



Education Dispute Resolution Working Group

Education Dispute Resolution Working Group Meeting Minutes
October 22, 2019 at 1:00PM EST
State Capital—House Chambers

EDR Members Present: Dr. Balsley; Mr. Boehner; Mr. Crishon; Ms. Dodson; Dr. Ernest; Ms. Long; Mr. Mapes; Ms. Tanselle; Dr. Taylor; Mr. Rhodes; and Ms. Wetherald.

EDR Members Absent: none

I. Call to Order

II. Approval of the Agenda

- A. The agenda was approved by a voice vote
 - i. Moved by Mr. Rhodes, seconded by Mr. Boehner.

III. Approval of Minutes

- A. The EDR Working Group October 3, 2019, Meeting minutes were approved by a voice vote
 - i. Moved by Mr. Mapes, seconded by Dr. Balsley.

V. EDR Working Group Chair & Member Comments

- A. Dr. Ernest noted his appreciation of everyone for all of their hard work and feedback concerning the draft recommendations.
- B. Ms. Tanselle noted that there are some additional materials that were provided in the member binders from a parent attorney offering thoughts on some of the topics the working group has been discussing.

VI. Public Comment (3 minutes per individual—total 30 minutes)

- A. Tom Blessing—expressed the opinion that the current system works and that a massive overhaul is not needed at this time.
- B. Lisa Wells—voiced concerns regarding the possibility of any recommendation supporting the concept of cost sharing.
- C. Jane Winkoff—discussed the need for the panel to continue studying the possible need for a 2-tiered review system for dispute resolution matters.
- D. Heather Paskis—also discussed the need for the panel to continue studying the possible need for a 2-tiered review system for dispute resolution matters.
- E. Dr. Taylor (reading a letter on behalf of John Hunter)—requested that the panel 1. study the statewide annual costs and other underlying concerns when settlements are reached; 2. further study the due process system to ensure that the system provides consistency and oversight of procedures utilized by independent hearing officers with accountability to Indiana Department of Education special education standards for IEP development; and 3. further study the competencies needed for the due process hearing to ensure that the proper expertise is in place to ensure fair, reliable and consistent hearing results for students.
- F. Stephanie & Carter Slone—Ms. Slone discussed the experience of being a parent of a special needs student. Offered an overview of her experiences raising a child from early education to college. Believes that the IHOs would appreciate additional training/resources. Mr. Slone discussed his experiences working with schools and being the recipient of services pursuant to his individualized education program.



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VII. Discussion Items

A. Recap Recommendations from Prior EDR Working Group Meetings

B. Discussion and Adoption of EDR Working Group Final Recommendations

- i. Draft Recommendation 1: Approved by panel vote, 11-0.
- ii. Draft Recommendation 2: Amended and approved by panel vote, 11-0.
- iii. Draft Recommendation 3: Amended and approved by panel vote, 11-0.
- iv. Draft Recommendation 4: Panel failed to approve, 3-8 (Dr. Balsley, Ms. Tanselle, and Dr. Taylor voted in favor of draft recommendation).
- v. Draft Recommendation 5 & 6: Consolidated and approved by panel vote, 11-0.
- vi. Draft Recommendation 7: Amended and approved by panel vote, 11-0.
- vii. Draft Recommendation 8: Amended and approved by panel vote, 11-0.
- viii. Draft Recommendation 9: Amended and approved by panel vote, 9-2 (Mr. Crishon and Ms. Wetherald voted against the draft recommendation).
- ix. Draft Recommendation 10: Amended and approved by panel vote, 9-2 (Mr. Mapes and Dr. Taylor voted against the draft recommendation).
- x. Draft Recommendation 11: Panel voted to remove draft recommendation, 11-0.
- xi. Draft Recommendation 12: Approved by panel vote, 11-0.

C. Continuation of EDR Working Group and Potential Future Meeting Dates

- i. EDR Working Group Chair will appoint a subcommittee, the membership to include current members of the EDR Working Group, to study the development of a robust dispute resolution survey program. The subcommittee shall also develop a proposed system to utilize any resulting data from the proposed survey program. The subcommittee shall submit its results to the EDR Working Group Chair, who will determine the appropriate next steps to facilitate the possible creation of an administrative review process. The subcommittee's report shall be delivered by the end of May 2020.
- ii. EDR Working Group Chair will appoint a subcommittee, the membership to include current members of the EDR Working Group, to study the development of, and need for, an administrative appeal process that reviews IHO findings if either party requests such a review. The subcommittee shall submit its results to the EDR Working Group Chair, who will determine



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the appropriate next steps to facilitate the possible creation of an administrative review process. The subcommittees report shall be delivered by the end of May 2020.

- iii. EDR Working Group Chairperson shall have the discretion to call a meeting of the EDR Working Group if the Chairperson deems it appropriate based on the issues outlined in HEA 1629 or at the request of a majority of the membership.

VIII. Adjournment