

SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date July 30, 2019

Location: Wichita

Welcome

Called to order by Chair Rebekah Helget at 12:51 pm

Bert Moore Welcome: Today's agenda is full of great topics for information and discussion today. Thank you for your leadership for kids in Kansas and supporting our programs and services.

Rebekah Helget, Chair, shared her vision for this council and it's work for 2019-2020. PowerPoint slides.

Roll Call

Members Present:

Rebekah Helget
Heath Peine
Joan Macy
Stacie Clarkson
Heide Cornell
Tina Gibson

Chelle Kemper
Kathy Kersenbrock-
Ostmeyer
Troy Pitsch
Laura Thompson
Amy Wagoner

Kari Wallace
Becci Werner
Lesli Girard
Jim McNiece
Rocky Nichols

Members Absent:

Mike Martin
Amy Dejmaj

Megan Laurent
Rachel Marsh

Marvin Miller
Sarah Schaffer

KSDE Staff:

Bert Moore
Kerry Haag
Laura Jurgensen

Myron Melton
Dean Zajic
Cary Rogers

Pat Bone
Amy Martin

Approval of Agenda

Motion: Kathy Kersenbrock-Ostmeyer

2nd: Jennifer King

Action: Motion passed.

Approval of Minutes, April 2019

Kansas leads the world in the success of each student.



Amendments Lesli and Rocky were present.

Motion: Kathy Kersenbrock-Ostmeyer approve as amended

2nd: Joan Macy

Action: Motion passed.

Robert's Rules of Order

Wayne Ball

Handout

These rules have evolved over the years. They are designed to systematically run a meeting and provide order. Handout gives you a few high points of the use of these rules and some guidance for meetings and structure. Key components: Respect for each other, how you ask questions, when it's ok to interrupt and when it isn't.

Notebook content

Pat Bone

Tab 1 Council information membership, meeting dates

Tab 2 Fiscal information

- W-9 Please fill out and hand in to Pat or Amy today.
- Travel expense reimbursement voucher (fill out one for each meeting).
- Conferences relevant to special education may also be reimbursed (registration, mileage and hotel) Please turn in a reimbursement form for those expenses.
- Please share information learned from conferences with the council.

Tab 3 resources

- People First Language Booklet
- Factsheets for KSDE Programs
- TASN Factsheet
- MTSS Factsheet

Tab- 4-and the remaining Tabs are set aside for meeting materials.

SEAC Orientation

Wayne Ball

PowerPoint

Special Education Advisory Council (SEAC) is required by the Individuals with Disabilities Education Act (IDEA) law which defines the membership roles that are required. Your job on this council is very important. You are the voice for a group of people as a stakeholder representative. You can advocate for your thoughts but you must also represent those of your group. As a council, we must come to a consensus to move education for those with disabilities forward.

We are an Advisory Council, who advises the KSDE staff, the Commissioner, and the State Board of Education. Advice from this council has a record of being used to develop policy in Kansas.

All meetings of the council are open to the public. Bert, the state director, will gain much information from this council and welcomes your advice to make good decisions for Kansas kids.

Results Driven Accountability was put in place nationally in 2004. There are 17 indicators on which the state is required to report every year. They are the basis of the Level of Determination put out yearly by Office of Special Education and Rehabilitative (OSERS). This



determination is based on the data the state submits on the Annual Performance Report. Kansas has maintained Meets Requirements for 12 years. This is an outstanding achievement. Keep the main focus on the children.

ESI Data: Myron and Laura

Statutes on Seclusion and Restraint

In April you received the annual data reports. We began discussing trend data at that time. You asked some questions that needed some follow-up that Laura is sharing today.

Overall incidents are going up.

What is the percentage of overall physical restraints, seclusion, and Emergency Safety Interventions incidents for students with an IEP? It is pretty static over time.

What % of overall reports are by the top 10 kids? About 20%

Could we look at spikes and drops on individual buildings data? The numbers are too low by building so I cannot share the data with the group. We can however, have conversations with those buildings to see how we can provide technical assistance (TA) for those buildings.

Can we see if usage is decreasing as technical assistance has been provided? Yes, we can and do look at the data with the building teams in this way.

What training do the building administrators receive? There is not required training on the reporting of incidents. Guidance documents are provided. KSDE needs to partner with USA to reach our elementary and secondary principals. Bert will work with USA to provide some training.

There is a need to change the dialogue around reporting. Reporting is NOT bad. There is no stigma attached to reporting the incidents.

Kansas has been moving forward with reporting and training consistently over the past 6 years that Jim McNiece has been on the board. State Board focuses on each child reaching success so we must continue working to meet these needs.

Required trainings webpage contains resources on these topics.

<https://www.ksde.org/Agency/Division-of-Learning-Services/Student-Staff-Training>

Technical Assistance – Myron Melton

PowerPoint

Technical Assistance Team (TAT) – Myron is the KSDE Liaison for this team. Myron requested input on the following questions from the council.

- Is this the most effective way to provide assistance?
- Are there other factors or data sources to consider?
- Intensive assistance to few buildings vs. general assistance to a larger number of buildings?
 - Videos seem good but there will always be a need for differentiated training.
 - Infinitic's platform collects a lot of data.

Do you look at ISS and OSS data and schools that do not report? We try to reach those with the highest need. In the past, we did follow-up with those reporting 0. We have moved away from that due to the resources available to us. If information is brought to our attention that there is a use of seclusion and restraint, we look at that school's data to be sure that it



matches.

Contact Myron if you have any thoughts in answer to the above questions. Help us support schools through the TAT team.

Discussion:

- Additional support and funding may be needed to monitor and support this work. The members of SEAC could advocate for additional funding to increase the staff available for this specific work.
- Step one is getting the information on reporting out in multiple arenas and gain the continuity needed.
- De-escalation training and impact on reported incidences. How do we increase the use of positive intervention supports for students?
- How can we help districts with resources to help prevent the use of seclusion and restraint instead of focusing on consistency of reporting?

Assessment 1% letter and Waiver

Cary Rogers

PowerPoint and handouts in your notebook.

KSDE is in the process of requesting a Waiver on the 1% requirement and is requesting your input and feedback on this process. Kansas is over the 1% by only a little bit. 1.2 in one area and 1.7 in the other.

Comments/Questions/Input:

- DLM and the number of students who cannot read the regular assessment. Administrators are unaware they can request accommodations for students on the general assessment. Cary approves these requests.
- New materials are now available on the DLM webpage and the DLM Kansas webpage that DLM hosts.
- About 35 states exceed the 1% currently.
- Federal agency may be raising the 1% threshold slightly in the future.

Public Comment –

None

Council Member Reports:

- Families Together – Lesli
 - Parent Training Information Center is funded through OSEP. The handout provides you a report on the activity and calls received in the last quarter. IEP Mentor Project works with Tier III families. Using the Life Course Framework, which works well with families. Mentors attend IEP meetings with the families. Autism is still the highest category of calls. Notebooks for families are available to any family upon request. Upcoming statewide conference in Overland Park. Fliers shared. Lee Stickle is one of the keynotes. This is a family-oriented conference. Work is continuing on a Parents Right document.
- KASEA – Heath - KESA has great stuff on Social Emotional Learning (SEL) and family engagement. Winter conference handout, February 24-25 ,2020. Three keynote presenters with a variety of topics not only special education. Five members, with the



help of KSDE, attended the CEC legislative summit. Kathy was in attendance and provided a report. Funding for IDEA was a main topic. KASB is pushing for reauthorization and other groups are pushing for not reauthorizing at this time as we have more to lose than to gain. Focus on early childhood. Looking for appropriations for Part C early childhood special education. University and technical assistance for research-based practices. Mental health was a big discussion on shortages of SPED teachers and special services across the country. You are encouraged to have constant and routine conversations with our representatives to support the work and the process. We had the entire state represented.

- DRC – Rocky – New program to increase accountability for representative payee and benefits for those receiving Social Security benefits. Program conducts monitoring to be certain there is no conflict of interest for the financial benefits and the payee. We also get to nominate payee's who need to be monitored. This council's members are able to contact Rocky if you know of any issues. Free legal advice and legal representation are provided.

