



**The California
Advisory Commission on Special Education**

Annual Report 2006–2007

*“The foundation
of every state
is the education
of its youth.”*

—Diogenes Laertius

Public Report

2006–2007

A View from the Chair

Seasons of Love

“Five hundred twenty-five thousand six hundred minutes
Five hundred twenty-five thousand moments so dear
Five hundred twenty-five thousand six hundred minutes
How do you measure? Measure a year

In daylights,
In sunsets,
In midnights,
In cups of coffee,
In inches, in miles, in laughter, in strife

In five hundred twenty-five thousand six hundred minutes
How do you measure a year in a life?”

The lyrics from “Seasons of Love” from the Broadway musical *Rent* describe one way to measure a year. This 2006–7 year in the life of the Advisory Commission on Special Education (ACSE) could be characterized as a deepening—measured in deep conversations, deeper analyses, and focused efforts on topics that matter a great deal to the stakeholders in the special education arena.

This year the commission placed a particular emphasis on deepening its conversations and working with our stakeholders, which include parents, students, educators, professional organizations, and higher education researchers. In addition, the commission deepened its work in the area of legislation. A very strong ACSE legislative committee met for countless hours to analyze potential bills and offer recommendations to the sponsors.

The commission addressed select, important topics that took up the lion’s share of its meetings this year. These topics included the opportunities and challenges associated with assistive technology; the shortfall in education funding that we are all experiencing; and, of utmost importance, the shortage of qualified staff in every critical role that supports students with special needs.

The commission also embarked on a first year of study to understand “response to intervention” and how the California Department of Education is planning to support the implementation of that instructional approach in the years to come. The student commissioners on the ACSE took a leadership role around “people first language,” and the commission received updates on the implementation of the ACSE recommendations relative to charter schools and special education.

The commission gave significant time and mindshare to three additional areas. First and foremost was its work on the California High School Exit Exam (CAHSEE) and the recommendations the commission ultimately took to the State Board of Education regarding the hopes and challenges of the CAHSEE. In addition, the commission used its GOAL Award as a way of identifying promising practices in the field; and, through its partnership in the award with the California School Boards Association, the ACSE looks forward to upcoming years and this award being a vehicle for yielding even more nominations for significant work from all parts of the state.

In conclusion, the 2006–7 year of the ACSE was a season of deep commitment, caring, and appreciation for everyone in the field of special education.

—Don Shalvey, Chair

Legislative Report

Legislation is how policy and philosophical discussions are translated into action. The commission is committed to engaging in this process in order to take effective action on behalf of students with disabilities. As part of this effort to be more proactive in the arena of legislation, the ACSE revitalized its legislative committee, contacts, and processes. Its members created a legislative platform to guide the commission's evaluation of pending legislative measures. In addition, the legislative committee is now convening the day before scheduled commission meetings in order to have the necessary time to make appropriate recommendations.

The ACSE legislative platform for the 2006–7 year established seven clear priorities:

- **Increasing efforts to recruit and retain highly skilled special education teachers, specialists, and paraeducators** in order to provide standards-based instruction to students with disabilities
- **Adequate funding for highly effective instructional programs** for students with disabilities, including fully funding federal, state, and local financial contributions
- **The equitable implementation of response to intervention (RtI) strategies** to assure the preservation of the rights of students with disabilities afforded under the Individuals with Disabilities Education Act and to assure unimpeded access to special education services
- **The provision of high-quality special education services** to students in charter schools, non-public agencies, foster homes, juvenile detention centers, and the California Youth Authority
- **The reduction of class sizes and caseloads in special education** in an effort to ameliorate the deleterious impact on the quality of special education services caused by overcrowded classrooms and oppressive caseloads
- **The expansion of career and technical education programs**, which provide appropriate training for students with disabilities so that they are able to transition to the world of work with adequate skills
- **Efforts to ensure the rights of students with disabilities to statewide assessments and accountability measures**

This platform guided the ACSE's efforts in

evaluating the plethora of bills that passed through the legislature. The process remains fluid, but as of May 2007, the commission supports the following state legislation:

- Assembly Bill 216 (Bass): Special education curriculum requirements, non-public schools
- Assembly Bill 359 (Karnette): Assumption Program of Loans for Education (APLE) student loan forgiveness extended to speech-language pathologists
- Senate Bill 377 (Aanestad): Licensure equivalence for speech-language pathologists in public schools
- Senate Bill 288 (Yee): Comprehensive learning support system for pupils
- Senate Bill 123 (Romero): Allowance of juried assessment for the California High School Exit Exam (CAHSEE)
- Assembly Bill 1663 (Evans): Clean-up bill to bring California into compliance with IDEA regulations
- Assembly Bill 685 (Karnette): Clean-up bill to modify technical language in the California Education Code to conform to IDEA regulations
- Assembly Bill 850 (Torrico): Modification of funding for special education students
- Senate Concurrent Resolution 40 (Ackerman): Resolution to urge state agencies to work to alleviate the shortage of speech-language pathologists
- Assembly Bill 962 (Houston): The creation of additional community college programs for speech aides

