

# State Task Force On the Right to Education Minutes -Final

Wednesday, September 21, 2022

10:00 am – 12:00 pm

## Presenters:

Jessica Capitani - The Arc of PA's STF Consumer Representative and the Arc of PA Board President – Intro

Amy Pastorak – Assistant Director of the Bureau of Special Education – current happenings

Barbara Mozina – BSE Advisor - [Barbara Mozina - SPP / APR State Lead](#)

- ❖ Call to Order: Keith H. Focht called to order the 1<sup>st</sup> State Task Force meeting of the 2022-23 school year and provided an overview of the three guest speakers within the meeting.
- ❖ Welcome: Local Task Force Chairpersons & Vice Chairpersons and Members, Agencies, and Others - Mr. Focht welcomes all participating in the STF meetings; Welcoming Chairs, Vice-chairs, Co-chairs, agencies, parents, IU representatives and LEAs.
- ❖ Introduction - *Jessica Capitani – The Arc of PA's STF Consumer Representative and the Arc of PA Board President* - <https://pennstatehealthnews.org/2015/03/capitani-family-surprises-physician> - Jessica was introduced by Mr. Focht. Mr. Focht shared out that in the short time he has known her, she has a lot of ideas and energy, and he looks forward to working and being challenged by her. Jessica shared her excitement to be The Arc representative and shared a short video of her current journey with her son who has a disability.
- ❖ Presentation I – Amy Pastorak – Assistant Director of the BSE – Topic -current happenings - The second presenter of the morning was Amy Pastorak who welcomed all back to the new year. Her emphasis on her presentation was that of the importance of the Local Task Force as they provide input of the parent's view across the Commonwealth being within the 29 IU regions across the state. Dr. Pastorak also shared out the PDE initiative of seeking and mentoring new teachers and specialists. This program is named The APR Mentoring Project (Attract -Prepare- Retain). Further information is in the PDE / BSE report later within this document.
- ❖ Old Business:
  - Mr. Focht reviewed the May 14, 2022 – STF Minutes – this was sent out to all LTF and STF members via e-mail and will be posted on the STF Website pending STF Member approval. In review, there was a phone number corrected as well as the future dates of specific conferences. Motion to accept the May minutes upon corrections was made by Jessica Capitani and seconded by – Gary Smith  
[STF Meeting Minutes -Wednesday, May 11, 2022 - final draft](#)

- STF Website Link: <https://www.pattan.net/about-us/partners/state-task-force/> - Mr. Focht shared out to all, the website address of the State Task Force providing a hyperlink in this document.
- Parent Satisfaction Survey Update - The two URLs listed below are:  
English URL Parent Satisfaction Survey Hyperlink – <https://www.surveymonkey.com/r/PaLTF19-20>  
  
Spanish URL Parent Satisfaction Survey Hyperlink- <https://www.surveymonkey.com/r/LTF19-20S>

Mr. Focht shared the two Parent Satisfaction Survey sites are currently not active. Further discussion with BSE is needed to determine if this should be formatted for the 2022-2023 school year as we come out of the pandemic. It was shared this is strictly a voluntary initiative between the LEA and the LTF and should not occur when the LEA is going through any cyclical monitoring or transition trainings. The survey is an anonymous survey the parents do electronically on-line, and the data of the results are shared between the LEA and the LTF.

- LTF Meeting: When Having Your Meetings Remember to:

- Take attendance of members and others attending the meeting
- Have someone take minutes of the meeting and have the local IU submit this to corresponding STF member assigned to your area (see below).
- Send out your meeting information to your membership of those that attended and did not attend.

Mrs. Jessica Capitani is assigned to LTF --1, 2, 3 ,4, 5, 6 ,7, 8, 9

Mr. Gary Smith is assigned to LTF – 12, 13, 14,15, 16, 17, 18 ,19 ,20, 21,

Mr. Keith Focht is assigned to LTF – 10 ,11, 22, 23, 24, 25, 26, 27, 28, 29.

- Want to Meet?

Mr. Focht shared out the STF team met during the summer. One of the main goals for this year to outreach more with the LTF teams and focus on increasing membership by 5%.