KSDE Updates

ICC update – Jordan Christian

PowerPoint.

- Subgroups are open to non-members. Conference calls held in the evenings. Let Jordan know if you know anyone interested in being involved. Joint meeting of SICC and SEAC is on Nov. 5. If you have potential agenda items let Jordan or Pat know.

Significant Disproportionality-

Handout

- Required by OSEP, reporting this data is not new. Is one race/ethnicity being identified at a higher rate than any other? Lawsuit determination said that the delay in implementation of regulations was not done properly and must be implemented immediately.
- We have now as a state implemented the plan we had already had approved and just not yet implemented until this court decision was announced.
- We have identified 8 district/coop/or interlocal. 7 LEA's and 1 interlocal. We are holding one on one meetings with these districts during the leadership conference. Three years of data were used in these calculations.
- They will be required to set aside 15% of their IDEA funds. We will work with the districts to try to figure out how to work through this process. They will each be completing a root cause analysis.
- We must address how districts with small numbers influence the coop/interlocal on this issue. SEAC can provide input to congress and the US department of education on this issue.

Transition Task Force –Dean

- More details at an upcoming meeting
- Goal of improving transition results for all students.
- 6 subcommittees were formed to work in 6 specific areas.
- Those 6 reports are being reworked into a finalized report in the next couple of weeks.
- Looking for opportunities for statute improvement.
- Improved communication between groups.
- Benefits are already evident of the coordinated work created by the task force.
- Level of Determination (LOD) – KSDE has been notified that our LOD is Meets



Requirements for 2019. We do have some follow-up to do for the department.
Proposed changes for 2020 will be discussed.

Upcoming conferences

Handout

Motion to adjourn

Motion: Stacey Clarkson

2nd Heath Peine

Action: Approved and adjourned at 4:02 PM.

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date September 19, 2019

Location: Landon State Office Building

Room 509

Topeka

Welcome

The meeting was called to order by chair, Rebekah Helget at 9:02 am.

Roll Call

Members Present:

Rebekah Helget
Heath Peine
Mike Martin
Joan Macy
Stacie Clarkson
Heidi Cornell
Amy Dejmal

Chelle Kemper
Kathy Kersenbrock-Ostmeyer
Jennifer King
Rachel Marsh
Marvin Miller
Troy Pitsch
Laura Thompson

Amy Wagoner
Kari Wallace
Becci Werner
Deb Young
Leslie Girard
Jim McNiece
Mike Burgess (DRC)

Members Absent:

Tina Gibson
Megan Laurent

Sarah Schaeffer
Kari Wallace

KSDE Staff:

Bert Moore
Laura Jurgensen
Kerry Haag
Cary Rogers

Pat Bone
Amy Martin
Susan Helbert
Mischel Miller

Randy Watson
Beth Fultz

Approval of Agenda

Additions to agenda:

- Speech Language Pathology Task Force – Stacie Clarkson
- Child welfare – Rachel Marsh

Both items were added under Council member reports – Other

Motion: Stacey Clarkson to approve as amended.

2nd Heath Peine

Motion passed.

Kansas leads the world in the success of each student.



Approval of Minutes

Amendments

Motion: to approve Joan Macy.

2nd: Chelle Kemper

Motion passed.

1% Update

Cary Rogers

PowerPoint Slides

- The 1% waiver was submitted at the end of July
- Webinars are being held.
- Fall test window – Sept 9 – Dec. 20
- Testing is available in the fall for Science if teacher wants to use it.
- Several new resources are available for teachers in determining the appropriateness of the DLM for the students.
- Blue print completion percentages are poor historically. Reasons have been determined and are being addressed.
- Initial level skills are determined for each essential element (EE). These are not functional level skills. Training is coming on using the assessment planner and tools.
- Plan for coming into compliance on the 1%
 - Correct identification of students
 - Instructional setting
 - Reading level
 - Computation skills
 - Writing skills
 - Performance rating
- Emails were sent to all districts identified and any requests we have received.
- Federal study is being conducted at this time to review the data which may result in the cut score may be adjusted.

Personnel Shortages:

Mischel Miller, Susan Helbert, Kerry Haag

Mischel Miller introduced herself as the director of the Teacher Licensure and Accreditation Team at KSDE and encouraged members to contact her if they had any questions or concerns in the area of licensure.

Susan –

- Still collecting vacancy data and presenting it in Oct. to the State Board.
- Numbers are not final at this time.
- Pilot programs in their second year. Handout – requirements to be involved in pilot
- Issue about 120 limited apprentice licenses for the High incidence special education
- Recommendation to continue and adjust will be evaluated and presented to the state board in the spring.
- Evaluation of the pilot is being done by Dr. Amy Gaumer-Erickson. They will do an analysis of the original applications, doing a survey with educators, focus group conversations, administrator survey sped director and principals. Follow-up interviews. They will be looking for strengths, successes, weaknesses. What factors seem relevant



to the success or failure of these pilot teachers. The outcome will be a report and recommendation to the state board for continuance or changes to this program.

- Applications are long and are reviewed very carefully. One semester of course work 6-9 hours is required before approval.
- 65 high incidences approved this year. 8 in first semester.
- We are right around 100. Expected to go up some more.
- Elementary – is only averaging about 25 per year.
- When are these candidates ready to handle the rigor of the IEP is one area looked at and what supports are needed.
- Growing, mentoring and guiding these candidates is a key element to success and we expect to see evidence to support this in the evaluation process.

If you have questions you would like to see in the evaluation process please contact Kerry, Mischel, or Susan. Who will share with the evaluation team.

- SEAC should be involved in review of data.
- Evaluation of mentor support and the effectiveness of the mentor. Drawing from Early Career Mentoring project.
- Program through Wichita State TAP program as innovative approach. – Last year around 60. This year around 80 have been issued.
- We are trying at KSDE to build layers of programming to support greater need and get teachers into the classrooms.
- Considering other options like endorsements. Teacher Vacancy and Supply Committee and Professional Standards board are both working on this topic.

Regulations work:

Recreate a director of special education. – Once these come forward and go back to the state board for public comment. Further discussion will come as this moves forward. Extension of building leadership work and qualifies for district leadership in the future.

Directors are currently being put in little or no experience. The complexity of the job with budgeting and data. The district level knowledge is critical to success.

3rd Annual Retention Summit – Nov. 25. Registration opens soon.

https://docs.google.com/forms/d/e/1FAIpQLSdtMrs_WSXZeU6cMTgJYA0167KaDVxMulWdAgCLahMFq-q3gHg/viewform?usp=sf_link This would be a great opportunity for hearing and communicating the needs of special education teachers and administrators.

How many waivers do we have this year? Collection will not be finalized until next week. Last year was close to 600 total, not all were special education.

How many universities have undergrad special ed programs? We don't have the number with us today.

Is there a place you can look at what works and where it works?

www.KSDE.org select Licensure in the right hand column. Licensed Personnel Guide



Significant Disproportionality

Laura Jurgensen

PowerPoint

- 7 LEA's are currently identified. All 3 areas were reasons for identification.
- Fiscal requirements listed in slides
- New resources and templates have been made available to these districts.
- Commonalities – 5 identified for discipline, largest group identified was black students with disabilities.
- How does it work within a coop? All data is aggregated to reach identification. The 15% has to address factors contributing to identified. There is no requirement that the COOP use the 15% for only the district identified.
- KSDE contacts for areas. Each district also has a Sig-Dis contact on our team.
- Feedback Discussion – Beige Handout contains data for information – To be identified you must have data those shows identification for 3 consecutive years.

Questions:

Should KSDE use same data year, or use the most current data available which will change by category due to collection timelines.

- Advocate for the earliest method to have early notification to the district.
- Most current data available because old data may not show the work you have already started.
- Preliminary data analysis used to inform districts early.
- Final notifications in November, impact of finance for the following year allowing time for planning.
- Always keep the use of 3 years of data for identification.
- Official notification in November for the next year.

KSDE will also be collecting feedback at the KIAS stakeholder meeting next week on Tuesday. This is one director from each KASEA region as members.

Please email Laura with any additional feedback. ljurgensen@ksde.org.

