

The Arc Michigan Education Committee
Meeting Minutes
October 2, 2025

The meeting came to order at: 10:00am

Present: Debbie Whitford, Andrea Beachnau, Darlene Heard-Thomas, Emily Henderson, Kenya Harper, Sue Lind, Katherine Mills, Hayley Cason Grobbel, Maggie Kolk, Heba Takouz, Lesley Moffat

Approval of Meeting Minutes: September Meeting Minutes were sent via email for members to review. Hayley Cason Grobbel and Kenya R. Harper moved to approve the Minutes. Approved with no changes.

Special Education Evaluation and Eligibility Position Statement

Andrea shared the update:

A workgroup Meeting for the Position Statement: A workgroup met on September 26th to work on a draft Position Statement. Once the draft is finalized it will be sent out to the full committee for review and feedback.

- September 26th (10-11:30am) the group met
- October 6th (1-2:30pm) next meeting

Governmental Affairs/Legislative Update:

Emily Henderson, Governmental Affairs Consultant and Lobbyist for Arc Michigan with McCall Hamilton.

We do not have a state budget, yet which is causing a lot of concerns for schools in district right now. The other day the senate and the house agreed to stop the funding bill that provide funding for all the state employees and essential services. As we approach the 1st pay period for schools, everybody's aware that there is a lot of things up in the air. We are expecting a budget to get done today or early morning tomorrow. Overall, we are in a better spot than we thought we was going to be. This year we expect a lot of things to stay funded as it relates to education.

- we are expected to see an increase per student count to \$10,050 per student, from \$9,500.
- We expect a large sum of money to be spent towards mental health and school safety for private and public school across the state, which is new.
- Free lunch and breakfast should still be funded for all students in the state.

But obviously the upcoming fiscal year might look different with the federal government shutting down and the big beautiful bill. Next year might bring some advocacy and concern on restriction with educational funds, we don't know all the details, but it might be some cuts on the categorical funding cuts, leaving the schools to figure it out, which was something the Democrats were willing not to vote on. So, we will see some cuts but not completely go away from the budget, as far as we know.

House Bill 5044 of 2025

<https://www.legislature.mi.gov/Bills/Bill?ObjectName=2025-HB-5044>

Emily Henderson, Governmental Affairs Consultant and Lobbyist for ARC Michigan with McCall Hamilton.

House Bill 5044 was introduced recently. The bill would:

- Require school districts to provide ABA therapy and other medically necessary services.
- Ensure these services are provided during the school day if prescribed by a healthcare provider.
- Establish a process for parents to request medically necessary treatment in school.
- Aim to reduce the use of suspensions and restraints as well as costly out-of-district placements.
- Ensure parents are informed of their rights under Section 504 and the ADA.
- Save schools and taxpayers money by reducing long-term costs associated with more restrictive or external services.

Michigan Parent, Advocate, and Attorney Coalition (MiPAAC) had a list of questions and concerns, shared by Debbie Whitford about House Bill 5044

- Will this change Michigan school code
- How will this bill change what is already in place. How will they make necessary changes to bills Existing under the federal law
- If this is a bill already in place, why are we not using them
- How will Family Educational Rights and Privacy Act (FERPA) provide safety and security for other students if ABA and other employers of the district, how will that be handled.
- If this goes through what stops the school from having a separate room for ABA and student with behavior issues being put into that placement.
- Maggie pointed out that it could help other children with medical conditions, and they would have access to those services under the civil right act.
- What about the parents who don't want their kids in ABA and the school placing them automatically for behavior issues.

Arc MI Ed Committee Concerns Regarding ABA and Medical Necessity in Schools

Educational, Legal and Compliance

- Could interfere with FAPE under IDEA
- Schools may have liability if something goes wrong while outside medical provider working with student in building
- Privacy concerns (FERPA & HIPAA)
- May conflict with existing IEP/504 plans or educational goals
- Limited guidance in bill on IDEA, 504 – bill seems geared toward general education
- How much is this altering a whole school day? How can school provide FAPE in the LRE if ABA/other medical support provides all medically necessary services
- Could cause a burden on school to make medically necessary services feasible within IEP/504 plans, which is extremely difficult
- Alludes to other federal laws – what are they and why aren't we implementing them

