

Wisconsin Council on Special Education Draft Meeting Minutes

Date January 24, 2020

10:00 am – 3:00 pm

Department of Public Instruction, Room P41

Meeting #324

Business Meeting #324: Meeting called to order at 10:04 am.

Attendance: Loucricia Carson, Hugh Davis, Pamela Hencke, Amanda Mack, Jennifer Mims-Howell, Deb Rathermel, Nelsinia Ramos, Nikki Sprague, Stacy Stone, Nicole Vander Meulen, Carla Witkowski, and Sara Zwiefelhofer.

Attendance Via Phone: Michelle Johnson, Katherine Kramer, Vicki Davis Davila

DPI Staff: Seth Bishop, Rita Fuller, Nancy Furman, Julia Hartwig, Carolyn Kiefer, Daniel Parker, Courtney Reed-Jenkins, Barb Van Haren, Patricia Williams, and Lynn Winn.

I. Welcome

- a. There are two new members on the Council that joined mid-year as replacements for members who could no longer serve. Replacements were made to ensure Council representation from a Wisconsin statewide family engagement and advocacy organization as well as representation from the Wisconsin Association of School Boards. Council chair provided a welcome and introductions. Hugh Davis and Lester Spies are new Council members who replaced Sally Flaschberger and David Burke respectively.

II. Public Appearances

- a. There were no public appearances.

III. Minutes of Meeting #323

- a. Meeting minutes were reviewed by Council. There was a request to correct the spelling of Stacy Stone's name (with no e in Stacy). With this correction, Deb Rathermel provided a motion to approve the minutes. Nikki Vander Meulen seconded the motion. The minutes for meeting #323 were accepted.

IV. Correspondence/Chairperson's Report

- a. Debrief on Public Forum
 - i. Chair and co-chair summarized comments into the top seven categories that members of the public discussed from the October 16, 2019 public forum listening session.
- b. Public Forum Letter to Participants
 - i. Chair discussed the role of Council members to advise the State Superintendent on the unmet educational needs of students who

receive special education. Review of public forum comments help Council address what the public is bringing forward as concerns so Council can use these comments as a tool to advise the State Superintendent. The afternoon discussion on budget recommendations and Council priorities will provide an opportunity to use the Public Forum comments as a guiding document for providing suggestions to the state superintendent.

- ii. The Council's chairs provided a draft summary letter prepared by Council Chair and co-chair that will be sent to all public forum participants thanking them for their time and summarizing their comments. Council provided input on some language changes to the letter. The chairs will incorporate council feedback, make revisions, and send to DPI who will provide the summary letter to public forum participants.

V. IDEA Complaint and Due Process Hearing Findings & Decisions

- a. The Council reviewed and discussed recent decisions and complaints and Patti Williams provided responses.
- b. Council member asked about a third party decision for #19-089. Decision for #19-089 along with other complaint decisions will be posted online once a decision is final for publication.

VI. Special Education Team Director's Report

- a. Julia Hartwig welcomed new and returning council members and provided updates on new DPI staff.
 - i. Olivia Rauls: Office Operations Assistant
 - ii. Mark Pioli: Research and Evaluation Consultant (new position)
 - iii. Melanie Sickinger: Equitable Multi-Level System of Supports Consultant
 - iv. Ryan McNamara: Procedural Compliance – Educational Specialist
 - v. Eva Shaw: Emotional Behavioral Disability (EBD)/Autism Consultant
 - vi. David Calabrese: Office Operations Associate
- b. Federal Updates:
 - i. Assistant OSERS Secretary Johnny Collet resigned and was replaced by Mark Schultz.
 - ii. OSEP foreshadowed some changes to the State Systemic Improvement Plan (SSIP) in the near future and encouraged DPI to not make significant changes this year.
 - iii. On Dec. 20, [H.R. 1865](#) was signed by the President, approving a spending package that includes a total of \$72.8 billion for the U.S. Department of Education (ED), including a \$12.7 billion for IDEA Part B grants to states (\$400 million increase).
 - iv. OSEP is surveying states and districts for innovative strategies to address the significant teacher shortages across the country in special education. Wisconsin has reconvened its workgroup to address staffing challenges and the Assistant State Superintendent for Learning Support, Dr. Barb Van Haren, is a member.

