

NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL

Cornhusker Marriott Hotel

April 21, 2016

Meeting Minutes

SEAC MEMBERS PRESENT: Alexander, Bright, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jacobson, Jones-Hazledine, Jorgensen, Kelly, Kiernan, Kluver, K. Larsen, S. Larsen, Sharif, Stoley, Winkler

MEMBERS ABSENT: Adams, Bruha, Demuth, Jessop, Wohlers

NDE STAFF PRESENT: Sherman, Milliken, Prochazka, Heaston, Kasl, Marcucci, Wojcik, Hoffman

SEAC FACILITATOR: Bird

VISITORS: Amy Rhone, State Coordinator for PBiS; Annette Wragge, ASD Network Director

The meeting of the Special Education Advisory Council (SEAC) commenced at 8:45 a.m. Public notification of this meeting was made on the NE Department of Education website and in the Omaha World Herald.

A welcome was given by Cindy Ellis. Annie Bird noted it is the last meeting of SEAC for the year, and that photos will be taken of the departing members.

Council Business

An Open Meetings Law Announcement was made by Cindy Ellis.

Approval of Meeting Minutes

A motion to approve the minutes of the January 28, 2016 meeting was made by Greene and seconded by Hall.

VOTE:

Alexander, Bright, Ellis, Gentrup, Greene, Hall, Houlton, Jacobson, Jones-Hazledine, Jorgensen, K. Larsen, S. Larsen, Sharif, Winkler

Nay – none

Abstain – Hitesman

Absent – Adams, Bruha, Demuth, Healey, Jessop, Kelly, Kiernan, Kluver, Stoley, Wohlers

The motion carried.

Approval of Agenda

A motion was made by Jorgensen and seconded by K. Larsen to approve the agenda with the following two changes: Pam Kasl/Data will present for Adria Bace; Steve Milliken will present for Alice Senseny.

VOTE:

Alexander, Bright, Ellis, Gentrup, Greene, Hall, Hitesman, Houlton, Jacobson, Jones-Hazledine, Jorgensen, K. Larsen, S. Larsen, Sharif, Winkler

Nay – none

Abstain – none

Absent – Adams, Bruha, Demuth, Healey, Jessop, Kelly, Kiernan, Kluver, Stoley, Wohlers

The motion carried.

Notice of Conferences/Meetings

- NE Young Child Institute is June 27/28 in Kearney
- NE Deaf/Blind Summer Institute is July 18-21 at UNL. Registration ends May 30th.

Annie noted the new FaceBook page for the NDE Special Education Office, and that more conference information can be found on it. SEAC will cover registration costs for SEAC members, with prior approval, to attend related conferences. Let Annie know.

- New Teacher Symposium is June 23. This is open to new teachers with emphasis on Special Education teachers. Original purpose was for teachers to learn about special education regulations and best practices, and has evolved into encouraging new teachers to remain in the profession. Educational consultant and trainer, Randy Sprick, is being brought in to speak. More information including location will be found on the website.
- Autism Spectrum walk will be in Ralston Arena on April 23.
- State Autism Conference was recently held and was the best attended to date. Many positive comments were shared by SEAC members who attended.
- TriState Law conference is November 3 & 4 at the Century Link in Omaha, a larger venue. Registration to go up the week of April 25th. SEAC members who have attended in the past will receive an email alert that registration is open. Jeanne Heaston is the NDE contact.

Proposed SEAC First Meeting Date 2016-17

Discussion was held regarding the first SEAC meeting date of the 2016-17 year. Annie asked the group about other state meetings that may conflict.

- September 15, 2016, has been proposed by the Executive Committee
- Meeting Start/End Times: 8:30a/3:30p.

Motion made by Greene and seconded by Houlton to accept September 15, 2016, as the first SEAC meeting date, with the recommended start/end times of 8:30a/3:30p.

VOTE:

Alexander, Bright, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jacobson, Jones-Hazledine, Jorgensen, K. Larsen, S. Larsen, Sharif, Winkler

Nay – none

Abstain – none

Absent – Adams, Bruha, Demuth, Jessop, Kelly, Kiernan, Kluver, Stoley, Wohlers

The motion carried.

Transition/Post-School Outcomes

Rita Hammitt shared handouts and a Powerpoint about Transition and Post-School Outcomes, reviewing what data must be collected as per IDEA regulations. A new printed tool was shared that was developed cooperatively by a number of agency partners. Career planning is the same for everybody; must know a student's skills, abilities, interests, and then develop a plan. Tool will be distributed throughout the state and feedback is encouraged.