ABA as a Medical Necessity – not a Service

- Concerns ABA will become a blanket solution for all behaviors and a dumping ground in the ABA room rather than individualized supports
- Schools would have to provide ABA services, not just outside ABA therapists collaborating with the school and supporting student outside of school
- Could make school provide specific service that isn't applicable to most students
- Some schools have BCBA's on staff to assist as needed; guidance is needed on using that support as consultation rather than medical necessity
- ABA can help merge educational and behavioral supports to show schools what works in practice
- Concerns labeled medical necessity – most likely done that way to bill Medicaid
- ABA is not billable to Medicaid if not labeled medical necessity

General Medical Necessity Implications

- Whose paying for the service if not medical necessity? (schools may not want to)
- Medical necessity implies someone needs to be with that student all day in case something happens
- If medically a student needs “40 hours” of ABA or other support – are we stating school has to provide additional support outside of school hours to meet this student's needs
- In practice, medical necessity plan may be different or conflict with IEP/504, potentially forcing parents to pick one plan – medical support vs IEP/504
- Currently, IEPs are being written so parents are “choosing” to take students out for ABA to get schools off the hook for missed services and supports, compensatory services
- Medical support is not the same as educational support – schools should be focused on educational support, creates blurring of roles as schools could become “medical hubs” rather than educational institutions
- Generalization of skills can be seen as a big issue when moving from a private support to public school setting, need more evidence ABA is beneficial support if allowed in schools as medical necessity

Budget and Practical Considerations

- When looking at the budget, K-12 would have to provide because it is a minimal amount of total budget
- Scope of professionals allowed under medical necessity is extreme (acupuncturists, chiropractors, therapists of all sorts, ABA, etc.)
- Credentialing and vetting – schools would need to create policies to verify provider qualifications
- Space and scheduling could disrupt classroom routines
- Staff supervision – who is going to monitor outside providers that come in to work with students
- Disruption of learning – time spent in medical sessions reduces instructional time
- Conflicting strategies between these outside providers and school staff may confuse students

Next Steps

- Put together a 1–2 page summary of concerns highlighting big-picture consequences and connect with Sherri Boyd.

SEAC Report Summary:

Heba Takouz

- Met on Sept 15 in person for new member orientation
- Priority #1: Educating the field on Multi-Tiered System of Supports (MTSS)/Response to Intervention (RTI)
 - Define how MTSS/RTI fit together
 - Recommendations to OSE - MTSS/RTI info to gen ed experts at ISD and ISD special ed directors
- Priority #2: Rethinking graduation outcomes
 - Transition planning at elementary level with implementation by at least 9th grade
 - Understand Personal Curriculum (PC) - need to know and nice to know
- Priority #3: A work in progress
- Change in department leadership
 - Dr. Michael Rice retiring 10/3/25 - Chief Deputy Superintendent Sue Carnell Interim until 12/8/25 - Dr. Glenn M. Maleyko starts 12/8/25
- Cohort 2 - Onsite schedule changes due to government shutdown
 - Not begin until Oct 2025
 - Monitor for 6 years

Comments on Graduation

- A lot of thinking about improving but not a lot of movement forward
- “Ready For Life” supported by Newaygo and a few ISDs - services that should be given to kids through age 26
- Teri Rink - stated over rely on classes rather than standards (ex. Don’t need to pass algebra II just components in the class)
- PC not being used as it is supposed to be

Development of new Position Statements:

[Arc Education Committee - Evaluation & Eligibility Working Document.docx](#)

- Evaluation and Eligibility will be 2 separate documents. Begin with Evaluation
- Continue to add your comments/ suggestions to this working document
- **Work group meeting next Monday, October 6th at 1pm**

2025-2026 Monthly Meeting Dates: All regular meetings are 10:00-11:30am

November 6, 2025

December 4, 2025

January 8, 2026

February 5, 2026

NO MARCH MEETING (in person Staff and Advocates Development Conference)

April 9, 2026

May 7, 2026

June 4, 2026

July and August meetings as needed

Zoom Link (same for all 2025-2026 meetings)

<https://us02web.zoom.us/j/87299435497?pwd=UDbm6eZCqDaD71EVqOMXosaOibDoaU.1>

Meeting ID: 872 9943 5497 **Passcode:** 476032

Adjournment: 11:08am

Respectfully Submitted,

Kenya Harper, Andrea Beachnau