If you want a State Task Force member to attend a get-together or attend a Local Task Force meeting, please feel free to contact us:

- Jessica Capitani - ([cadenrox@verizon.net](mailto:cadenrox@verizon.net)) The Arc of Pennsylvania – (540) 539-6671.
- Gary Smith ([smiga@pa.gov](mailto:smiga@pa.gov)) The Office of Developmental Programs - (717) 934-4948.
- Katie Yost ([kyost@thearcpcpa.org](mailto:kyost@thearcpcpa.org))– Government and Advocacy Associate – The Arc of Pennsylvania – (717) 234-2621.
- Keith Focht ([kfocht@pa.gov](mailto:kfocht@pa.gov)) – State Task Force Chairman – Bureau of Special Education - (717) 783-6921 or work cell (717) 982-4423.

- PA ABLE Savings Program - PA ABLE Savings Program

The PA ABLE Savings Program through the PA treasury department is an exciting tax savings program that allows people with disabilities to save money while maintaining their benefits. They can save money while at the same time achieve more independence. The PA Able offers people with disabilities a new way to build financial security.

To access the PA website visit: <http://www.paable.gov>. To get an overview of the PA ABLE program visit: <http://www.paable.gov/overview/> This informational channel will continue to be posted in our minutes and shared out in our State Task Force Meetings.

- ❖ New Business: State Task Force / Old Business

1. Local Task Force Contact Information for the 2022-2023 School Year. The State Task Force asked the LTFs to please review the Contacts, Dates, Times, Zoom Links, location, and presentation style. Send an email to Keith Focht to bring corrections to our attention for us to correct before we post it on the STF website. [2022 - 2023 LTF Contact Sheet - 8-24-2022 auto recovered](#)
2. At the BSE LTF Appreciation Luncheon, it was shared one of the State Task Force goals for the upcoming 2022-2023 school year was to increase parent membership of the LTFs across the commonwealth by 5%. The STF will be reaching out to the 29 LTFs more this upcoming year to help facilitate this. The STF will:
  - Attend more LTF meeting – in person and virtual
  - Reach out to more IUs to seek out more support in helping this initiative occur
  - Work with the local LTFs agencies, and parents in seeking out more parent participation.
  - Connect different LTFs with each other to discuss strategies and successes they have used to increase membership.
3. The STF wishes to have an open-forum meeting with all of the LTF's Chairs, Co-chairs, and Vice-chairs to discuss successes and concerns as we come into the new year. This meeting will also provide an overview of the history of the LTF and the duties and responsibilities asked of them.
4. The STF request each LTF to provide minutes of their meeting to the corresponding STF member assigned to your LTF. This will provide another avenue for the STF members to keep in touch with their assigned LTFs.

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### Conferences for 2022- 2023 School Year

Keith Focht shared out the Conference list below which for the most part was attained from the PaTTAN website. A few other conference dates were also included by the Arc, ODP, and other agencies.

AAC Talks Web Conference May 12, 2023 Virtual  
 PaTTAN Literacy Symposium TBD Virtual  
 PDE Computer Science for ALL - PA Summit (#CSForALLPA) June 14 & 15, 2023  
 Hybrid/PaTTAN Central (Harrisburg)  
 Pennsylvania Deaf-Blind Project's Family Learning Conference TBD Hybrid/State  
 College  
 Special Education Leadership Academy TBD Hybrid/Seven Springs Mountain Resort  
 National Autism Conference July 31-August 3, 2023,  
 Following year - August 5-8. 2024 Hybrid/State College  
 PA Community of Practice Transition Conference August 2023 Hybrid/State College  
 HELIX: High Expectations for Low Incidence Disabilities November 14-16, 2022 - Registration  
 Open Soon! Hybrid/State College  
 The Arc National Convention November 10-12, 2022- Sheraton Denver Downtown  
 Hotel, Denver, Colorado In - Person  
 2022 Refugee Education Summit and Paving the Way to Educational Success - Conference  
 (For Teachers) September 26 - 29, 2022; Kalahari Resorts and Convention – Pocono Manor,  
 PA – Conference - free In-Person – Some sessions are hybrid  
 2023 National Association of People Supporting Employment First (APSE) Conference  
[https://pagov-  
 my.sharepoint.com/personal/kfocht\\_pa\\_gov/Documents/Desktop/STF%20Meeting%209-21-  
 2022/APSE%20Statement.docx](https://pagov-my.sharepoint.com/personal/kfocht_pa_gov/Documents/Desktop/STF%20Meeting%209-21-2022/APSE%20Statement.docx)

