

NE SPECIAL EDUCATION ADVISORY COUNCIL

Cornhusker Marriott Hotel

April 16, 2015

Meeting Minutes

SEAC MEMBERS PRESENT: Adams, Bright, Demuth, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, Kluver, S. Larsen, McNiff, O'Grady, Pestel, Roberts, Sharif, Stoley, Winkler

MEMBERS ABSENT: Bruha, K. Larsen, Wohlers, Wojcik

NDE STAFF PRESENT: Sherman, Wierda, Kasl, Marcucci, Milliken, Prochazka, Hoffman

SEAC FACILITATOR: Bird

VISITORS: NDE Contractor, Michele Borg; NDE employee, Sue Anderson.

The meeting of the Special Education Advisory Council (SEAC) commenced at 8:30 a.m. Public notification of this meeting was made on the NE Department of Education web site and in the Omaha World Herald.

WELCOME – Meeting was called to order by SEAC Speaker, Cindy Ellis.

COUNCIL BUSINESS

Open Meetings Law

SEAC meetings are open to the public and Cindy Ellis announced that the Open Meetings Law was posted outside the room.

Approval of Meeting Minutes

A motion to approve the minutes of the January 15, 2015, meeting was made by Adams and seconded by Houlton. A reminder was given that those who were absent at the previous meeting can abstain from this vote.

VOTE:

Aye - Ellis, Gentrup, Greene, Hall, Hitesman, Houlton, Jessop, Jorgensen, Kiernan, Kluver, S. Larsen, McNiff, Roberts, Sharif, Winkler

Nay – none

Abstain – Adams, Bright, Demuth, Jones-Hazledine, Pestel

Absent – Bruha, Healey, K. Larsen, O'Grady, Stoley, Wohlers, Wojcik

The motion carried.

Approval of Agenda

Following a change of two speakers, a motion to approve the agenda was made by Jorgensen and seconded by Greene.

VOTE:

Aye – Adams, Bright, Demuth, Ellis, Gentrup, Greene, Hall, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, Kluver, S. Larsen, McNiff, Pestel, Roberts, Sharif, Winkler

Nay – none

Abstain – none

Absent – Bruha, Healey, K. Larsen, O’Grady, Stoley, Wohlers, Wojcik

The motion carried.

Notice of upcoming Conferences/Meetings

- April 27/28 AQuESTT mtg. Kearney

- November 5/6 Tri-State Law Conference – Omaha Qwest Center. Note was made that this conference fills quickly so those who wish to attend need to email Ann by mid-summer. NDE will cover registration only. Those going off of the Council are no longer eligible to have the registration fee waived.

Question asked about how many conferences a SEAC member may attend per year. Gary Sherman responded that if it is something NDE feels is beneficial to SEAC membership, it would likely be approved.

Question asked if a SEAC member should attend the April AQuESTT meeting in Kearney. Gary responded that regarding accountability of education in NE, once Sue Anderson shares her presentation today, that decision can be made. AQuESTT will be a topic that, over time, Council members will need to stay informed about as it relates to children with disabilities. Kami Jessop is on the AQuESTT Task Force, will be attending the meeting, and will keep the Council informed.

Proposed SEAC First Meeting Date 2015-16

Discussion and then a motion was made by Adams and seconded by Bright to have the first 2015-16 SEAC meeting on September 17, 2015, with meeting start and ending times remaining the same, 8:30a.m. and 3:30p.m. respectively.

VOTE:

Aye – Adams, Bright, Demuth, Ellis, Gentrup, Greene, Hall, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, Kluver, S. Larsen, McNiff, O’Grady, Pestel, Roberts, Sharif, Winkler

Nay – none

Abstain – none

Absent – Bruha, Healey, K. Larsen, Stoley, Wohlers, Wojcik

The motion carried.

Proposed dates for the rest of the 2015-16 meetings are: November 19, 2015, January 14, and April 14, 2016. All are Thursdays and will be confirmed at the September, 2015 meeting. The Council expressed a preference for meeting in Yankee Hill III at the Cornhusker Hotel.

Assistive Technology Partnership Education - Patti Neill

Patti shared the ATP service area map, a book mark, and demonstrated some of the most popular devices. Patti offices out of ESU 10 and discussed the services offered to children birth-21 with disabilities and their families, and their schools, by

providing assistive technology. Five Educational Specialists are stationed throughout the state to provide services and loan out devices. Information can be found at www.at4all.com. Her contact information is pneill@esu10.org, 308-784-4525. Planning Region Teams are a go-to for initiating contact with an ATP office for assisting younger children with disabilities.

SEAC Committee Report:

Out of Home Placements - Michele Borg and Emily Kluver

Michele Borg, a private contractor with NDE, and Emily Kluver, DHHS employee with Children and Family Services regarding the child welfare system and SEAC member, are working together to provide a statewide snapshot of the educational outcomes of children in NE who are state wards, both with and without verified disabilities. Students sometimes move from one school to another, which can affect their educational path and success. The initiative has been expanded to include the growing number of students with behavioral and mental health issues. There has also been a recent change in the population due to juvenile justice reform which has changed the jurisdiction of state wards to probation. They shared handouts detailing the prevalence of certain groups within the state ward population, including Special Education students and how moving can affect graduation rates.

