



# 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.

## DECEMBER 9, 2021 – AGENDA

#### ATTEND IN-PERSON

Embassy Suites  
1040 P. Street  
Lincoln, NE 68508

#### ATTEND VIA ZOOM MEETING

<https://educationne.zoom.us/j/96893946864?pwd=NXo1M1VFMIQyOQ05pYk1Qa1Y3RWlaZz09>

Meeting ID: 968 9394 6864

Passcode: 2426

8:30 REGISTRATION

9:00 WELCOME & INTRODUCTIONS

Kris Elmshaeuser  
Terry Houlton

#### COUNCIL BUSINESS

Terry Houlton

- Open Meetings Law Announcement
- Notification posted in the Omaha World-Herald on November 25, 2021
- Approval of December 9, 2021 agenda \*
- Approval of September 6, 2021 Minutes \*
- SEAC Members Eligible for Executive Committee
  - Adia Brightman
  - Samantha Jacobson
  - Jennifer Meints
  - Kirk Russell
  - Carlos Serván
  - Graciela Sharif
  - Lupe Steven
  - 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 \*\*

- Board Certified Behavior Analysts (BCBA)

Johanna Higgins

## FUNCTIONAL BEHAVIORAL ASSESSMENTS & BEHAVIORAL INTERVENTION PLANS

SEAC Sub-Committee

### DISCUSSION ITEMS

- Connecting Higher Education with Practicing Educators/Administrators Across the State. Grants to Fund Students to Become Teachers or Other Types of Providers  
Kris Elmshaeuser  
Johanna Higgins
- Data and Progress Monitoring Related to IEP Goals  
Terry Houlton
- State Performance Plan/Annual Performance Report – Target Setting  
Kris Elmshaeuser  
Kelly Wojcik  
Jamie Chambers  
Heather Ottoson  
Theresa Hayes
- State Systemic Improvement Plan (SSIP)  
Kelly Wojcik

### NDE OFFICE OF SPECIAL EDUCATION TEAM REPORTS

- Monitoring Activities
  - Disproportionality
  - RDA Stakeholder Meeting Update
  - 92 NAC 51 – State Complaint Filing Update
  - Special Education Teacher Retention Grant
  - IDEA American Rescue Plan Funds
  - Other Topics
- Amy Rhone  
Kris Elmshaeuser  
Teresa Coonts  
Kelly Wojcik

### ADJOURN

Terry Houlton

NEXT MEETING DATE: MARCH 17, 2022

**A VIRTUAL OPTION WILL NOT BE OFFERED FOR THE MARCH 17, 2022 MEETING**

### 2021-2022 MEETING DATES

- September 9, 2021 – Hybrid
- December 9, 2021 – Hybrid
- March 17, 2022 – **IN-PERSON ONLY**
- May 12, 2022 – **IN-PERSON ONLY**

### UPCOMING CONFERENCES:

- February 22-23, 2022 – Transition Conference – Hybrid / Younes Conference Center, Kearney, NE
- April 7-8, 2022 – ASD Network State Conference – Hybrid / Younes Conference Center North, Kearney, NE
- June 1-2, 2022 – Nebraska School Mental Health Conference – Embassy Suites, La Vista, NE)

### NE SEAC EXECUTIVE COMMITTEE MEMBERS:

**Chairman** – 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 9, 2021 SEAC Meeting\*

\* Items requiring Council action

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

## 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)