June 12-15, 2023 700 In-Person will be accepted  
 Everyday Lives Conference May 2023 TBD

Topic Points of Discussion and Presentations:

✚ Presentation II. - Wednesday, September 21<sup>st</sup>, 2022 - 10:00 am – 12:00 pm

- “Measuring and Improving Special Education: State Performance Plan/Annual Performance Report (SPP/ARP) Stakeholder Engagement Session “CONTINUED” – Barbara Mozina– Asking advocates and families to learn more about how special education services are reviewed in the Commonwealth and to provide their input - [SPPAPR Presentation 21Sep22 STF](#) Barb Mozina provided a 20 minute presentation to the audience sharing out the benchmark indicators looked at by the Office of Special Educational Programs that the PDE/ BSE need to attain in order to meet status of: “Meets requirements and purposes of the IDEA”.

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STATE TASK FORCE AGENCY REPORTS

❖ **The Office of Developmental Programs Update: Gary Smith**

Office of Developmental Programs (ODP) Update- Provided by Gary Smith, ODP Statewide Employment Lead, DHS State Task Force Representative

ODP NEWS

The Office of Developmental Programs (ODP) distributes news via a weekly digest. [MyODP News](#)

Online shares information about the work of ODP and individuals our work supports who are living the Everyday Life. Please visit MyODP News Online where you can find articles that have been published.

The digest is sent every Friday and contains the week's posted news in abstract. If you have information that you would like to share about ODP's work supporting people with disabilities, please use my contact information [Smiga@pa.gov](mailto:Smiga@pa.gov) to submit it for consideration or readers may send inquiries and/or story ideas to [ra-pwmyodp@pa.gov](mailto:ra-pwmyodp@pa.gov).

#### ODP Announcement: Opportunity for Certification for Cornell's Work Incentives Practitioner Credential (To build capacity to provide Benefits Counseling)

- No cost opportunity for providers to have staff person (s) participate in a virtual certification program with the goal of receiving a Work Incentives Practitioner Credential to provide Benefits Counseling services funded by the Consolidated, Community Living, or P/FDS waivers and Base Funding.
- Main Goal is to build provider capacity to educate individuals and families on the advantages of utilizing the Benefits Counseling service to help break down barriers associated with losing benefits when a person gets a job.
- Two cohorts of 25 learners. First cohort started in May 2022 and ended in June. Second cohort began in September and now in progress.

#### Policy Amendments Waivers:

- Consolidated and Community Living Waivers - adding the capacity to serve children with medically complex conditions – Effective June 1, 2022, renewals of the Consolidated, Community Living and P/FDS waivers and an amendment to the Adult Autism Waivers are currently pending approval with the Centers for Medicare and Medicaid Services (CMS)

#### Trainings: Currently working on

- (Formerly named Experience the Employment Connection- EEC) now named the PA Secondary Transition Connecting for Employment. Joint initiative is ODP, OVR and Bureau of Special Ed. collaborating with the goal of connecting systems with each other to increase employment outcomes for transition age youths. Held a kickoff event at the Secondary Transition Pre-Conference (*by invite only*). The event pulled together local teams with representatives from intermediate units, OVR, county intellectual disability agencies and supports coordination agencies. The event premiered a connecting  *#(hashtag) connecting4employment* video training series and a secondary Transition Roadmap. Local teams were given time for action planning. Two follow-up events are scheduled (virtually) in October and in March. An in-person event will be held again at the Secondary Transition Pre-Conference in the summer of 2023.
- ODP along with OMHSAS and the Dept. of Labor presented at the Secondary Transition Conference August 8-9, 2022. Theme: *Competitive Integrated Employment Through Empowerment*- An overview of the programs available from DHS that support Individuals with disabilities that 1) support individuals with disabilities to obtain and maintain competitive integrated employment 2) highlight the partnerships between DHS and PA Workforce Board and 3) provide learners with resources on the benefits of hiring people with disabilities.
- Registration is open for ODP's annual Pennsylvania Autism Training Conference (PATC) (*see attached flyer*)