Two major themes emerged for legislative consideration this year, occupying a good deal of the commission's attention: the California High School Exit Exam (CAHSEE) and the critical shortage of trained and certified speech-language pathologists. In support of students with disabilities taking the CAHSEE, the commission delivered testimony to the State Board of Education and ultimately declared support for Senate Bill 123 (Romero), which provides for a "juried assessment" that would allow different paths to passage of the CAHSEE for students with disabilities. Working with the California Speech-Language-Hearing Association, the ACSE supported several bills aimed at increasing the number of qualified school practitioners.

The commission will continue to play an active role in the development of legislation to fulfill these and all of its objectives in support of the best education possible for students with disabilities.

Liaison Efforts

The ACSE continues to build on its efforts to form positive working relationships with organizations and agencies active in the education of students with disabilities. The commission believes that when the community of interest operates in concert and with knowledge of the activities and goals of other stakeholder organizations, students with disabilities benefit.

Toward that end, the ACSE assumed a leadership role and sponsored a meeting in the summer of 2006 that gave these various organizations an opportunity to brainstorm better ways to share a common set of objectives.

In general, ACSE commissioners maintain ongoing communications with the following organizations, with commissioners participating in their regular meetings:

- The Pupil Services Coalition is regularly attended by a liaison from the commission in an effort to share agendas and coordinate activities. This coalition has representation from counselors, social workers, school nurses, child welfare and attendance officers, administrators, the California Association of Resource Specialists and Special Education Teachers (CARS+), the California Speech-Language-Hearing Association (CSHA), the California Association of School Psychologists (CASP), and the California Teachers Association (CTA).
- ACSE commissioners regularly attend the State Board of Education (SBE) meetings in order to integrate the commission's activities with those of the SBE. In turn, the SBE has designated a liaison to the commission who has taken an active role in ACSE activities and reciprocates as a spokesman to the SBE on ACSE activities. One important result of these efforts was the commission's high visibility in the presentation of testimony and recommendations to the SBE on the California High School Exit Exam.
- An ACSE commissioner works with the California Teachers Association (CTA) and shares information with the CTA's Special Education Committee at State



Council meetings. This commissioner also serves as a member of CTA's special education cadre of trainers, working with other educators to provide trainings statewide to teachers on special education law and on collaboration between general education and special education.

- An ACSE commissioner serves on the CARS+ board, disseminating information to special educators about legislation, effective instructional strategies, and improving education for all students.

ACSE commissioners also worked on the following:

- The California Alternate Performance Assessment (CAPA). Guided by federal mandates that the CAPA

encompass subject matter standards reflective of all grade levels, the State Board of Education approved blueprints in 2006 for new CAPA standards in the areas of language arts, math, and science. Items reflective of these new standards were field tested during the administration of the CAPA in spring 2007. The commission has expressed concern about the level of difficulty of

some of the new items, especially in the area of science. The California Department of Education will be studying the results of the field testing and incorporating its findings into possible further adjustments to the CAPA and corresponding standards.

- California's Foster Youth Initiative. In support of those students whose typical multiple yearly placements contribute to the loss of high school credits when they transfer between schools, efforts are being made to better track these students. The initiative also works to help foster youth with disabilities who are in the probation unit to graduate from high school. Finally, an ACSE commissioner, along with other educators, conducts statewide trainings for probation officers, sensitizing them to the variety of disabilities that foster youth have and their need for advocacy at their school site.

The California Advisory Commission on Special Education

- The California Commission on Teacher Credentialing (CTC). Through funding provided by Senate Bill 1209, the CTC is conducting a review of the current special education credentialing process and structure. An ACSE commissioner is serving on a work group that is examining each of the current special education credentials, the content standards of the credentialing programs, and the knowledge and skills that teachers need in order to be compliant with No Child Left Behind (NCLB) regulations.
- The commission participated in numerous activities and functions related to the Individuals with Disabilities Education Act (IDEA) and its reauthorization. The ACSE strongly supports the new IDEA and the opportunities it presents for California's youth.
- The Low Incidence Disability Advisory Committee/Joint Action Committee. An ACSE commissioner attended the statewide Conference of the California Transcribers and Educators of the Visually Handicapped, as well as public input sessions that addressed concerns about teacher shortage, navigating IEPs as a parent, and the access to statewide testing by both teachers and students with visual impairments. In general, the ACSE is attentive to the need to maintain quality services and resources for individuals with visual impairment.