Should we finalize the consensus with a motion so that it could be shared with the stakeholder group? Consensus is on Option # 3

Motion – Marvin Miller moves that SEAC recommend the use of new option # 3 as the method used to determine identification and provide information to districts.

2nd - Kathy Kathy Kersenbrock-Ostmeyer

Motion passed.

Question regarding over-identification of special education students – is it a problem for Kansas at this time? KSDE has not received any official notification on this subject.

Annual Report Draft Review

What do council members want included in the report for the summary and council accomplishments?

- ESI
- Dyslexia
- Transition
- Redesign and inclusion of Special Ed. Directors



- Sig-Dis ruling
- Staff shortages
- Involvement of DRC and State Board member as ex-officio members,
- OSERS and rethinking special education
- Parent concerns
- Detention Centers and monitoring of students (Rachel)
- Mental Health

Email Pat any specifics you want to have included in the report. Please double check your contact information on the membership list and email Pat any changes. pbone@ksde.org.

- Double check report for references to ECSETS instead of SETS

Public Comment –

Three written comments were submitted.

Leah Grim, Social Worker from Derby, KS. Topic – ED label

Legislator, Representative, Blake Carpenter – ED label

Katrina Podrebarac – Due Process

Due Process hearing officers are not KSDE employees. They are required to be impartial and independent of both the agency and the district.

Requested a future agenda item for discussion on ED term. Also a good topic for discussion at Kansas School Mental Health Advisory, and KASEA region meetings.

Parent Engagement

Dr. Jane Groff

PowerPoint and Packet of Information

KPIRC is a TASN project which is evaluated annually. Evaluation report shared in packet.

Families are the foundation of the 5 state board priorities.

Youth Suicide Awareness, Toxic Stress and Stress in Childhood are new social emotional resources for families and educators.

- In KESA, our states accreditation process, family engagement is a key.
- Family engagement must be collaborative to lead to student success.
- Redesign – Family, Business, and Community Partnership.
- Kansans Can: Engage all Families new booklet resource. This is being given to the redesign schools.
- Family engagement must shift for successful redesign of schools. It is not an event. It is not about more things to do but “different” ways of doing it.

Thoughts/Questions for KPIRC

- Can anybody take the survey? Yes
- Districts see results by category and by question.
- Good idea to have staff take the survey of where they think they are with family engagement and then compare it to the parent survey results.
- Foster students are a focus of the work in family engagement.
- Families Together, Inc is a sister organization that works with families on education issues. We partner in the engagement of all families.



Assessment

Commissioner Watson

- Kansas currently has a window of opportunity to make change in the assessment tool our students use. Other states have been given permission to use the ACT instead of a state assessment. We have funding to allow this testing at no cost to districts.
- An RFP for state assessments is currently in the process of being written.
- Through KESA, the State Board would use both ACT and ACT workkeys for accountability measures. Each ACT test is approximately a 3 hour test. 6 hours total.
- Bert surveyed special ed directors
- Council of Sups have been talked too.
- Curriculum leaders will discuss next week.
- We are looking at this for the 20-21 school year.
- Of the states using ACT, Kansas has the highest amount of allowed accommodations because of the good work our educators have been doing to document the need.
- ACT is a timed test but documented need can have the window extended.
- ACT is available online. Universal accommodations are allowed.
- This would not affect the 1% taking the DLM.
- Cut scores for state accountability would need to be set. Stakeholders will be brought in to make these determinations.
- Why now? Feds are allowing it, we are currently already spending the money, writing of the RFP for a state assessment is underway right now.
- Limited in ability to test all standards on the current state assessment and the ACT.
- The Kansas Board of Regents has dropped qualified admissions course work beginning with this year's Freshman class. How this effects K-12 graduation standards will be an ongoing discussion over the next 4 years.

Questions/Feedback/Concerns

- Does it have to be an all or nothing? Yes. All students must take the same exam for accountability.
- Has any correlation between state assessment and ACT been done? There is a range score available now. ELA test and ACT expectations do not match. Our current state assessment is more rigorous than ACT. Math is a pretty close in the match between the two tests.
- This year assessment will be:
 - Pre-ACT at 9th grade this year available in October
 - 10th grade content testing
 - 11th grade ACT testing.
- Work keys and/or ACT. U.S. Department of Ed has approved only the ACT. Kansas wants to use the Workkeys for KESA accountability.
- DLM – aligned to same subject area test. Would DLM follow alignment of ACT? DLM is written to alternate standards.
- DLM would move to be given in the 11th grade.
- Is it equitable in the area of repeated testing of the ACT (at the family's expense)? That is a concern schools will need to deal with. For accountability only the one ACT in the 11th grade will count.



Survey of special education directors - Bert Moore

- responses 47
- 35 said not a problem, better tool for measuring postsecondary success
- 12 did not like it.

Council of Sup's responses

- 47 yes
- 25 no
- 27 I don't know

State board will be discussing this again in October and possibly acting on it. Currently, about 80% of students are taking the ACT. Email Bert or Dr. Watson with any additional thoughts on the use of the ACT. bmoore@ksde.org or rwatson@ksde.org.

Transition To Employment

Earl Williams

PowerPoint

His role is giving information about going to work and what happens to their benefits.

If you child works, you do not have to lose your benefits. Grandparents understand better than parents the need for kids to be self-sufficient.

- The kids want to be a part of society and be involved with people around them.
- Once a student turns 18 they are an adult and the parent's resources no longer count as income for this person.
- There is a great deal of misunderstanding on the benefits available and what counts and what doesn't. This is the role Earl fills. Providing accurate information to parents and students. Contact a benefits specialist like Earl to get to the facts.
- Differences between SSI (spouse/parent income may count) and SSDI (spouse and parent resources does not count) payments and income.
- Earl will meet clients anywhere. Everyone has a gift and an ability to make money and earn a living.
- Map shows the benefit specialist for each area of the state.
- Which is better SSI or SSDI? – depends on the family situation. This is where the specialists prove to be very helpful.
- Conservator and guardianship does not affect benefits
- Keep appeals active.
- Talk to the Dr filling out the paperwork and ask what he/she is sharing.
- Must report earned income every month until they get a letter from social security.
- Students are always better when they work. The sooner they start working the better.

Council Member Reports:

- **Families Together** – Lesli. Next quarter ends at the end of this month. Sept 28 statewide conference Overland Park. Dr. Patrick Schwartz coming from Chicago opening keynote and behavior. Lee Stickle will close the conference with trauma informed care. Four breakout sessions. Spots available and parent scholarships also remain available. Please share information.
- **KASEA** – Heath – Region meetings for this year have begun. KASB and reauthorization of IDEA and full funding. Shared thoughts and collecting feedback. There is a federal bill



working its way through. Census participation and reaching the marginalized populations. Think about how you can support your community in being counted.

- **DRC** – Mike Burgess – Excited to share Utah state board has contracted for development of the transition app that was shared with SEAC.
- **SLPA taskforce.** – Stacie - speech language pathology work with university to develop a licensed assistant option. First meeting is in October.
- **Child Welfare** – Rachel Marsh. Many changes have occurred over the past 18 months. Changes and challenges in the system for Foster care. Kansas has almost 8,000 kids in care. We are the 4th highest in having foster care families in the country. We are doing well in meeting the needs. Outcomes for foster kids that remain in the system are poor. There is a need to develop better systems that connect education and foster care. Legislative taskforce recommendations. – enhance prevention efforts, expend workforce, technology and data systems, focus on higher needs kids, enhanced funding for DCF position, added money to general foster care system, \$13 million dollars of new funding for Family First, supports before they are removed from the home, impact of juvenile justice system.

DCF has expanded the number of providers Oct. 1, family preservation providers are changing, frequent placement changes – new technology to support tracking of foster care kids, Family First awards should be announced soon. Please contact Rachel to share ideas on how to improve the systems. Big influx of 15-16-year old's entering foster care systems. As you are thinking about things, the juvenile justice system, DCF, KDADS, what common data measurements exist. None. We are working to develop some common goals.

Request for future discussion item with juvenile justice, foster care, and education.

Wrap around services.

- **Private school conference flyer** - Marvin Miller –. Dr. Matt Ramsey, former SEAC member is a speaker.