Data:

- As of June 2022, 17% of working-aged people (ages 16-64) enrolled with ODP are employed in competitive integrated employment.
- Pre-pandemic: January 2020 17% ---- January 2021 14% --- January – June 2022 17%

If you are not part of ODP's listserv, here is the link to subscribe:

<https://home.myodp.org/resouces/subscribe-to-odp-listservs/>

If you have any additional questions concerning these updates, please contact Gary Smith or Laura Cipriani at [smiga@pa.gov](mailto:smiga@pa.gov) or [lcipriani@pa.gov](mailto:lcipriani@pa.gov)

## ❖ The Department of Education/Bureau of Special Education Update: Keith H. Focht

Attract, Prepare, Retain

Open Enrollment Continues!

The APR Mentoring Project will continue to accept applications for any Pennsylvania special education teacher, special education administrator, or school psychologist with three or less years of experience in their current position. If you, or someone you know, could benefit from being paired with an experienced mentor for the 2022-2023 school year, you are encouraged to apply. Access the application by using this link:

<https://fs25.formsite.com/3fHiZQ/mentee22/index.html>.

Receive support, ideas, and resources throughout the year from someone who knows special education and has a vested interest in helping you to navigate it all. Contact Christine Moon, APR statewide lead, at [cmoon@pattanpgh.net](mailto:cmoon@pattanpgh.net) with any questions that you may have about this project.

APR October Networking and Learning Community Opportunities

You are invited to build connections with other special education personnel across Pennsylvania as you share ideas, engage in problem-solving and learn from one another. The following sessions will be offered across the month of October:

- Teachers of the Visually Impaired and Orientation & Mobility Specialists: TVI and O&M Time – October 12 from 3:00 PM – 4:00 PM (hyperlinked)
- Teachers of Students with Significant Cognitive Disabilities: Networking for Novice Teachers – October 18 from 3:00 PM – 4:00 PM
- Emotional Support Teachers: Quality Indicators of Emotional Support Services and Programs – October 19 from 6:00 PM – 7:30 PM
- Speech and Language: Networking for Supervisors of Speech-Language Programs – October 20 from 12:00 PM – 1:00 PM
- School-Based Speech and Language Pathologists: Foundations of School-Based Practice Learning Network – October 24 from 1:30 PM – 2:30 PM
- Special Education Teachers in the Department of Corrections: Learning Community to Support Student Learning – October 28 from 10:00 AM – 11:00 AM

\*\*Currently, only the October 12 session is on the [PaTTAN training calendar](#) and open for registration; however, the remaining sessions will post soon, so check back often! \*\*

To learn more about these opportunities and others like them, visit the [APR Repository](#).

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## OSEP and OCR Guidance

On July 19, 2022 [OSEP and the Office of Civil Rights \(OCR\) released a comprehensive guidance package](#) to help schools and early childhood programs in supporting children with disabilities and to avoid discriminatory use of discipline practices.

This package includes several resources for stakeholders:

- [A letter from Secretary Cardona to our nation's Educators, School Leaders, Parents, and Students about the importance of supporting the needs of students with disabilities](#)
- [Dear Colleague Letter](#) from OSEP Director, Valerie Williams
- [Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions](#): provides information on 12 key topic areas
- [Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders](#) a technical assistance document that provides resources, strategies, and evidence-based practices to improve outcomes for children with disabilities.
- [Dear Colleague Letter: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#)
- [Fact Sheet: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline Under Section 504 of the Rehabilitation Act of 1973](#)

[OSEP Smart Beginning 2022](#)—site contains past presentations, resources, and updates.

OSEP IDEAs that work site: <https://osepideasthatwork.org/federal-resources-stakeholders/topical-issues/smart-beginnings-2022>

- U.S. Department of Education---Every year the U.S. Department of Education evaluates how well each state is meeting its obligations to students with disabilities under the Individuals with Disabilities Education Act. The U.S. Department of Education is seeking feedback and ideas about how to prioritize equity in its approach to assessing state performance.

