

**COMMISSION ON SECLUSION & RESTRAINT IN
SCHOOLS**

March 23rd, 2018
IDOE Offices, 6th Floor, PNC Building
115 W. Washington Street
Virgil Grissom Conference Room
12:30 P.M.

Commission Member Name	Title	Organization	Present (Y/N); note if by phone
Dr. Mark Keen	Interim Chair	Indiana Department of Education	Y
Dr. Denis Ward	Co-Chair	Assoc. of Public School Superintendents	Y
Julie Burk	Member	Autism Society of Indiana	N
Kim Dodson	Member	The Arc of Indiana	Y
Joan McCormick	Member	ICASE	N
Stephen McCaffrey	Member	Mental Health America	N
John Elcesser	Member	Nonpublic Education Association	Y
Nicole Hicks	Member	Parent	Y
Jean Renk	Member	Parent	N
Mike Johnson	Member	Indiana School Resource Officer Association (INSROA)	N (phone)
Dr. Ken Folks	Chair	Indiana Department of Education	Y (phone)

Attendance: (Non-commission members):

Michael Moore	Director of Legal Affairs
Leslie-Ann James	Public Records Officer
Paris Walton	Legal Assistant
Lesa Paddack	INSOURCE

Meeting Minutes

I. Call to Order

- a. Interim Chair, Mark Keen, called the Commission on Seclusion and Restraint in Schools to order at 12:33 PM, March 23rd, 2018, at the Indiana Department of Education.

II. House Enrolled Act 1420 (2018)

- a. In the 2018 legislative session, **HEA 1420** amended the Commission and Seclusion and Restraint's parent representative nomination process. The language now states that the parent representatives will be nominated by the Autism Society of Indiana, Arc of Indiana, Indiana Council of Administrators of Special Education, and Mental Health America representatives and approved by the majority of the Commission members except for the parent representatives. The previous language did not allow the Indiana Non-Public Education Association, Indiana Association of Public School Superintendents and Indiana School Resource Officers Association representatives to vote on the parent representative. The next time Commission members nominate and vote on a parent representative will be the fall of 2019.

III. Update on Rulemaking

- a. On the behalf of the Commission, the Indiana Department of Education (IDOE) filed a notice of intent to engage in Rulemaking on January 24, 2018. The IDOE received confirmation and along with suggested edits from the Indiana Register. In addition, the Register will provide another edit of the notice with green and red edits. The notice edits in green are suggested edits and/or grammatical edits and the edits in red are mandatory edits that must be made to be in compliance with the rulemaking manual.
- b. The next step for the Commission is to schedule public hearings to allow the public to comment on the proposed rule. The IDOE will proceed with filing the notice of public hearings before the deadline otherwise it will be pushed back by two weeks. The location, date, and time of the hearings must be published in the local newspaper 21 days before taking place. The hearings must comply with ADA and Open Door laws. An interpreter must be provided upon request. The IDOE will host the hearings in Indianapolis, Valparaiso, and Evansville. The Commission will receive the public comments after the public hearings have completed allowing members to make changes to the Final Rule.
- c. The IDOE will support online public comments on the Commission site at <https://www.doe.in.gov/srcommission/lisa-document-number-18-63>, along with the Proposed Rules at <https://www.doe.in.gov/srcommission/lisa-document-number-18-63>
- d. Commission member Nicole Hicks asked what the public will be able to comment on at the public hearings. Michael Moore, Director of Legal Affairs, explained that the public will be able to comment on any of proposed rule changes that are in bold typeface.

IV. Model Plan

- a. The Commission reviewed the Model Seclusion and Restraint Model Plan for suggested edits and amendments. The Commission agreed to change some sections to better address

the purpose and role of school resources officer when seclusion and restraint are employed. In addition, the Commission addressed the varying rules and policies that school resource officers that take precedent over the model plan in including their training and agency guidelines.

V. Closing Comments

- a. Lesa Paddack from INSOURCE appreciates the Commission on Seclusion and Restraint in Schools clarifying the difference between SROs and Police Officer Powers.
- b. The Indiana Department of Education will send a Doodle Poll to the Commission Members to schedule the next meeting around May or June after the Public Hearings on the Final Rule Update.

Motion to Adjourn Meeting- John Elcesser

2nd by: Dr. Denis Ward

Meeting adjourned Approved: 6Y-0N