Rita also shared a video entitled "Reality Check – Guiding Your Children to Career Success." The video is on NDE's website at: <https://www.education.ne.gov/nce/Toolkit.html>

Stakeholder Meeting Update

Stakeholders are very important to the work the NDE Special Education Office conducts, providing guidance regarding TIPS and SSIP. Kelly Wojcik has facilitated recent meetings with the goal of having discussions so

input may be gathered to address feedback provided by OSEP. There have been three Stakeholder meetings to discuss Nebraska's SSIP with enriching conversation.

Kelly asked the Council for input in answering the question of how to balance stakeholder discussions with information-sharing. How do those attending have the information to participate fully so it does not become a sharing only meeting?

Small groups were convened and the following input shared:

How do we best balance the need to share information with Stakeholders vs. having discussion and getting the information back from our Stakeholders in order to continue moving forward?

- Divide into small groups with the questions and discuss so Stakeholders can actively participate;
- Provide deadlines before a meeting that identify the goal you want to reach *for* that meeting. Disseminate information ahead of the meeting so less time is spent reviewing it;
- Provide a Google Doc during the discussion so participants can provide realtime input. Use of a flip chart would demonstrate peoples' thoughts are being captured;
- Identify whether Stakeholders are truly representative and meet the needs of being a diverse group.
- Have Stakeholders take a pause, look around and see who is missing and who else could be involved. Let the Stakeholders take part in some internal evaluation.
- Have someone other than NDE help facilitate meetings to assist the group stay on task, so it's not so much the responsibility of NDE staff running the meeting. Impartial leadership may foster more open and forthright sharing.
- Include individual agenda items describing the type of input desired. Brainstorming vs. consensus vs. information only. Identify the task and the nature of the task in the agenda itself. Clarify what is wanted *before* the meeting. Better equip the participants to provide input/feedback.

Parts B & C Federal Grant Submissions

Steve Milliken presented that the IDEA Part C (B-3) and the IDEA Part B (3-21) federal grant submissions are an annual process and primarily assure to the federal government that Nebraska is in compliance with and is implementing IDEA. Both applications are the vehicle for NE receiving its Part B & C dollar allocations. After the information is provided to the public for comment and review, the applications are sent to the federal Office of Special Education Programs (OSEP). Annie stated that information pertaining to these two documents is presented to the Council throughout the year.

Both State applications may be found at this link: <https://www.education.ne.gov/sped/publicreporting.html>

ASD Network

Annette Wragge, NE ASD Network Director, located at UNL, shared a powerpoint and report. She spearheaded the recent state Autism Conference with over 950 attendees. Dr. Adolf Brown was the Friday keynote and spoke about the emotional needs of parents and supporting each other as people. The ASD Network has evolved over time with five regional coordinators and a behavioral analyst/specialist. Staff go into the schools when requested and provide support/training to those delivering the services. There are over 3000 children with a primary disability of autism in the NE schools. Next year's conference will be at the Younes Center in Kearney on March 30/31, 2017. The dates have been changed to avoid conflict with NESA testing.

Graciela Sharif shared that she had several Spanish speaking families call last minute wanting to attend and feels there could be partnership with PTI-Nebraska to handle registration for Spanish-speaking families. Annette confirmed that there will be future Spanish translation available at this conference. She also

reminded the group that ASD does trainings all year long. Kristen Larsen affirmed the work of the ASD Network and voiced gratitude for the IDEA funding that makes this resource possible.

Team Leader Report: *Program Improvement*

Kelly Wojcik shared information about the SSIP Part B Final Submission. There have been changes since she first spoke last year about Phase I; are now in process with Phase II. Kelly discussed the phases involved in developing the SSIP which included feedback from OSEP regarding our measureable result. Nebraska has moved away from “narrowing the gap” and is looking at “increased proficiency.” The criteria for Cohort was explored and distilled. The data was examined and a cohort created with about 567 students with wide representation. Third grade proficiency rates tend to be on the rise. Information came from Stakeholders and we are responsible for setting some reasonable targets for where Nebraska would like to see that data go. Using current data and trendline, Nebraska has decided to ask for a 2% increase in overall performance on an annual basis, which will be the target for FFY 2013-FFY 2018 (3rd Grade Reading Proficiency Targets for Identified Cohort). Using 2014 data as baseline, our national TA center gave positive input and we are now waiting approval from OSEP.

Coherent Improvement Strategy: How do we get there?

According to OSEP, MTSS is a framework, not a strategy. Measurable result is to increase performance rather than narrow the gap. So Nebraska clarified its strategy and how it is using MTSS. It is implementing increasingly intensive evidence-based reading methodologies. Clarified and redefined what the ultimate goal is and how to get there.

Evaluation:

Logic Model is the foundation for which Nebraska has built its evaluation plan. Activities are additional things to be worked on and TA contacts recommended redefining Outputs and Outcomes. They are now, respectively, Nebraska’s Short term & Long term objectives.