\*\*Feedback from the public on the issue is being [accepted](#) through Sept. 30.\*\*

“The Office of Special Education Programs ([OSEP](#)) monitors states’ compliance with the Individuals with Disabilities Education Act ([IDEA](#)) to ensure that states provide early intervention services for infants and toddlers with disabilities and the free appropriate public education (FAPE) of children with disabilities. To accomplish this task, OSEP has developed the Results Driven Accountability ([RDA](#)) system. Using this framework, OSEP examines both the educational results and outcomes for children with disabilities in each State as well as how a State is meeting the compliance requirements of IDEA. Each year, OSEP reviews the State Performance Plan/Annual Performance Report ([SPP/APR](#)), information obtained through monitoring visits, and any other publicly available information to determine how well each State meets the requirements of the IDEA. States are assigned one of the following categories:

- Meets requirements and purposes of the IDEA.
- Needs assistance in implementing the requirements of Part B or Part C of the IDEA.
- Needs intervention in implementing the requirements of Part B or Part C of the IDEA; or
- Needs substantial intervention in implementing the requirements of Part B or Part C of the IDEA.”

## ❖ The Arc of Pennsylvania Update: Jessica Capitani

### Finalized PA State Budget 2022-2023

On July 8, 2022, Governor Wolf signed into law Act 1A of 2022 which finalized the PA State Budget for the 2022-2022 Fiscal Year. Appropriations impacting education below:

- \$750 million increase for Basic Education
- \$100 million increase for Special Education
- \$100 million increase for School-Based Mental Health Services

#### Education Fiscal Code Impacts to Education

1. Implementation of the Disability Inclusive Curriculum
2. Increase to the Multiplier Utilized in the Special Education Funding Formula
3. Extend Act 66 of 2021 for an additional year

### Legislative Update – PA General Assembly

#### House Bill 85

This bill would require our post-secondary colleges to adopt policies that would allow existing documentation in the IEP, 504 Plan or a record of disability from another institution of higher education, or documentation from the military to be accepted as a proof of a disability.

House Bill 85 remains in the House Education Committee.

#### House Bill 250

This bill expresses the desire of its sponsors that the Department of Education create curriculum for Health Classes that will provide a framework for positive discussion and increased understanding. House bill 250 remains in the House Education Committee.

#### House Bill 272

This bill proposes to address the following issues related to Pennsylvania’s Charter School Law:

- Right to know
- Protecting your property tax dollars
- Protecting the future of our kids

House Bill 272 remains in the House Education Committee.

#### House Bill 365

House Bill 365 would update language in the PA School Code to remove derogatory language in referencing to students with intellectual and developmental disabilities. House Bill 365 was voted



favorably out of the Senate Education Committee and is eligible to be brought before the full senate for a vote.

#### House Bill 458

This Legislation is designed to provide that, in the event of a residency dispute between school districts, a school district would not be permitted to remove a child from school until the dispute has been fully resolved and it has been determined which school district should correctly enroll the child.

House Bill 458 remains in the House Education Committee.

#### House Bill 540

House Bill 540 would implement the Special Education Funding Commission's recommendation to "apply the same funding principles used in the formula for school districts to determine a school district's payment for a special education student enrolled in a charter or cyber charter school....".

House Bill 458 remains in the House Education Committee.

#### House Bill 1829

This bill would create a disability inclusive curriculum pilot program in which schools participating would teach about the impact of people with disabilities on society as a whole. The curriculum would be decided on by an advisory committee in which members of the committee must be individuals with lived experience or family.

House Bill 1829 remains in the House Education Committee.

*This bill's legislative language was compiled into the Education Fiscal code that was passed along with the 2022-2023 State Budget.*

#### HB 1335

House Bill 1335 would require sexual education be taught to all students and be in a manner that students at all comprehension levels can understand.

House Bill 1335 remains in the House Education Committee.

#### House Bill 1749

House Bill 1749 would implement the bipartisan 2013 Special Education Funding Commission's recommendation for applying the same education funding principles used to distribute state special education funding to school districts, in the calculation used to determine a school district's tuition payment for a special education student enrolled in a charter school.

House Bill 1749 remains in the House Education Committee.

#### House Bill 2180

Legislation that tasks school districts across the Commonwealth to produce a report on an annual basis indicating the level of inclusion of their students who access special education services in their extracurricular activities.