Additionally, ACSE commissioners serve as liaisons to the Coalition for Adequate Funding, receiving monthly information on the status of current legislation relating to state and federal funding for special education. Commissioners also serve on committees and workgroups developing the IDEA Implementation/Federal Review/Corrective Action Plan (CAP) and the California State Improvement Grant.

Finally, in the capacity of liaisons, ACSE commissioners attend to issues related to the education of individuals with hearing impairments, the juvenile justice system, transition from school to adult living, and autism.

At their regular meetings, ACSE commissioners continue to welcome input from individuals and organi-

zations. Special recognition is extended to the following organizations whose representatives regularly attend ACSE meetings and offer valuable input to commissioners: CTA (California Teachers Association), CARS+ (California Association of Resource Specialists and Special Education Teachers), PTA (Parent Teacher Association), CSHA (California Speech-Language-Hearing Association), SEACO (Special Education Administrators of County Offices), and SELPA (Special Education Local Plan Area) administrators.

The California High School Exit Exam

The CAHSEE proved again to be an emotional topic for the ACSE in 2006–7. While graduating high school seniors with disabilities were provided an exemption from the CAHSEE in 2007, the provision in last year's Senate Bill 267 (Romero) did not afford students with disabilities the same option for 2008. Instead, SB 267 required the State Superintendent of Public Instruction, with the approval of the State Board of Education (SBE), to recommend to California's legislature a course of action for students with disabilities by June 1, 2007. The ACSE heard public testimony and presented recommendations

and comments to the SBE in an effort to determine and suggest a course that would best serve students with disabilities. After many hours of testimony, the SBE voted to recommend to the legislature only a small change in the waiver process relative to the CAHSEE. The ACSE found the waiver process in general to be an unnecessary hurdle and was disappointed in the SBE's recommendation.

Prior to these recommendations, Senator Romero introduced SB 123, which proposed the option of a juried assessment to serve as an alternate way of measuring the achievement of a student in special education who was not able to successfully pass the CAHSEE, but who had completed all other required coursework. The ACSE voted unanimously to support this measure and provided testimony to the legislature. At the time this report was written, Senate Bill 123 remains in the Senate Appropriations Committee, awaiting further approval.

“That’s the real problem with kids who struggle with learning. . . Some kids feel like they’re stupid. I want them to know that they’re not. They just learn differently. Once they understand that and have the tools to learn in their individual way, then they can feel good about themselves.”

— Charles Schwab

It is the ACSE's position that students who receive special education services in California have yet to experience the full negative impact of the CAHSEE. Without further measures to address the inequities of the CAHSEE for students with disabilities, there will be a further decline in the number of diplomas awarded to these students. And without a high school diploma, they face serious limitations in their employment opportunities, which in turn affect their quality of life.

Assistive Technology

This past year the commission heard a number of reports about the role that assistive technology plays in the lives of California's students. While students with disabilities benefit greatly from assistive technology, any equipment that is provided to them must be returned upon graduation. Because equipment is expensive and not often easily replaced, this situation can leave a critical gap that affects a student's capacity to navigate the world of independent living and adult life. The commission is currently exploring ways to remedy this situation, including the possibility of securing financial support from foundations. This area will continue to be studied during the 2007–8 year.

Charter Schools

The ACSE has continued to be involved in developing strategies to ensure effective special education service delivery for charter schools. Two years ago, the commission unanimously adopted recommendations that were sent to State Superintendent of Public Instruction Jack O'Connell. These recommendations called for the creation of five pilot programs that would build the capacity of charter schools to implement special education services and provide options for charter schools to become Local Education Agencies (LEAs).

This past year, the ACSE participated in a state-wide workgroup to identify and implement these pilots, which currently reside within LASER (Lodi Area Special Education Region), Desert-Mountain SELPA (special education local plan area), Placer County SELPA, and the El Dorado County Office of Education SELPA. These entities have provided access for charter schools to become LEAs, including those charters with physical locations outside of the SELPA boundaries.

In addition, the state workgroup is addressing the

needs of all SELPAs with charter schools and will continue to work through the 2007–8 school year. The workgroup includes California State Director of Special Education Mary Hudler, Charter Schools Director Marta Reyes, and representatives from SELPAs' County Offices of Education and from charter schools.