KSDE Updates

- Transition Task Force – Mike Burgess provided an update. Subcommittees worked to create reports. Reports were unified into one report. Many ideas have been shared in this working draft. Oct 7, the taskforce will come together to discuss and hopefully finalize the recommendations in Marvin Auditorium 101 B at the Topeka Public library. You are welcome to attend. Next steps will be presenting the report to the State Board. Transition list of contacts has been established and Bert will be communicating with the group regularly.
 - Transition Celebration – KCDD Using the Charting the Life materials.
 - Looking for regional hosts to share the Charting the Life Course. Look on the KCDD Facebook page.

Upcoming Conferences

- KSDE Annual Conference, October 28-30, in Wichita
- Tri – State Law Conference, November. Cutting edge information on special education law and the cases occurring across the country.



Reimbursements requirements

- Original receipts and signatures on forms required.

Redesign for Apollo districts

- Special Education, Title, and at risk weren't well represented. Bert will be presenting at upcoming redesign trainings for these districts. How do you have your special student populations represented on your teams.

Motion to adjourn

Motion: Laura

2nd: Jennifer

Approved at 4:02 PM.

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SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date November 5, 2019

Location: Landon State Office Building
Room 509
Topeka

Welcome

The meeting was called to order by chair, Rebekah Helget at 9:05am.

Roll Call

Members Present:

Rebekah Helget
Heath Peine
Joan Macy
Heidi Cornell
Amy Dejmal
Tina Gibson

Chelle Kemper
Kathy Kersenbrock-
Ostmeyer
Jennifer King
Rachel Marsh
Marvin Miller

Laura Thompson
Amy Wagoner
Kari Wallace
Becci Werner
Lesli Girard
Mike Burgess (DRC)

Members Absent:

Mike Martin
Stacie Clarkson

Megan Laurent
Troy Pitsch

Sarah Schaeffer
Deb Young

KSDE Staff:

Bert Moore
Laura Jurgensen

Kerry Haag
Susan Helbert

Mischel Miller
Myron Melton

Approval of Agenda

Additions to agenda:

- Add agenda and minutes approvals

Motion: Marvin Miller moved to approve as amended.

2nd: Kathy Kersenbrock-Ostmeyer

Motion passed.

Approval of September Minutes

Amendments:

- Show Kari Wallace as present.

Motion: Jennifer King moved to approve minutes as amended.

2nd: Marvin Miller

Motion passed.

Kansas leads the world in the success of each student.



Annual Report Review and Approval:

Bert Moore

Add

- Secretary Report - Effective Use of Para educator guidance document for the field review and input of the document developed.
- Page 3 Introduction – no change
- Page 4 – no change
- Page 5-7 membership list for 18-19 Heath will email address info
- Page 8 Council accomplishments or Council Chair Report or use both? Council Chair report will be an attachment to share at the Board presentation in January.
- Page 10 State Education Agency SEA
- Page 11
- Page 13-15 Acronyms

Motion: Chelle Kemper moved to approve report as amended

2nd: Jennifer King

Motion Carried.

KIAS Evaluation

Laura Jurgensen, Assistant Director, KIAS responsibility

Amy Gaumer Erickson – Leads the TASN Evaluation Team

PowerPoint

- KIAS combines the monitoring of both Title and Special Education programs known as Youth Outcomes Driven Accountability YODA.
- Some are compliance categories and some are outcomes categories.
- Review of data received on KIAS assistance provided.

Next steps: Laura

Measuring the effectiveness of the process. We have engaged with the National Center for Systemic Improvement where we will map our system and look at each piece of the system to determine progress for students.

Indicator 17 SSIP State Systemic Improvement Plan

Amy Gaumer – Erikson

Kerry Haag, Assistant Director

This work began in 2013. It required a needs analysis and the preparation of a plan to improve. (State Identified Measurable Result (SIMR))

- Kansas is looking at reading from pre-K through grade 5.
- How do we align and implement our policies in a coherent manner for students with disabilities and all students?
- Plan is aligned with the KESA accreditation system.
- Kansas has one more year of reporting on this unless OSEP extends it again.

Questions/Comments

- The data on the last slide is about all families.
- How does this relate to the work of the state board goals around KESA and Redesign? Jim encourages this group to be more assertive about the inclusion of special education students in their data for accreditation, this work needs to be included in the other



models. Needs to be discussed at the State Board table. Accreditation visit teams need to be looking at this when they review systems.

- Tiered supports applied across time it does change the instructional effectiveness for students. Raising their performance.
- This is a package of improvement, not in isolation but in conjunction with Social Emotional Learning, and other systems. There is no common measure for it.
- This data aligns with the recommendations of the dyslexia task force and others groups making recommendations. It makes a huge impact on the special education student group.
- Graduation rate and postsecondary growth are also affected but these measures. It shows up earlier in student performance.
- Rigor and fidelity of MTSS for every student. This is not a special education system it is for all students and needs to be worked into the general education system.
- Special education, and title services were left out of redesign until Bert came along. He has been actively involved this year in the redesign processes and provided presentations with the Apollo redesign schools.
- From the foster care system perspective when I look at these data points I see the 25% who parents are not engaged. When we look at how to design any kind of data its easy to ignore these students who are mobile and possibly not able to attend school.

Response to September Public Comments

Emotional Disturbance Label Discussion

- Kathy Kersenbrock-Ostmeyer, this has not been a big topic at K-State or KU recently. CEC didn't have much response when she reached out. Ask Wayne Ball to research what is being used in other states.
- School Psychologists response – handout in your packet.
- CCBD position paper 2000. Heidi Cornell, Emotional or Behavioral Disorder recommended.
- Heath Peine one of the recommendations for IDEA from CASE Emotional or Behavioral Disabilities was suggested.
- We don't want to make an impulsive change. I would like us to seek more input.
- According to Laurie Vander Plueg, national director of OSEP. Kansas can determine the label we want to use in the state. The federal report category will remain ED.

Needed Action - We need to gather more information. Contact Wayne Ball for what other states are using? – Bert will make contact.

Discussion

- Removing all labels in the IEP may be the best response.
- Identifying the need and the specialized instruction that is needed for that student.
- What are the action steps to move this forward?
 - Meaningful pieces that relate.
 - Still have to report with the federal labels
 - Gather information from Iowa on removing labels. Heath
 - Families Together could poll parents
 - On the evaluation document. Whatever we decided, Mason could change the MIS data to the federal label.



- Transitioning to the adult world, it is helpful to have the label to know how to help meet the needs.
- Remove label from IEP process but it remains in the evaluation of the needs of the student.
- Labeling is harming to students.
- Each child needs to be treated as a unique individual and some need categories, like deaf or blind, impacts the services the child may receive.

Motion:

Heath Peine moved that SEAC study both issues further for information, changing the label and removing the label.

Second: Kathy K-O

Motion passed.

Due process hearing response

handout in packet. Laura Jurgensen

Recommended Motion:

It is moved that the Kansas Special Education Advisory Council's official response to the September 19, 2019, public comment from Katrina Podrebarac regarding her due process hearing and due process review is as follows:

The Special Education Advisory Council does not take a position or provide input on special education due process hearings or review hearings. Kansas Statute requires that the school district against whom due process is filed is responsible for completing all procedures related to initial due process hearings. This includes assigning special education due process hearing officers through a process delineated in Kansas statute. A special education due process hearing officer or review officer can have no personal or professional interest that would conflict with the hearing officer's objectivity. The special education due process hearing officer or review officer may not be an employee of the Kansas State Department of Education or the school district that is responsible for the child's education. K.S.A. 72-3417.

Motion: Marvin Miller

2nd: Jennifer King

Motion carried.

KSDE Updates

New Directors Meetings –Bert Moore

Handout – Agenda of first meeting. All meetings will be held in Hutchinson.

New Directors meetings have been scheduled quarterly. All directors are welcome to attend. Meetings are going well.

LCP trainings are the day following the SPED directors. These are also being well received.

