



NEBRASKA

DEPARTMENT OF EDUCATION

NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL

An advisory panel providing policy guidance to the Nebraska Department of Education with respect to special education and related services for children with disabilities.

September 9, 2021 - AGENDA

Attend In-Person

Embassy Suites
1040 P. Street
Lincoln, NE 68508

Attend via Zoom Meeting

<https://educationne.zoom.us/j/97671380753?pwd=U2FJSERSaEhXR1AreUtDRklmbDEzQT09>

Meeting ID: 976 7138 0753

Passcode: 395924

8:30 Meeting Begins

8:30 Orientation for New Members (Review of SEAC Operating Procedures & Orientation Materials)

10:00 Welcome & Introductions

Kris Elmshaeuser
Terry Houlton

Council Business

Terry Houlton

- Open Meetings Law Announcement
- Notification posted in the Omaha World-Herald on August 26, 2021
- Approval of September 9, 2021 agenda*
- Approval of May 6, 2021 Minutes*
- SEAC Members Eligible for Executive Committee
 - Adia Brightman
 - Samantha Jacobson
 - Jennifer Meints
 - Kirk Russell
 - *Carlos Servan - Pending State Board Approval*
 - Graciela Sharif
 - *Lupe Stevens - Pending State Board Approval*
 - Allison Wilson
- Notice of Conferences/Meetings
- Annual Report for 2020-2021
- NASES Update – Lona Nelson
- SEAC Member Updates/New/Sharing
- Executive Board Meeting Report

Public Comment**

Functional Behavioral Assessments & Behavioral Intervention Plans

SEAC Sub-Committee

Discussion Items

Kris Elmshaeuser

- Assessment – Jeremy Heneger
- Assistive Technology Partnership – Brian Wojcik
- ARP ESSER Funds and Stakeholder Input to Districts

NDE Office of Special Education Team Reports

Amy Rhone

Jamie Chambers

- Technology
- IDEA/ARP
- New Guidance Documents
- LB 527
- Non-Public/Homeschool Exempt
- Flexible Funding and Coordinated Early Intervening Services
- Updates on complaint issues within the State
- RDA Stakeholders Meeting

Kelly Wojcik

Adjourn

Terry Houlton

*Items requiring Council action

**Per the SEAC Operating Procedures, opportunity for public comment is requested in advance

Next Meeting Date: December 9, 2021

2021-2022 Meeting Dates

September 9, 2021

December 9, 2021

March 17, 2022

May 12, 2022

Upcoming Conferences:

- October 7-8, 2021 – NMTSS Summit – Virtual
- November 4-5, 2021 – Tri-State Law Conference – Virtual
- November 9, 2021 – PARA Educator Conference – Hybrid (Virtual & In-Person - Younes Conference Center, Kearney, NE)

NE SEAC Executive Committee Members

Terry Houlton, (2021-2022) Director of Special Education Millard Schools, Omaha, NE

Kasey Alexander, (2022-2023) Educator, West Point Schools, West Point, NE

Sr. Janelle Buettner, (2023-2024) Principal, North American Martyrs Catholic School, Lincoln, NE

New Member, (2024-2025) *Will be elected at December, 2021 SEAC Meeting*

Understanding the Advisory Council Functions under IDEA

All Council activities should relate to one or more of the functions

1. Advise the SEA of unmet needs within the State in the education of children with disabilities. CFR 300.169(a)
 - a) Training educations on working with children with Autism
 - b) Students not being adequately served in juvenile and adult correctional facilities
2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities. CFR 300.169(b)
 - a) The federal law is reauthorized, and the State makes revisions to their regulations
3. Advise the State in developing evaluations and reporting on data to the Secretary under Section 618 of the Act. CFR 300.169(c) *Grown the most since 2004
 - a) The SEA is reviewing and refining APR improvement strategies
 - b) Upon completion of a State and school district drill down, it was concluded that students with disabilities had lower graduation rates than students without disabilities.
4. Advise the State in developing corrective action plans to address finding identified in federal monitoring reports under Part B of the Act. CFR 300.169(d)
 - a) The State has just experienced an OSEP Visit and was found to be in noncompliance on various fiscal issues.
5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities. CFR 300.169€
 - a) The SEA is proposing a new MOU with the Department of Corrections
 - b) The SEA is revising its MOU with the Department of Health
6. The SEA, after deleting personally identifiable information must
 - Provide the Advisory Council with the DPH findings and decisions and
 - Make those finding and decisions available to the public. CFR 300.513(d) & 300.514(c)
 - a) DPH decisions identify consistent issues.
 - b) The SEA has experienced a spike in DPHs
7. Waiver of non-supplant requirement. State must consult with the Advisory Council regarding provisions of FAPE. CFR 300.164(c)(4)
8. States retain discretion to determine the risk ration threshold above which disproportionality is significant so long as that threshold is reasonable and based on advice from their stakeholders, including their State Advisory Councils. 34 CFR 600.647(b)(iii)(A)