National Distinguished Principal of the Year award

JoAnn Roberts, SEAC member, has been named the National Distinguished Principal of the Year for Nebraska. The Council congratulated her as she will be traveling to Washington D.C. in October.

AQuESTT - Sue Anderson, NDE

Sue shared a brief overview and timeline for AQuESTT, Accountability for a Quality Education System Today and Tomorrow, the new accountability system for public schools in Nebraska. There are six tenets and related areas of focus that seek to develop systems of support for improvement. Referred to handout.

AQuESTT Empowered by DATA Conference will be April 27-28, 2015, at the Younes Conference Center in Kearney and will be the first major rollout of AQuESTT to Nebraska educators.

SEAC Vacancies 2015-2018

Ann Bird shared a map showing the State Board regions and where SEAC is represented. Vacancies will need to be filled from State Board Districts 3, 5 and 6. A minimum of two parents and one school administrator will need to be appointed. An individual may hold one or more designations. Ann encouraged the group to consider new people. All, except for the NYLC position, are 4-year terms.

Legislative Update – Cindy Ellis

LB591 - Achieving Better Life Experience (ABLE) Act – Nebraska citizens are proceeding to move its ABLE Act through the Legislature; a tool for families in planning for their child's future that will enable individuals with disabilities to save money without losing important federal benefits; appears to have broad, bi-partisan support.

LB320 – Aging and Disability Resource Center Act. Will set up three resource centers in NE to pilot demonstration projects to help spread information about resources for these two populations; also appears to have broad support.

Reauthorization of ESEA - Beth Wierda

Federal Elementary and Secondary Education Act (ESEA) – was to have been reauthorized years ago. Legislation has finally been introduced as of April 13, 2015. Senate bill is called “Every Child Achieves Act” and House bill is called “Student Success Act.” Special Education piece relates to alternate assessments, both House & Senate bills include language, and both retain the 1% cap. Regarding portability of Title funds, House would allow money to follow the child; Senate does not. More discussion to come including specifics about “highly qualified” teachers and how they serve low income and minority students. Neither bill includes language about seclusion or restraint. Numerous amendments are anticipated.

Looks like AQuESTT will fit in nicely with new proposed federal legislation and the improvement of schools.

Gary discussed Special Education state general fund appropriation being sought which includes NDE request for a 10% increase. Based on current information, appears both the Governor and the Legislative Fiscal Office is recommending a 2.5% increase. Also, NDE asked for increase in appropriations for deaf/hard of hearing and blind/visually impaired; recommendation appears to be approximately 2% increase.

Regarding MIPS expansion that passed last session, DHHS has submitted an amendment to the State’s Medicaid Plan. The federal government has requested additional information, so the amendment is on hold.

Working Lunch – Teresa Coonts

Teresa presented the history and background of LR517, a study to look at the quality and availability of sign language interpreters both in the school and community. Recent proposed Rule 51 language changes include increasing current EIPA (Educational Interpreter Performance Assessment) score in Section 10 from 3.5 to 4.0. When considering the quality of educational interpreters, it was recognized there are shortages in rural areas of Nebraska. In January the Director of the Commission for Deaf/Hard of Hearing and others made a presentation to the State Board of Education. In February, Rhonda Fleischer and Teresa reviewed with the State Board what is currently in practice and the breadth of responsibilities of an interpreter. Stakeholders will review recommended Rule 51 language changes prior to preparation of the Rule 51 hearing draft.

Educational interpreter standards will remain under Rule 51 while community interpreters will remain under the Commission for the Deaf, where they obtain their license. Roles and responsibilities are very different. Teresa will report back to SEAC in September or November.

Public Comments

Cindy Ellis asked if there were any public comments; there were none.

SPP/APR Update - Pam Kasl

Following review of the NDE indicators and input from the SEAC January 2015 meeting, Nebraska submitted the required documents to OSEP. Targets were set out to 2018 in which there must be improvement from 2013-14. Following clarification about baseline data, targets were adjusted to Indicators B/3A and 14 regarding post school outcomes. Part C was a little more complicated regarding Indicator 3, assessment of children birth to 3. Since the pool of data and children had grown, a new cut score was created indicating when a child has met the benchmark. New cut score requires setting up a new baseline year and targets. OSEP instructed Nebraska to take new cut score, apply it back to 2013-14 data, and report the new baseline.

Both Part B & C documents will be posted on the public reporting page of the website.

SEAC Priorities 2015-2018 - Cindy Ellis, SEAC Exec Committee Chair

Proposed priorities were shared with the Council following input from Gary Sherman and Beth Wierda. Executive Committee worked from existing priorities and made some modifications. Questions and discussion was led by Ann Bird. All Council business and SEAC agenda items will have some link to at least one priority area.