Two trainings coming:

- January 21 KSB presentation 9-2:30 pm
- April 7, 9 am – 2:30 pm

Ed Facts-Laura Jurgensen

Reporting system by which OSEP collects information from each state has been changed from Grads 360 to Ed Facts. Kansas will be using it in the Annual Performance Report (APR) . It is set to go live in early January. Our state report is due by February 1.



TASN 3.0-Kerry Haag

Handout

Describes that purpose of the work of Technical Assistance Systems Network (TASN). It is a network of partnerships that come together to provide professional development (PD). It is not designed to meet all PD needs but those in specialty areas.

- Priorities have not dramatically changed.
- Processing applications and moving through the state procurement process.

APR Targets-Laura Jurgensen and Kerry Haag

- SEAC reviews discusses and approves the goals set.
- Today we are just previewing the process involved moving forward.
- We intended to carry forward the targets that we have used in the past. We are waiting for OSEP to release a new package for the annual performance report and that would be the time to revise our targets.
- In January, SEAC will be given the information on the targets set and you will be asked to approve the targets presented.

Things to be considered

- Need to look at more outcomes based, student success targets are very important. Look to other states for guidance on increasing these outcome measures.
- This appears to be the direction OSEP is looking to move toward.
- Need to focus on postsecondary success for these students as well.

Bullying Task Force Update-Myron Melton, KSDE

PowerPoint

40 members from across the state and various roles of involvement.

Task force report and recommendations will be given to the State Board in December. The State Board will determine next steps for action and follow-up.

School Mental Health Advisory Update

Myron Melton

PowerPoint slide

Kansas Suicide Prevention, Response and Postvention Toolkit – Handout

- Study and survey on implementation of the Jason Flatt Act was complete.
- Schools have focused on the required one-hour training and not much else.
- This toolkit was developed by the School Mental Health Initiative. There was a lot of research put into the development of this document. It includes a lot of forms that districts can pick up and use.
- The fillable forms document is not ready for distribution yet. Once it is complete, we will release both the guidance document and the fillable forms. Broad distribution through list serves will occur as soon as both documents are ready.
- There is information about how to support staff.
- We have not yet addressed staff suicide issues. This is an evolving document and will be updated as the work moves forward.
- We also have not addressed training students to share information.
- Excellent start and template for districts.

Public Comment:



- Kathy Ramshaw, Parent
Question around special education curriculum and who determines the requirements for students.

Council Member reports

Families Together: Lesli

Handout

- Mental health and bullying are big topics of concern.
- ADD/ADHD one will be moved away from.
- Conference went well in September.

KASEA – Heath

- Monthly Directors webinars now include a KASEA report. This is very helpful.
- February 24-25, KASEA Winter Conference. Three excellent presenters focusing on behavior and mental health, self-efficacy, and collective efficacy.
- CASE annual conference
 - Identification for specific disabilities
 - Many helpful publications
 - Legislative and policy committee has really increased in their work.
 - OCR is focusing on restraint and seclusion right now.

DRC

Transition Task force – Jim Porter will be presenting an update to the State Board.

State Board – Jim McNiece

ACT assessment for high school. This has been pulled at this time.

- Teacher Vacancy – Special Education is very high on the list.
- Waivers approved that don't count as vacancies. limited apprentice license, and waived employees will be reported as vacancies this year.

Kathy K-O

- Concern about what the KSDE licensure team was going to do with limited licensure programs. After two years there will be an evaluation to determine effectiveness and provide recommendations for making it better. This work is ongoing at this time. -Kerry
- School Psychologist – area of shortages

Joan Macy

- Language Assessment Program – slowly phasing in older, in school children.
- National - Cogswell Macy Act – address programming for deaf blind children.

How do we respond to parents providing public comment?

- Follow up is needed. -
- Lesli will send Pat contact information for today's public comment speaker. Laura can respond with information about mediation etc.

Lunch

SICC – SEAC

Called to order at 12:40 by Bert Moore, Special Education and Title Services Director
Purpose: working together to cover services for birth to 21 to students with disabilities.

Introductions of SEAC and SICC Members



Members Present

| | | |
|----------------|----------------|-----------------|
| Rebekah Helget | Kate Walter | Jim McNiece |
| Heath Peine | Tina Gibson | Kathy K-O |
| Bert Moore | Lacy Reamer | Rachel Marsh |
| Marvin Miller | Michelle Adams | Heidi Cornell |
| Jennifer King | Alix Kumer | Lesli Girard |
| Amy Dejmal | Saran McMann | Chelle Kemper |
| Kari Wallace | Amy Meeks | Laura Jurgensen |
| Karen Pals | Dave Lindeman | Ann Elliott |
| Rebecca Werner | Emily | Mike Burgess |
| Joan Macy | Lisa Collette | Deanna Berry |

KSDE Staff/Guests:

| | | |
|-----------------|--------------|------------------|
| Natalie McClane | Myron Melton | Jordan Christian |
| Kelly Steele | Kerry Haag | |
| Elena Lincoln | Pat Bone | |

Least Restrictive Environment (LRE)

Elena Lincoln, Kelly Steele, Natalie McClane

PowerPoint

- The three R's
 - Requirements
 - Results
 - Resources
- Requirements

What terms or questions do you know about LRE do you have? Small group discussions

- Research and have heard about getting kids in the classroom. LRE needs to consider meaningful access to education.
- Where would they be if they didn't have a disability is a starting point. Biggest challenge is parents don't want to go to a community-based preschool.
- Students and retention. It is more important that they advance with their peers. Modified curriculum is a more needed piece for these students.
- Needs to be address and determined annually not just at the first IEP meeting.
- Understanding LRE and The FAPE components with meaningful engagement in the setting chosen.

Data on Indicators is draft data being reviewed and will be reported to OSEP in 2020.

Indicator 6 data is moving in the right direction even though the target has not been met.

Handout on data – shoulder partner conversation – What does the data tell you and what does it not tell you?

- Kathy K-O: Shows current place but not how they are doing? Other indicators may show more information on improvement
- Grade levels for these levels. Curriculum changes. Populations numbers changes a lot due to in home and hospital placement.
- State level results are less susceptible for these programs than district level data.
- Funding in special education classrooms increases so they will remain in these settings.
- Where are the ones not represented here? Column 1



- What is the most accessible access to education for each child.
- These are targets not rules.
- School age and preschool aged kids seemed to be being placed differently. Schools are not required to have preschools so a regular school setting may not be a possibility for the preschool aged group.
- Who sets the goals? The state department of education in consultation with stakeholders, especially SEAC members, sets the targets for performance.
- When setting state targets, we look for reasonableness of meeting the expectation. N size for 6-21 is much larger than the n size for 3-5 age group.

Resources:

- Kelly and Natalie are great resources.
- Kelly handout on Co-teaching and MTSS
- Elena will add some hotlinks to your information
- APR on KSDE website
- KSDETASN website search for LRE for resources

Send any questions to Pat at Pbone@ksde.org to forward to Elena to respond to.

TASN projects costs districts \$0.

Dale Dennis, Deputy Commissioner, Kansas State Department of Education

Consensus revenue estimates are up \$99 million over the last 3 months. General state aid requirements enrollment is flat. We will underspend the money.

KPERS is in good shape. General state aid will have an impact and this may provide a golden opportunity to advocate for increasing special education funding.

We have not had an opportunity like this in years. We also need to start moving forward on the agenda of funding at 92%. Reminder to talk to legislators now.

Legislative Updates

Monica Murnan, State Representative from the 3rd District

A few topics of discussion at this time:

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- Thanks Dale for the update on the money. Receiving more consistent revenues. Allows legislators to look at the cracks and switch out of crisis mode. It will take several more years to complete dig out.
- PDG grant is giving us for the first time to stop and look at our systems for kids 0-5. Led by KSDE but participating with all agencies. Conversations center around kids not kids who are or are not identified.
- Expecting the following bills to surface
 - Constitutional amendment bill regarding abortion
 - Tax bill or tax cut bill
 - Medicaid expansion
 - Recommendation of the Children's Cabinet and how that fits in – Defer to Melissa Rooker for more information.
- Small picture items that may come up
 - Pediatric mental health 0-18. Therapy aspects. Alignment of systems through a workgroup.
 - Communities that Care bill. Important data source. Opportunity to pull out



student information that is valid and reliable. Need to make this an opt out instead of opt in survey so we can identify trends.