House Bill 2180 was referred to the House Education Committee.

#### House Bill 2022

Representative Aaron Kaufer introduced a bill that would amend the public-school code to allow a public school to place a behavioral health representative in a school who may communicate and interact with students to provide social and mental health support assistance.

*House Bill 2022 was amended out of committee. The new language is a gut and replace that will establish a pilot grant program for school districts to apply for funding to expanding mental health and supports and services for their students.*

#### House Bill 2674

Representative Jason Ortity's legislation that would extend Act 66 of 2021 for one more year. Therefore, students with disabilities who were set to graduate or turn 21 during the 2021-2022 school year have the option to stay for an additional year and participate in the 2022-2023 school year. This extension is not eligible for students who took part of Act 66.

*This bill's legislative language was compiled into the Education Fiscal code that was passed along with the 2022-2023 State Budget.*

#### House Resolution 138

Representative Karen Boback introduced a resolution directing the Joint State Government Commission to study special education lawsuits in the Commonwealth. The study will examine the Office for Dispute Resolution.

House Resolution 138 remains in the House Education Committee.

#### Senate Bill 542

Senate Bill 542 would remove the across-the-board assumption of a 16% special education population rate per school district to using the school district's actual percentage of special education population.

Senate Bill 542 remains in the House Education Committee.

#### Senate Bill 1276

Senator Ryan Aument introduced a bill to extend Act 66 of 2021 to students with disabilities who are 18-21 years old during the 2021-2022 school year the ability to stay until their 22<sup>nd</sup> birthday.

Senate Bill 1276 remains in the Senate Education Committee

#### Senate Resolution 235

On March 3, 2022, Senator Christine Tartaglione introduced a resolution marking March 2022 as Disability Awareness Month in Pennsylvania.

Senate Resolution 235 was introduced to the Senate Rules and Executive Nominations Committee.

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❖ Systemic Concerns Reported: None

❖ Future State Task Force Dates and Presentations

- Wednesday, September 21, 2022 -10:00 am – 12:00 pm – SPP/APR
- Wednesday, November 2, 2022 - 10:00 am – 12:00 pm- TBD - Need your ideas

- Wednesday, January 11, 2023 – 10:00 am – 12:00 pm – *TBD - Need your ideas*
- Wednesday, March 15, 2023 – 10:00 am – 12:00 pm – *TBD - Need your ideas*
- Wednesday, May 10, 2023 – 10:00 am – 12:00 pm – *TBD - Need your ideas*

❖ Local Task Force Sharing Time –

1. Amy Fisher shared if there are any initiatives related to Mental Health or Behavior Health coming through the Department of Education, SEAP wants to come to the table to make sure the initiatives is all inclusive including people with disabilities and their needs.
2. Kathy Gingrich shared out a presentation by the Arc of Dauphin County in reference to special education, and behavior guidelines. The law office of McAndrews will be presenting.
3. Eileen Gory shared they now have an Assistant Superintendent of Special Education. She thanked BSE for their support in helping it happen. Eileen also shared there is now a QR code on their LTF flyer. In utilizing it, it takes you to a “Link Tree” of all their systems of support.
4. Linda Carmona-Bell asked if the State Task Force and the Local Task Forces can participate on the Disability Pride Celebration coming up in October, Mr. Focht will follow up on this.
5. Judi DiFonzo shared out there is a global Facebook which is an outreach to all LTFs across the Commonwealth. She welcomes others to join and this will share out this to be placed in the minutes.

<https://www.facebook.com/groups/1021471944873341>

❖ Next State Task Force on the Right to Education Meeting – Wednesday, November 2, 2022 – Hybrid

❖ Adjournment: Motion for Adjournment made by Linda Carmona-Bell; seconded by – Gary Smith

❖ Video Link to the September 21, 2022, State Task Force recording.

<https://zoom.us/rec/play/ouwQ3m4op9YCFZ6YJMwOGMwIwSFEmyV6sSU-6hKgZHsEhBSzwVTgysWG4cUPMGLI74DMzwPNfDrEBnr.k3sNS48lis-IHUaF?autoplay=true&startTime=1663769017000>