Motion made by Adams and seconded by Jorgenson to approve the 2015-18 SEAC Priorities.

VOTE:

Aye – Adams, Bright, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, Kluver, S. Larsen, McNiff, O'Grady, Pestel, Roberts, Sharif, Winkler

Nay – none

Abstain – none

Absent – Bruha, Demuth, K. Larsen, Stoley, Wohlers, Wojcik

The motion carried.

SEAC Committee Report – Kasey Pestel

NYLC - NE Youth Leadership Council

Kasey described NYLC, saying it is a Council for Nebraska youth, aged 14-25 with an IEP or 504 plan, who experience a disability. It includes members who are interested in advocacy and transition issues. NYLC meets five times per year and provides presentations from a student perspective at various events and gatherings. It helps with job training and transitioning. A summer conference brings members together for fellowship and training. Membership application can be found on www.nylc.NE.gov. NYLC is jointly funded by Special Education and Vocational Rehabilitation.

State Systemic Improvement Plan (SSIP) - Kelly Wojcik

Kelly shared information about Nebraska's SSIP and specifics for Part B and Part C.

Phase II of SSIP includes several components including Evidence-Based Practices. Goal is to narrow the achievement gap between special and general education

students. As part of Phase II, OSEP will expect Nebraska to be working across multiple NDE offices to narrow that gap. Evaluation is a critical part of the Plan. In order to know progress is being made, OSEP will want Nebraska to have methods to collect and analyze data. The state must also have strategies to modify the Plan once the Plan is working.

Districts are being asked to have their TIP – Targeted Improvement Plan – ready by Aug. 1, 2015. Components are similar to what was required of NDE. Districts must identify what they want to improve and how they will do it.

Facilitator Grant Changes - Gary Sherman

In order for school districts to carry out the RDA tasks, Facilitator Grants are being continued. 2014-15 NDE provided some funding, allowing the dollars to flow primarily to ESUs with the understanding that ESUs will assist their districts with the TIP. Looking ahead to Phase II, NDE will continue a similar process with funding of Facilitator Grants for another year. In 2015-16, those who received a Facilitator Grant in 2014-15 will be eligible to apply again. NDE will make available 20 additional competitive grants for school districts and ESUs to apply for. Goal is to make this a statewide effort and NDE is currently in the process of developing criteria for grants.

In 2016-17 it is unsure whether Facilitator or Competitive grants will continue. Concept similar to Deaf/Hard of Hearing and ASD Regional Network is being considered. NDE is committed to supporting MTSS as relates to reading/math as well as PBIS. Regarding IDEA discretionary dollars, when districts decide on their TIP, must do so knowing it will be a multiple-year goal and give serious thought to what activity will have most impact on improving outcomes for children with disabilities.

Question was asked - how will people know what the districts' chosen TIPS are? (Phase I plan due in August, 2015.) Based upon preliminary survey, it appears reading or math are high interest areas.

SEAC Operating Procedures Revised - Cindy Ellis and Ann Bird

Proposed draft was sent to the group via email. Margaret Worth, NDE Legal Counsel, reviewed and provided some additional comments. It was decided that both Bylaws and Operating Procedures are not necessary for SEAC. Some repetition was seen in both documents, and Bylaws carry more of a legal connotation. Therefore, it was decided to have one document. Minor changes were discussed followed by a motion.

It was moved by Hall and seconded by Jorgensen to approve the SEAC Operating Procedures as revised.

VOTE:

Aye – Adams, Bright, Demuth, Ellis, Gentrup, Greene, Hall, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, McNiff, O'Grady, Pestel, Roberts, Sharif, Winkler

Nay – none

Abstain – none

Absent – Bruha, Healey, Kluver, K. Larsen, S. Larsen, Stoley, Wohlers, Wojcik

The motion carried.

Special Recognition - Gary Sherman and Ann Bird

Jan Thelen, NDE ECSE Program Specialist, was recognized for her more than 30 years of service to NDE and more than four decades to the state of NE. Jan is retiring from NDE at the end of August, and thanked SEAC for being a wonderful stakeholder group for NDE and for the support provided over her many years at NDE.

Retiring members of SEAC

Brian Wojcik is retiring from a one-year term on SEAC. Brian's wife, Kelly, now works for NDE Sped Office which limits his ability to serve. Kelly accepted this award for Brian with thanks.

Ryan O'Grady, Brenda McNiff and JoAnn Roberts were each thanked for their respective terms of service on SEAC. Each shared some thoughts about the Council and the opportunity to serve on SEAC.

Ann shared that Kasey Pestel submitted an application and is being recommended for a four-year term on SEAC in the category of "teacher." Congratulations were also extended to Kasey for her upcoming summer wedding.

The meeting adjourned at 2:25p.m.

The next meeting will be September 17th, 2015.