- Foster care system
 - New contractors, make contact at the local level
- Unlicensed childcare in the state. There is a gap in the system which allows these to exist without oversight.
- KCARE oversight committee. Oversight of community care services
 - Recommend funding for tiered system of mental health supports 0-18
 - Interventions and social workers in schools
 - Covers all counties of the state.
- ABA services for kids on Medicaid on the Autism waiver. The three Managed Care Organizations (MCO we hire as a state cannot meet the needs.
- Encourage engagement in government process. It is important to contact your legislators now to promote contacts and increase communication.
- Follow along with the session through Twitter using #ksleg

Comments

Mike Burgess- Clarify is ABA therapy for all children not just Autism waiver for all children on Medicaid that have a diagnosis that supports the services. The problem is there are no providers. KDADS work group is also looking into this area.

Monica.murnan@gmail.com reach out anytime.

Preschool Development Grant

Melissa Rooker, Executive Director of Kansas Children's Cabinet

PowerPoint

- Roughly a \$4.5 million Federal grant that runs from December 31, 2018-December 30, 2019. This is intended to not only find current gaps in early childhood systems across Kansas, but how to further develop the system and improve on areas of need.

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- A total of 6,000 voices were collected from stakeholders across Kansas
 - 53 community engagement sessions in 33 communities across the state
 - 87 site visits
- 8 key findings of the Needs Assessment
 - Accessibility
 - Availability
 - Navigation
 - Collaboration
 - Workforce
 - Facilities
 - Systems Alignment
 - Bright Spots
- Needs Assessment portion will be submitted to the Federal Government in early December
- Next Steps Include:
 - Focus on Sustainability
 - Ensure a cross-sector approach



- Align and maximize current resources
- Seize new opportunities as they arise
- The four major state agencies involved (KSDE, KDHE, DCF, Children's Cabinet) meet weekly to insure collaboration and communication during the entire process continues throughout.
- The agencies involved continue to be open for input as the strategic plan is being finished.
- A large emphasis in the strategic plan will be put on family engagement and how the state can maximize parent involvement and knowledge as the early childhood system across Kansas further develops.
- Creation of a centralized access point through the Help Me Grow Project. This includes the 1-800-CHILDREN hotline that is available 24/7.
- Children with special needs, 0-5, in the year 2017 was reported as 63,055 children in Kansas.
- Part of the strategic plan will involve 10 mini-grants to further develop community collaborations and build upon current organizations in place. These will run until the end of the next grant cycle, in 2022.

SICC Annual Report Overview

Jordan Christian

- Copy of the Annual Report provided to SICC and SEAC members
- Submitted to the Governor's Office prior to the August 30th deadline.
- Roster included and has been updated. 4 new appointments have been made.
- KDADS representative was appointed a few months ago.
- Meets monthly
- Local program presentation at each meeting
- Strategic planning meeting was opened up to a more public setting. Over 40 attended this year.

Questions/Comments

Disability Label

Bert Moore

Discussion from SEAC this morning in response to public comment received in September on the category of emotionally disturbed.

State may call the category anything they wish but must report as ED to OSEP. We will be collecting more information on what other states are using. May affect transition planning between part C to part B.

More discussion will be help at future meetings and action will be taken at a later meeting. More information will also be shared as discussion continued with the SICC.

Questions:

Only the eligibility is required to provide a label for the eligibility for services. Must ensure that the category in the eligibility report is consistent to provide the funding necessary for the child to receive services.

We will ensure that we don't lose any funding as a result of any changes made. That is why we



are moving slowly to be sure we are thorough in our considerations.

Early Childhood and Special Education Vacancies

Mischel Miller
Susan Helbert

The pilot will end but our intention is to evaluate the pilot and to learn from those involved to learn from it and will be used to form our recommendation to the State Board in the spring.

Do we have any data on why the special educators are leaving the profession or not entering the field? Paperwork and caseloads are increasing. Mean age of staff keeps rising and younger people are not entering the field. What about a data entry person?

Not enough planning time for the teachers to develop lesson plans. Support for the professionals is too low. Social Emotional learning was not part of the preparation program to meet the needs of the kids in my classroom.

Susan Helbert- The pilot numbers shared with the State Board. 82 limited apprentice licenses. Potential for this year is about 108, last year was 181. 6 have moved to full license.

Expect more application at the end of the first semester as others become eligible.

Three universities] are putting out unified elementary licenses.

Handout on 2018-19 Fall Vacancy Data

Vacancies increased this year. Improved reporting and improved communication is leading to increased numbers.

Any position not filled is a reported vacancy.

SPED is the area where the majority of the waivers are requested and given.

In the spring we will have a more complete picture of these.

Blue Ribbon Task Force continues to work on these issues.

What can we do to do better or do different to be better?

- TAP program at Wichita state is helping
- Regulations no longer require sped to be a graduate level degree. This is up to universities.
- TVI licensing, conversations with School for the Blind
- Interveners for interpreters are not licensed by KSDE. Grants are available for people to be trained. TASN has a program for both and they are online programs so district isn't losing staff while they add that certification.

Question- Do you have numbers on waivers for Early Childhood?

- Last year 46
- Provisionals, Numbers are not available yet.

Closing comments

Rebekah Helget – Really valuable the input was received today.

Dave Lindeman – hope the information was valuable to everyone. This is important that we have a basic understanding for these issues to move forward.

Adjourning:

Kathy Kersenbrock-Ostmeyer moved to adjourn



Marvin Miller 2nd
Motion passed.

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date January 14, 2020

Time 1PM-4PM

Location: Landon State Office Building
900 SW Jackson Street
Room 509
Topeka, KS 66612

Welcome

Called to order by Chair Rebekah Helget at 12:51 pm

Bert Moore Welcome: Today's agenda is full of great topics for information and discussion today. Thank you for your leadership for kids in Kansas and supporting our programs and services.

Rebekah Helget, Chair, shared her vision for this council and it's work for 2019-2020. PowerPoint slides.

Roll Call

Members (x present, blank absent):

| | | | | | |
|---|-------------------------------|---|------------------------------|---|---------------|
| X | Rebekah Helget | | Heath Peine | X | Mike Martin |
| X | Joan Macy | X | Stacie Clarkson | X | Heidi Cornell |
| X | Amy Dejmal | X | Tina Gibson | X | Chelle Kemper |
| v | Kathy Kersenbrock-Ostmeyer | X | Jennifer King | | Megan Laurent |
| X | Rachel Marsh | X | Marvin Miller | | Troy Pitsch |
| | Sarah Schaffer | X | Laura Thompson | X | Amy Wagoner |
| X | Kari Wallace | X | Becci Werner (Kristen Panos) | X | Deb Young |
| X | Rocky Nichols OR Mike Burgess | | Jim McNiece | | Lesli Girard |

KSDE Staff:

| | | | | | |
|---|------------|---|-----------------|---|----------------|
| X | Bert Moore | X | Laura Jurgensen | | Kerry Haag |
| X | Pat Bone | X | Trevor Huffman | X | Tiffany Hester |
| | | | | | |

Approvals

Agenda

Motion: Kathy -KO as presented

Second: Laura Thompson

Motion Passed

Minutes from November 5, 2019

Amendments:

Motion: Kathy K-o

Kansas leads the world in the success of each student.



Second: Stacey Clarkson
Motion Passed.

Emotional Disturbance Label (ED)

SEAC received a public comment at the September meeting. We discussed in November but were not yet confident in making a recommendation on change. We wanted to gather information from experts.

Panel Discussion

Panel Members

- Lisa Collette, State Interagency Coordinating Council representing Early Childhood and Parent perspective
- Holly Yager, Kansas School Mental Health Advisory Council Coordinator of School Psychologists
- Alison Despard, School Social Worker and member of School Mental Health Advisory Council
- Jonathan Smeeton, Kansas Association of School Psychologists
- Kathy Mosher, Community Mental Health Center (Written response)

Question 1

What are the benefits to changing the term emotional disturbance?

- Disturbance carries a negative connotation. Changing the term could impact stigma following school.

What are the benefits for changing the term for children transitioning from Part C?