- c. The current State Superintendent of schools, Carolyn Stanford Taylor, has decided not to run for election during upcoming race and a [press release](#) was released.
- d. On Dec 5, DPI uploaded preliminary joint federal notification packets for local education agencies (LEAs) into our Safe Access File Exchange. Every LEA received a packet to inform continuous improvement efforts to eliminate achievement gaps between students with and without IEPs. The reports provide preliminary LEA determinations for all school districts, which weights equally results and compliance for preliminary identifications, under the Individuals with Disabilities Education Act (IDEA), and school-level reports (ESSA), which include preliminary identifications, if any, for Targeted Support and Improvement.
- e. This year, for the first time and as forecasted, LEA Determinations under the Individuals with Disabilities in Education Act will weight results indicators equal to the weight of compliance indicators. Additionally, data related to Least Restrictive Environment placement and early childhood settings will be included in results calculations for the first time.
- f. The Indicator 8 family engagement survey will this year increase response rate requirements to 10% per district to ensure better representation of families (specifically families of color and specific disability areas). The increase may specifically affect larger districts.
- g. New DPI resources include “[Supports for Educating Students with IEPs](#)” web page and videos, an Assistive Technology Webinar from January 21 that was recorded and will soon be posted to the DPI AT web page, and an Alternative Augmentative Communication webinar on March 26th.
- h. Administrative Rules and Bills:
 - i. There are proposed permanent rules dealing with high cost special education aid ([Clearinghouse Rule 19-147](#)) and educational interpreters ([Clearinghouse Rule 19-111](#)).
 - ii. 2019 Wisconsin Act 44 (AB-194) was signed into law relating to requirements for initial licensure as a special education teacher. This bill allows the DPI to issue an initial license as a special education teacher to an individual who successfully completes a course in the teaching of reading and reading comprehension, provided the individual satisfies all other requirements for licensure by DPI. This bill eliminates the requirement that an individual pass an examination identical to the Foundations of Reading test to receive an initial license to teach special education.
 - iii. SB 527 related to seclusion and restraint was voted on and passed both the assembly and senate and AB 110 related to the creation of a dyslexia guidebook was voted on and passed both the assembly and senate. These now await governor approval.

VII. Special Report: Annual Performance Report (APR) Targets Extension

- a. DPI Courtney Reed-Jenkins and Seth Bishop, provided a special report on [federal indicator targets](#) that need Council feedback so Wisconsin can

extend the existing Indicator targets for one additional year while states await an updated federal indicator framework. Data tables and graphs on past targets and APR reporting was provided to Council and Council provided recommendations for extending one year targets that will be included in the APR report due annually (typically Feb. 2nd). OSEP's strong recommendation was to extend targets for an additional year, as adjustments can be made by states when a new framework is released. Council members asked questions and engaged in discussion for each of the targets. Publicly reported outcomes for these indicators are available at the state and district levels on [WISEdash Public](#) as well as through DPI's [Special Education District Profiles](#) web page.

- b. Council was asked to set targets for outcome indicators and no compliance indicators as compliance indicators are set by the Department of Education for all states. Other than inquiring about minor clarifications on the purpose or measurement of each target, Council voted to keep all targets the same for one additional year with minimal discussion. Council had additional feedback to DPI for the following indicator target:
 - i. Indicator 3B (Assessment Participation - ACT). Council members commented on reasons why parents do not want their children to participate in state assessments and how parent opt-out is the general reason why students are not taking this assessment. Another Council member noted increases in seizure disorders that may result in fewer students taking assessments. Guidance from OSEP says this target cannot drop below the baseline of 92.16%. DPI provided historical reasons why the target is set at 95% to keep it consistent with ESSA requirements. DPI clarified that targets should be set ambitiously and that DPI monitors and addresses slippage if a target is not met. The Council voted unanimously to keep the Indicator 3B target at 95%, but noted it might be beneficial to receive additional quantitative data to review before voting on this indicator next year.

VIII. Lunch

IX. Council Budget Discussion

- a. The Council chair provided an overview of the expectations for the budget discussion and provided resources the Council could use to prompt their small group discussions. Council members reviewed the materials and collaborated in small groups in order to synthesize their thoughts and make suggestions as a group for recommendations to the State Superintendent relating to the state budget for special education funding. The Council used the public forum feedback as a tool to identify topics of concern around the state to drive their budget recommendations. Council members also discussed specific budget line items from the current biennial budget. The Council Chair and co-chair will summarize Council discussion and develop a report to send to DPI.
- b. General Budget Suggestions
 - i. Gaps in resource availability for rural areas