Through that process, Nebraska wants to see fidelity of implementation. Ultimate outcome will be increased proficiency in reading of children with disabilities at the 3rd grade level, plus increased collaboration at the state level. Must work together to make sure implementation of evidence-based strategies is occurring to affect how students are performing in the classroom.

Will continue to look at TIPs from districts, making sure they have the supports needed and are providing appropriate focus for improvement.

Other Activities on the horizon:

- Making sure to have guidance document for Data so districts understand what they are to address.
- In-depth evaluation.
- Updates to impact area document.

Questions are always welcome. This is a lot of information and content, so the group is encouraged to ask questions. Information and a snapshot across the state is collected on Oct. 1st of each year.

Team Leader Report: *Data*

As Pam Kasl came forward, Annie noted her many years of service to SEAC and to NDE, and shared that Pam will be leaving NDE. Pam was thanked for her good service in various roles over many years. Pam shared

a ppt handout and spoke about some Sped Data updates as Nebraska has recently submitted child count data to the federal government. Sped programs are broken up into 13 disability categories. The powerpoint showed how numbers have changed since 2009-10 as well the category specifics across gender and ethnicity.

Working Lunch – Legislative Updates

Kristen Larsen shared legislative information relevant to individuals with disabilities in Nebraska.

- LB 900 Legislation to repeal the helmet law failed. Is likely to come up again next year.
- LB1039 Define/redefine terms related to developmental disabilities, for consistency in state statutes. Passed and approved by the governor.
- LB1033 Create an advisory committee relating to persons with disabilities within the DHHS. To address wait-list issues, integrate people with disabilities into the community. Passed and approved by the Governor.
- LB1110 Adopt the NE Workforce Innovation and Opportunity Act and the Sector Partnership Program Act. Passed and approved by the Governor.
- LB 891 Adopt the Down Syndrome Diagnosis Information and Support Act. Very positive piece of legislation; DHHS will be working with some MMI contacts on a handout. Passed and approved by the Governor.
- LB 895 Require a report regarding BSDC and the Bridges program. Looking at trying to figure out best ways of supporting residents and a long-term plan to spend tax dollars wisely, and address those who are not being served. Passed and approved by the Governor.
- LB1032 Adopt the Transitional Health Insurance Program Act and provide duties for DHHS. (Expanding Medicaid.) Did not pass.
- LB826 Change provisions relating to reimbursement under the Special Education Act. Did not pass.
- LB706 Define habilitative services for purposes of insurance. Did not get to the floor.
- LB 930 Change provisions relating to statewide assessments and college admission testing as prescribed. Concerned about impact for kids with disabilities and potential accommodations on testing. Further conversations will be held. Passed and approved by the Governor.

SEAC Vacancies 2015-2018

Some Council members' terms are ending, leaving some vacancies to be filled including: Out of district population (replacing John Bright); Nonpublic schools (Father Stoley); two from Higher Education (Judy Hall and Cindy Ellis). Need to replace at least one higher education. Hope to have two parents. Annie encouraged members to consider who they know and encourage them to apply. Vacancies will be announced to the State Board at the June meeting; applications are due by June 1 and recommendations will be taken to the Board in August for approval; new members will attend the September meeting.

Public Comments

Cindy Ellis asked if there were any public comments:

Kristen noted that the Nebraska Planning Council on Developmental Disabilities Five-Year Plan is now posted on their website for review. It can be found at:

http://dhhs.ne.gov/developmental_disabilities/Pages/ddplanning_state_plan.5.yr.aspx

DD Council meeting will be on May 20th to review public comments and discuss further.

Finance Team Report

John Marcucci shared a handout about IDEA Fiscal Monitoring and Allowable Expenses. Fiscal monitoring is required for all federal programs as a layer of accountability. NDE's monitoring examines whether funds spent are allowable and being used for the benefit of students receiving special education services. A shared handout listed some of the most common expenses that districts tend to have. John encourages people to reference this document as well as contact their Regional Consultant if questions.

Monitoring Team Report

Jeanne Heaston reported that IDEA Program Monitoring for Part B is complete for the year and that no corrective action plans were needed. School districts are doing a good job to assure Special Education processes are in place and being followed. Rule 51 regulations are being met through their forms, procedures, and practices. A survey is included with the close-out letter that asks for feedback and suggestions about how NDE can improve. The process has evolved over time to where teachers are involved alongside NDE, which creates an opportunity to discuss Rule 51, how it is being implemented and different questions that might arise in their areas. Survey went out a couple of months ago asking whether regional monitoring meetings would be appreciated; a strong, affirmative response came back. Meetings will foster consistency across the state and will be regionally-focused. Will discuss process and the regulations that support the process. Want input from districts on how things work in their regions. Also want to create a Q&A area on our website.