- Adding a label that may not be true. Adding services that may not be needed. Could be a mis-diagnosis label being added.
- The term is not seen as often in Early Childhood programs. It is more frequently called developmental delay.

What are the benefits for students transitioning to Post-secondary?

- Impact of military service.
- Disturbance makes people want a definition of what the problem is for this person.

What are the benefits for children receiving services outside of the school

- Label carries negative connotations. Puts parents on defensive to explain why their child has this label
- Changing may increase a child's self-esteem.
- Have we made clarity between other health impairment and ED?

Question 2

What are potential unintended consequences to changing the term emotional disturbance?

- Often these students have a lot of poor outcomes. This is a manifestation of the disability not the cause of it.
- Need to be careful about the language we use if it is changed.
- Condition or disorder terms adds unnecessary connotation
- It is the term used in federal regulation. Commonality of terms between states as children move may require repeating evaluation. Communicating the meaning of the need is critical in the IEP.
- Disorder implies a doctor's diagnosis.
- Mental Health Condition – might bring an assumption of requiring a diagnosis or having a diagnosis.
- Condition may imply short-term



- As a parent, potential consequence is needing to have labels to receive the services they need.
- Regardless of label, you must meet the needs of the child. Diligence in writing IEP and providing services is needed. Labels should not be needed to develop the special services in the educational program the child needs.

Question 3

What term(s) should SEAC consider recommending as a replacement for emotional disturbance?

- Emotional Disability – carries some empathy but implies it is a long-term situation requirement.
- Emotional Impairment or Disability -Tied with Social-Emotional may be confused with other conditions
- Disability impairs the ability to access and succeed in regular setting and making process.

Is there a difference between disability and impairment in the use of the term?

- Disability is a little stronger word than impairment.
- AS a parent, disability sounds a little better than impairment. In the world of deaf/blind they do not consider themselves impaired.
- Disability is a more accepted term in our culture.

Question 4

Questions from SEAC Members?

- Thoughts on adding the term behavior?
 - Gives some administrators an out for removing kids from regular ed settings.
 - Need more use of trauma informed care and this may set us back in development of the change.
 - Behavior implies what you see instead of identifying the cause of the problem.
- Do we use Serious Emotional Disturbance (SED) in Kansas – No, it is not in the law.
- Is there value of using a term used in other states?
 - We tend to define a child by their behaviors. This is not a good practice and should not be encouraged which use of this label may do.
- Who is going to care the most about the perceptions about changing this label?
 - The adults are most effected. Children won't care or use it.
 - Kids, especially older students, will appreciate the change.
 - Parents will have a hard time with change. They will need information about not needing the label to receive the services the child needs.

Thank you, panelists, for being here and sharing your thoughts with us today. SEAC will be having further discussion this afternoon and this really helped us move forward in our thinking.

State Board Presentation of Annual Report

Bert Moore

State Board has asked that we change our presentation to more of what we have done and will be doing.

Mike Martin, past chair, will review past accomplishments.

Rebekah Helget, chair, will talk about the future endeavors of the council.

Follow up to presentation: Great conversation took place with board today and members are looking forward to continuing conversations at breakfast tomorrow.

Emotional Disturbance (ED) Label Discussion and Action

SEAC members and KSDE staff all have an interest and an opinion on the work of considering



change with this label. Change must be driven by student needs. Labels carry stigma and our work is really important. The focus must include specially designed instruction. Communication with parents must improve.

Appreciated the panelists discussion today and the information they provided. Three of four panelists preferred the term disability.

Discussion:

- Labels make people think they are better understood, especially with children. Older students may use the labels as excuses for not being able to do things. The need of the student is what needs to be understood as the determination of what services are required. A label doesn't determine the need. How can this be messaged consistently? How can common language be used for ALL kids?
- General education teachers thought the term was emotional disability when asked. They didn't realize it was disturbance. Strengthen MTSS in schools to reduce labeling.
- Disturbance has always been a perception problem.
- Specially designed instruction, needs to be more consistently communicated. We need to focus on this second prong that goes beyond the label.
- As a parent, labels can be very hard for the student to understand and work through. It was a limiting factor for the student. Moving away from the labels is a good thing to reduce stigma. It needs to be more in the background information for providing services. Suggestion: Use of disability. A disability isn't something to be feared or pitied in our society any longer.
- There are 13 categories, but other than in reporting, they are not required. Eligibility requires a label but services do not require a label to be used.
- Do we want to continue conversations on other labels at a future meeting?
- How many districts/coops actually put labels in the IEP? This is data members would like to see.
 - Kathy K-O provided some information on what she found in her coop. Could we have a document that uses the labels needed for SPED pro reporting but another document is provided to the family doesn't need to contain all the labels? This would be workable from the state's reporting perspective.

Motion:

Marvin Miller moved to change the term used from Emotional Disturbance to Emotional Disability.

Second: Stacie Clarkson

Discussion:

- We must not get away from observable behaviors so we can measure progress.
- Recommendations for KSDE or TASN to provide guidance to educators on the need to focus on the needs of the student.

Motion passed.

In case testimony is needed on the ED label change Rebekah or her designee would need the authority to provide written or oral testimony on behalf of SEAC to the State Board or Legislature in 2020.

Motion to grant authority: Mike Martin

Second: Laura Thompson

Discussion:

- Have we done this in the past? Yes, we used conference calls to authorize representation in



a testimony.

- Should we make this a standing policy that the chair or their designee represents this body on any recommendations that have been discussed by the council?
- Keeping it specific to particular items seems to make the most sense.

Motion passed.

Comments from Mike Martin.

Redesign and reducing labels. One part is Social Emotional growth. Having a school psych on staff has been great. IPS is a part of the foundation as is KR,

If we consider moving away from labels then more input is needed from special education to the redesign process.

Bert has provided discussion questions for the Apollo districts on special populations and the work they need to consider. This was formally left out of the conversations with the Gemini, and Mercury projects. Design must include accommodations for ALL students to be successful. There is a huge concern over the 180 districts that will come up for accreditation review in the next two years. We must continue to be certain that needs for title and special education students needs are being met as directed in federal law for continued funding. SEAC will be asked to provide input as this process continues.

Breakfast Reminders:

Please arrive at 7:15 and be prepared to enjoy some informal conversations with the State Board members on the topics important to the needs of moving students needs forward.

Adjournment

Motion: Kathy Kersenbrock-Ostmeyer

Second: Chelle Kemper

Motion Passed

For more information, contact:

Pat Bone
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Topeka, Kansas 66612-1212
www.ksde.org

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SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date January 15, 2020

Time 9 AM-4PM

Location: Landon State Office Building
900 SW Jackson Street
Room 509
Topeka, KS 66612

Welcome

Roll Call

Members (x present, blank absent):

| | | | | | |
|---|-------------------------------|---|-----------------|---|---------------|
| X | Rebekah Helget | | Heath Peine | | Mike Martin |
| X | Heidi Cornell (Kirsten Panos) | X | Stacie Clarkson | X | Joan Macy |
| X | Amy Dejmajal | X | Tina Gibson | X | Chelle Kemper |
| v | Kathy Kersenbrock-Ostmeyer | X | Jennifer King | | Megan Laurent |
| X | Rachel Marsh | X | Marvin Miller | | Troy Pitsch |
| | Sarah Schaffer | X | Laura Thompson | X | Amy Wagoner |
| X | Kari Wallace | X | Becci Werner | | Deb Young |
| X | Rocky Nichols OR Mike Burgess | | Jim McNiece | | Lesli Girard |

KSDE Staff:

| | | | | | |
|---|------------|---|-----------------|---|----------------|
| X | Bert Moore | X | Laura Jurgensen | X | Kerry Haag |
| X | Pat Bone | X | Trevor Huffman | X | Tiffany Hester |
| | | | | | |

Debrief of State Board Conversations

Rebekah – great conversations. What topics did you talk about with board members?