- ii. Set aside funding for community supports
- iii. Partnership with county agencies
- iv. Address need/resource/training collaboration for educators
- v. Address Staffing/burnout/overload/systems
- vi. Respite for families
- vii. Increase CLC opportunities to increase funding
- viii. Increase funding for parental support/engagement
- ix. Develop parent friendly videos and resources for IEP engagement (e.g. intro to special education)
- x. Focus family engagement in IEP process on best practices, relationships, working with families, and not just “compliance”
- xi. Increase rate aides categories
- xii. Increase categorical aid funding; how funding is allocated to districts
- xiii. More funding for assistive technology to reduce need for para professionals
- xiv. Increase focus on funding and support for behavior/mental health
- xv. More funding for social worker and medical supports for those with co-occurring disabilities

X. Council Planning Priorities for this Year’s Topics

- a. The Council chair provided an overview of the expectations for future Council priorities. Council members collaborated in small groups and made suggestions as a group for future focus areas of Council. The Council again used the public forum feedback as a tool to identify topics of concern around the state to drive their recommendations. Council Chair and co-chair will summarize priorities and discuss in next Council meeting.
- b. General list of Topics for Next Year
 - i. Seclusion/Restraint. Updates on changes (law), staff training on restraining students, parents’ rights regarding school expectations (parents should learn/know are the minimum requirements for schools. Council identified resources on seclusion and restraint that will be sent to all Council members including a video from a former Council member talking about Wisconsin legislation and a video from an [OSEP webinar](#).
 - ii. Shortened school day
 - iii. DPI’s Equity Focus
 - iv. Inclusion of students with disabilities in regular education classrooms and extra curriculum activities
 - v. Assistive Technology (AT) inclusive practices so that ALL students with disabilities have access to AT. (e.g. regardless of type of disability, AT can support many different student needs and not just communication).
 - vi. Training for staff
 - vii. Eligibility: Children identified as having a disability but not qualifying for educational needs and/or IEP services. Intersection with issues related to 504 and building plans was suggested.

- viii. Medicaid reimbursement for schools
- ix. Dyslexia: Updates on resources and legislation
- x. Transition/post-secondary. Best outcomes to ensure successful transitions for youth. Continue funding for WI DPI Transition Improvement Grant work. How to raise awareness on [TIG](#) web resources for parents.
- xi. Child Find: Improving practices for increasing partnerships with community agencies to increase early referrals.
- xii. Results Driven Accountability: DPI to provide additional information to Council for Council to become better informed before voting on Indicator targets, State Systemic Improvement Plan priorities, and State Personnel Development Grant (SPDG) focus.

XI. Break

XII. Special Report: State Personnel Development Grant –Update & Input (Lynn went right after lunch)

- a. Lynn Winn provided an overview of a federal grant opportunity, the State Personnel Development Grant (SPDG), which DPI may be able to apply for in the next year. Lynn requested Council feedback on areas of potential focus of the SPDG grant. DPI shared that a suggested focus for this grant is to improve adult practices in relation to inclusion of students who receive special education within general education curriculum, instruction, environments, and activities. Council was invited to provide written feedback to DPI asking if inclusive learning is a high-leverage strategy for students with IEPs, does an inclusion focus for the SPDG grant address a concern within our state, and what additional information they need to inform whether to focus the SPDG on inclusive learning.
- b. Council engaged in a discussion about the benefits of and barriers to inclusion including lack of staff training, lack of principal and/or general education knowledge and support, lack of systems to promote successful inclusion, and increased mental health and behavioral needs of students.

XIII. New & Old Business

- a. Agenda Topics for March’s Meeting
 - i. Council members discussed potential topics may include coming up with recommendations for universal guidelines on seclusion and restraint throughout the state, inclusion, meaningful classroom instruction, peer-to-peer learning, resources in rural areas, after school supports, results driven accountability, and child find.
- b. Council Member Reports and Issues (All Council Members)
 - i. Council’s chair Pamela Hencke gave a brief overview on the State Superintendent Conference that was held in November in WI Dells.
 - ii. Also, gave a quick reminder about CESA 2 and their WI AEM- Accessible Educational Materials Center Lending Library. Also, the option for Bookshare.org for free accessible resources for students and schools.

XIV. Announcements

- a. Next Meeting Date (March 13, 2020)
- b. Electronic Public Forum (March 2 – March 6 2020)
- c. 2020-2021 Calendar Dates have been distributed for the 2020-2021 Special Education Council Meetings
- d. Council Member Directory has been distributed to Council

XV. Public Appearances

- a. There were no public appearances.

XVI. Adjournment

- a. Meeting adjourned at 3:02 pm.