Locations for proposed regional monitoring meetings:

September 15 – Scottsbluff/ESU 13

September 16 - North Platte/ESU 16

September 19 – Kearney/ESU 10

September 20 – Norfolk/Northeast Community College

September 21 - Metro Area (site to be determined)

September 22 – Beatrice/ESU 5

September 23 – Omaha/ESU 3

Letters will be going out the end of April letting districts know who will receive Program monitoring next year. There is much work to be done to update from the work that has occurred the last two to three years. Jeanne also mentioned details for the 2016 Tri-State Law Conference.

PBiS (Positive Behavior Interventions and Support) Grant Update

Amy Rhone stated that this grant is funded through OSEP and a majority of work focuses on improving outcomes for students in both general and special education. This is a State Personnel Development Grant, (SPDG) and must show alignment with the IDEA Part B SSIP. Amy is gathering information and feels there needs to be more collaboration across the state. She shared what the goals and objectives are within the application for a new five-year grant; application was submitted in March and should know in June if funded.

DTIPS (District Targeted Improvement Plan Support) Grant Update

Steve Milliken reported that DTIP(S) grant amounts are based upon student enrollment and intended to help districts and ESUs focus on district goals. In the past, similar grants have been funded through ESUs to work with and support their districts. For 2016-17 it was decided to make funds available to ESUs and to districts having more than 1000 students. Thirty-one (31) grants have been submitted to NDE; following review, most applications were returned for some clarification. Applicants will have two weeks to make revisions; May 6 is final due date.

DHHS/NDE State Wards

Council member, Emily Kluver (DHHS) and Steve Milliken shared information regarding state wards and the population of students who are in youth rehabilitation and treatment centers in York and Kearney. They affirmed the ongoing collaboration between DHHS and NDE, since both work with children and families. The students, especially those with disabilities, need a continuum of education services while they are in these

centers, which are responsible for their education. The state agencies are learning that many of these students have expired IEPs.

The goal is to reach out to a district as soon as a student arrives and begin communication immediately. Really want to figure out best way to keep that district, in which the child became a state ward, involved, particularly for students in special education. Drop out rates are often affected when a student doesn't get assimilated back into the appropriate level of education and it's challenging having multiple systems involved, such as DHHS and Probation. Emily feels there is a good plan in place and is working closely with NDE and with school districts. Communication is a big challenge, but feel they're making progress. On April 10th DHHS released an automation system for the DHHS letter sent to district superintendents. Once letter is created it is automatically sent to the resident district and, therefore, more quickly accessed. Will be able to track whether DHHS workers are sending what they're supposed to and if districts are receiving and acting upon provided information.

Birth to five population is also being discussed. A process is being developed that will notify the Early Development Network when a young child enters the system.

Disproportionality: Federal Update

Pam Kasl and Steve Milliken shared a ppt regarding Significant Disproportionality related to Special Education. This is not a new discussion to Nebraska, but will likely be a larger issue due to some proposed regulations from OSEP. OSEP believes there is a serious national crisis of over-identifying and suspending children with disabilities in specific ethnic groups. NDE will be commenting on the proposed regulations.

This is not a simple topic. Overall picture of proposed regulations indicates major impact on states that have been examining school district data for significant disproportionality. Every state has been given the ability to create their own definition for significant disproportionality. The proposed regs create a national definition.

Discussion continued on the fiscal implications if a district is found to have significant disproportionality. District will be required to take 15% of its IDEA funding and divert it to address the issue(s). Proposed regulations expand age range from three years to grade 12 and includes both students in general and special education.

Recognition of Retiring SEAC Members

Gary made some general comments about those SEAC members who are leaving and thanked them for their service. These members have made a difference to the children with disabilities in Nebraska. Annie also shared some personal comments about each retiring member, thanking them for their time and energy, and noting their individual contributions for the respective groups they represent.

Retiring members are: John Bright, Judy Hall, Debbie Healey, Fr. Stoley and Cindy Ellis who, as the Chairperson, handed the gavel over to Carey Winkler, the new Chairperson.

Annie shared that Samantha Jacobson has served as a representative of the NE Youth Leadership Counsel. The Executive Committee is authorized to grant her a second year, made the request, and she accepted. Steve Larsen has just completed a four-year term, and has submitted an application to stay on the Committee for another term. Pam Kasl, who is leaving the NDE SPED office, was again thanked for her support to the Council over many years, and well wishes were extended to her for her new job.

Adjourn

Motion was made by Jones-Hazeldine and seconded by Hall to adjourn at 2:25 p.m.