Finally, the ACSE has participated in the development and dissemination of a primer for charter schools and special education (go to www.cde.ca.gov/sp/se/sr/ and scroll down to "Technical Assistance For California Charter Schools On Implementing Special Education Requirements" for a copy). The primer provides information and resources to facilitate the successful inclusion of students with disabilities in charter schools, as well as specific information on building the capacity of charter schools that wish to become LEAs. Workshops on the primer have been held throughout the past year.

The GOAL Award

The Advisory Commission on Special Education was proud to present its annual GOAL Award (Grazer Outstanding Achievement in Learning) to Valley View Community School in the Sulphur Springs School District for its Win-Win Program. Principal Gayle Abril, Superintendent Bob Nolet, and ten members of the Valley View community attended the May 25 GOAL Award ceremony. Chief Deputy Gavin Payne from the office of the Superintendent of Public Instruction and Dana Mitchell from Assemblywoman Betty Karnette's office joined the commission in celebrating the Win-Win Program and its extraordinary effects on all students and parents at Valley View.

In addition to the GOAL Award itself, the commission presented the school with a \$2,000 gift to advance the program's goals. Funds for the GOAL Award were provided by Brian Grazer and Corki Corman on behalf of their son, Riley Grazer.

The purpose of the GOAL Award is to recognize each year an educational program in the state that excels in its efforts to support students with disabilities. Applications for the 2007–8 GOAL Award can be found at www.CSBA.org. The commission and the California School Boards Association include GOAL as part of their Golden Bell application options.

“People First” Language

The ACSE commissioners have noticed that many presenters at ACSE meetings, as well as commissioners themselves, are in the habit of using phrasings that place the disability before the person when talking about individuals with disabilities. In an effort to help others understand the importance of addressing people in a respectful manner, the ACSE is giving to all of its speakers guidelines and a brochure entitled *People First Language*. The commission believes that helping people change the language they use will also help change attitudes toward individuals with disabilities, and, in the long run, contribute to students with disabilities receiving the respect they deserve.

Response to Intervention

Response to intervention (RtI) is the process of discovering what each student needs in order to learn. This includes screening all students in areas of academics and behavior and providing research-based instruction and interventions by highly trained staff in the general education setting. RtI is a general education function and usually utilizes three tiers of intervention, with each consecutive tier offering an increasing intensity of supports. The data gathered as part of the RtI process can be used to determine whether or not a student has a learning disability and qualifies for special education services. In summary, it is a schoolwide collaborative model that blends services to benefit all students; this includes students receiving special education services.

However, the ACSE has concerns about the ability of both general education and special education service providers to implement RtI with fidelity. Representatives of the commission’s stakeholder groups have expressed concerns about the lack of existing guidelines for consistent implementation, about the validity of using RtI to determine a student’s eligibility for receiving special education services, and about the impact that an RtI approach in a school would have on the roles of special education service providers.

In an effort to proactively address these concerns, the commission has begun to explore effective RtI models, gather available research that addresses implementation, and hear concerns presented by stakeholders in the field. The commission has developed an RtI ad-hoc committee to continue this flow of information. Its members represent special education students, parents, and educators statewide. Over the summer of 2007, the members of this committee will participate in a statewide RtI technical workgroup to develop guidance for the field in the areas of data management, progress monitoring, implementation, and eligibility determination, and for the compilation of a database of research-based practices.

A Look Toward the Future

A number of important issues will continue to capture a large share of the commission’s attention as the ACSE looks towards its 2007–8 year. These include a desire to identify additional successful programs for GOAL Award consideration and to study the impact the California High School Exit Exam on students with special needs, including the effect of recommended additional supports in helping these students pass the examination and earn their high school diplomas. This past year the commission also began a study of response to intervention and assistive technology; next year these areas will likely generate additional interest.

Most importantly, the commission will place a significant emphasis on studying and making recommendations to address the shortage of highly qualified special education teachers. Not only will this work address incentives and credentialing options, but it will look into the factors that promote the retention of special educators and the school organizations and districts where those factors manifest themselves.

As a commission we look forward to another robust year, one that is filled with ever-enriching and deepening relationships with the educators, parents, and students who are at the heart of our work.

Commission meeting dates and locations, 2007–2008*

September 20–21	Sacramento	February 21–22	Sacramento
November 15–16	Sacramento	March 20–21	Sacramento
January 24–25	Sacramento	May 22–23	Sacramento

* Exact dates may change. Please visit the ACSE website (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.

The California Advisory Commission on Special Education

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

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For more information regarding the activities of—or any of the current vacancies on—the Advisory Commission on Special Education, please contact the commission's liaison, Anthony Sotelo (see contact information above); or visit the ACSE Web site at www.cde.ca.gov/sp/se/as/acse.asp.

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