Sioux Falls, SD
Term Ends: 6/30/2024	Term Ends: 6/30/2024
Name: Katie Gran	Name: Eric Grover
Representation: Transition State Agency	Representation: State Child Welfare Agency
Location: Pierre, SD	Location: Rapid City, SD
Term Ends: Agency Required	Term Ends: Agency Required
Name: Steve Helgeland	Name: Dr. Donna Johnson
Representation: Special Education Administrator	Representation: Higher Education
Location: Dell Rapids, SD	Location: Marion, SD
Term Ends: 6/30/2024	Term Ends: 06/30/2023
Name: Michelle Martin	Name: Stacey Meyer
Representation: Special Education Administrator	Representation: Parent & Special Education
Location: Timber Lake, SD	Teacher
Term Ends: 6/30/2024	Location: Pierre, SD
	Term Ends: 6/30/2024
Name: Meaghan Neuberger	Name: Darcy Peterson
Representation: Parent	Representation: Individual
Location: Sioux Falls, SD	Location: Rapid City, SD
Term Ends: 6/30/2023	Term Ends: 6/30/2023
Name: Brian Poelstra	Name: Erin Schons, Chairperson
Representation: Parent	Representation: Private School
Location: Pierre, SD	Location: Sioux Falls, SD
Term Ends: 6/30/2023	Term Ends: 7/30/2023

Name: Dawn Smith	Name: Kim Wadsworth
Representation: McKinney Vento	Representation: State Agency
Location: Pierre, SD	Location: Sioux Falls, SD
Term Ends: Agency Required	Term Ends: Agency Required
Name: Elizabeth Welfl	
Representation: Parent	
Location: Spearfish, SD	
Term Ends: 6/30/2022	

DOE Special Education Program Staff		
Name: Linda Turner	Name: Wendy Trujillo	
Representation: State Director of SEP & Panel ad-	Representation: Assistant State Director of SEP &	
hoc member	Panel Lead	
Location: Pierre, SD	Location: Pierre, SD	
Name: Melissa Manning		
Representation: Senior Secretary SEP & Panel		
Secretary		
Location: Pierre, SD		

## **SDAPCD Priority Area and Activities**

The panel priority for 2022-2023 school year was improving transition for students with disabilities across the age spans including preschool to kindergarten, elementary to middle school, middle school to high school and high school to post-secondary. The SDAPCD conducted the following activities:

### September 2022

- Annual business meeting
  - o Annual chairperson and vice chairperson elections
  - Discuss potential updates to the by-laws
  - Update service rates
- Panel Priority Setting
  - Reviewed state data to determine areas the panel could assist with improving
  - o Panel members identified transition as a current area of need across the state
- Department of Education Updates
  - o Dispute resolution results for school year 2021-2023
  - Share out information on the release of state determinations by the federal
    Office of Special Education Programs

### January 2023

- Department of Education Updates
  - o Informed members of the Special Education Conference registration
  - Update the personal attendant rate
  - Review and voted on updates to the cover page and panel member attendance
  - Office of Special Education staff presented on the state performance plan

- Reviewed special education results for each of the 17 indicators
- Discussed and received feedback on indicator 16 mediation agreements baseline and targets

### April 2023

- Department of Education Updates
  - Secretary Graves introduced himself and provided an overview of his priorities
    - Shared rule changes to allow districts to pay student teachers and allowing an advance permit to increase ability to serve in a teacher of record role
    - Department is heading a 3 day history road trip across South Dakota to learn more about South Dakota history
    - The Department is moving forward with the literacy plan initiative development
  - Overview of legislative session and impacts to the Department and special education
  - Overview of IDEA budget and application and discussion on activities the state might invest or complete to meet the needs of students with disabilities
  - o Recognition of panel members who terms are ending
    - Erin Schons, Chairperson
    - Brian Poelstra, Parent and Advocate
    - Kim Wadsworth, State Agency
    - Dr. Donna Johnson, Higher Ed
  - State Performance Plan indicator 3 discussion on resetting targets for reading and math

#### June 2023

• Due to current panel member availability prohibiting a quorum and awaiting member appointments the June SDAPCD meeting was not held.

### **State Performance Plan Indicators**

The Individuals with Disabilities Act (IDEA) of 2004 requires all states to have in place a <u>State Performance Plan (SPP)</u> that evaluates the State's efforts to implement the requirements and purposes of IDEA and describes how the State will improve student performance/achievement. (See US Dept. of Education State Performance Plan) The SPP describes how each state will improve results for students and comply with the IDEA. It is a six-year plan with annual performance reports and is submitted annually in February.

- Indicator 1 Improving graduation rates for students with disabilities
- Indicator 2 Decreasing dropout rates for students with disabilities
- Indicator 3 Ensuring all students with disabilities participate in statewide assessment
- Indicator 4 Reducing suspension and expulsion rates for students with disabilities
- **Indicator 5** Providing services for students with disabilities in the least restrictive environment ages 6-21
- **Indicator 6** Providing preschool children with disabilities services in the least restrictive environment ages 3-5
- Indicator 7 Improving social, cognitive, and behaviors for preschool children with disabilities
- Indicator 8 Improving parent involvement in their child's special education program
- Indicator 9 Reducing disproportionality of cultural groups in special education
- **Indicator 10** Reducing the number of students from other cultures in certain disability categories
- Indicator 11 Improving efforts to locate, evaluate, and serve students with disabilities
- Indicator 12 Ensuring a smoother transition from Birth to 3 programs to preschool programs
- **Indicator 13** Improving transition services for students with disabilities at the secondary level, i.e., 16+ years
- **Indicator 14** Improving the outcomes for students moving from secondary to postsecondary activities
- Indicator 15 Improving dispute resolution results through resolution agreements
- Indicator 16 Decrease the number of mediations held within a year
- Indicator 17 State Systemic Improvement Plan



# South Dakota Department of Education Special Education Programs

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