- Most important is the connect with the board and letting them know what work we are doing and how we want to work with them. Teacher shortage is a topic Kathy didn't get to share this morning but she plans to follow up. This board seems to want more interaction with this council. Will be sharing information with her State Board representative.
- One group did discuss the number of waivers for special education teachers. Waivered teachers are not the experts needed. Very concerning in the area of transition planning and maintenance of best practice.
- Para's on waivers while learning the roles of teachers is beneficial because they have the knowledge of working with the special need's population.
- Janet Waugh mentioned the mental health needs of educators in the era of parents being accusatory of what the teacher does.
- Appreciated Kathy Busch's comments on communication and how we improve it to get the

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messages across better.

- Consider a joint meeting with the School Mental Health Advisory due to the overlapping work.
- Does leadership of the different councils/workgroups come together for discussion of topics cross groups. Leadership at the department does meet regularly not currently with council leadership. A joint meeting could be something to improve communication. Bert will try to move this idea forward.

FFY 2019 APR Targets

Laura Jurgensen

Gray handout

- Kerry and Laura previewed this at the last meeting. This is the final document for our reporting of the 17 indicators to the US Department of Education. For the last few years the federal department has just extended the requirements. This year they have added that states set targets. They are also saying they plan to set new requirements this summer.
- Laura is suggesting we just carry forward Kansas current targets and work until the US Dept., makes the changes they have been telling us are coming.
- The handout explained the handout goes through each reporting area and the current targets.
- The group that works on the report in the agency will be meeting the next two days to finalize the work. We believe that we are meeting or exceeding the target, 2 area are declining, the remaining areas are not meeting target but do show improvement toward the target.
- Starred items are compliance indicators and Kansas is required to be 100% compliant.
- Are we looking at the right things in indicator 13? The requirement is a minimum compliance within the law. The post school indicator is a better indicator of transition work in Indicator 14.
- Local Indicators – show our measure and where we are with the state target. Do we see a nationwide match to our Kansas schools and locally? There is not a published data set from the federal level. It would be helpful for the department as well.

Motion: Approve the recommendation that we carry forward all FFY 2018 targets submitted in the FFY 2017 SPP/ASR. The U. S. Department of Education's Office of Special Education Programs has indicated it intends to release a revised measurement table for the FFY 2019 SPP/APR. SEAC will wait for the revised measurement table to adjust any targets.

Motion: Kathy K-O

Second: Chelle Kemper

Discussion:

- The work of the IEP is more necessary. When working with data I feel like I am clicking buttons to indicate compliance but that doesn't ensure that kids are getting what we need. There is a disconnect between the data and the work to drive professional learning.
- When the department issues a new proposal for targets it will be brought to this group for discussion and there will be an opportunity for public comment.

Motion Passed

KSDE Updates

Bullying Task Force

Myron Melton



Handouts

The report of the Bullying Task Force has now gone to the State Board and the recommendations were approved yesterday. The work will be turned over to the School Mental Health Advisory Council (SMHAC) for implementation planning. Coordination of the work for these recommendations between the SMHAC and SEAC and general education will be important. This is not to be an isolated piece of work. Many of the recommendations directly tie to the ongoing work in the area of Social Emotional Growth. The current definition is outdated and conflicts with current research.

Key Points of the recommendation's handout

- Bullet number 5 on the recommendations – Data sources are not great at this time. There are 7 current questions on the Kansas Communities That Care (KCTC) survey. It is beneficial and its use is encouraged by the taskforce. It allows for tying data together for markers indicating depression, and other suicide risks. Kansas is not collecting a lot of local data. Every district has different needs.
- Items 6 and 7 are rather separate. Cyberbullying is on the increase but we really need to dig in to prevention strategies.
- Professional Development in 7 is also a key component that will need to be addressed.

There was so much connection to school mental health that SMHAC will lead the work. Dr. Rick Ginsberg, KU, and James Regier, Superintendent from Whitewater, were the co-chairs.

How will SEAC become involved? Members of the task force and also SEAC will be asked to provide input as the work continues, possibly in the area of small group work to develop an implementation plan and strategies. The SMHAC meets in February and will be starting the discussion of forming the committees.

Legislative Bills

Laura Jurgensen

- There is no expectation of new bills on the radar that are expected to influence special education.
- Supported decision making will be moving forward from last year.
- Chriz Dally, SB 230 will expand the authority to require registration of interpreters. Hearing is set of Jan 28 in the Senate Ed committee.
- KCTC survey, opt in/opt out was discussed last year and it is unclear where it is in the legislative agenda. Monica Murnan, representative, reported to the SMHAC that it got legs last year and that it is still alive in the legislature.
- Executive order to reorganize several state agencies was received last week. Legislature has 60 days to respond. Complete reorganization will occur July 1 if it doesn't have any legislative actions. This does not impact Department of Education.
- Implications of possibility of increasing the amount of money for special education for one year in Kansas. If this increase occurs there is an impact to MOE for districts, and a maintenance of support at the state level cannot fluctuate up and down. They may only go up except in extreme fiscal circumstances. At the state level, it cannot go up one year and down the next without affecting incoming federal funds.
- There was action on Emotional Disturbance term yesterday. Blake Carpenter has not yet introduced a bill. He has asked for the minutes from this meeting. If he does introduce the bill, Rebekah would be called to testify on your behalf. Your action yesterday, was to send this item to the State Board which Laura sees gets added to an upcoming board agenda.
- January 22 or 23, the legislature will receive the Bullying Task Force Report as well as the



Dyslexia Task Force Report.

- Medicaid expansion is on the Governors list of priorities. We need to watch where this conversation goes and provide information if possible.

Significant Disproportionality –

Laura Jurgensen

The state has not been able to complete the analysis of data to identify districts for next year. SEAC had encouraged the placement and data be sent to districts as soon as possible.

Language Assessment Program

Handout with information

Bert shared the following updates

- Dyslexia report. This work has not been given to the SETS team. It is being considered a general education issue. Screeners will become required next year for K-3 and if they fail, further evaluation will be required. Cindy will present more information to you this afternoon. There is also a piece dealing with grades 4-12. SEAC will not be expected to oversee this work but you will be kept informed.
- Amendments to Kansas Education Systems Accreditation (KESA) regulations were given to the State Board yesterday for consideration. Materials presented are available in the State Board packet posted on the KSDE website. If the state board votes to approve the recommendations, they are voting to approve sending it to Department of Administration for consideration. If you wish to provide testimony in regard to these regulations it would be appropriate at the February State Board Meeting.

Public Comment and responses

How should SEAC address comments that are really asking for feedback during the meeting? We have a procedure to hear the comments but do not offer responses at that time. We are not a decision-making group to determine action steps on individual needs and responses. We are an advisory to the State Board and the Department of Education.

Clarification questions should not be addressed but department staff will do follow-up and provide guidance or SEAC can bring items up for discussion at a future meeting.

Transition Work Group Recommendations

Jim Porter and Jim McNiece.

The Taskforce was formed in response to a bill in the legislature a couple of years ago. Jim Porter and Rocky Nichols got together to move this work to the Board of Education where decisions for education are rightfully placed. A group of about 45 stakeholders were on the taskforce. They included every agency that works with people with disabilities. Six sub groups were formed to deal with the transition from school to life after school. This works very well with the State Boards plan for every student to have an individual plan of study. We want to assure that every Kansas graduate is prepared for the next step in life.

Jim McNiece – thank you for taking up this important topic. As a former principal, transition was a difficult conversation on what needs to be done. We need to provide a direction for the future.

Dean Zajic, Wendy Coates, and Stacie Martin, KSDE Staff.

- The handout is the first attempt to delve into the recommendations and the work that is coming to implement them. Today's conversation will focus on how to implement.
- Where are we now and what do we need to do? For today we are going to look specifically at the immediate next steps column.



- We have identified a need to bring our partners in transition to the table for discussions with educators. A partners meeting is being developed for July 27, 2020.
- Our last part of the discussion today will be to form a small committee to formulate a response to the State Board in February.

Recommendation 1

- Resources are being reviewed to be posted in the near future. Transition wheel for stakeholders to understand at what age level resources should be added for the student. We have a wealth of information to review and get it out to the field.
- Do we talk to universities and programs about training? It will be a more long-term topic than an immediate response.
- Are there any supports for balancing the education needs with the transition needs?
- Wendy also works with the IPS. This tool is applicable to ALL students and have a career goal and an education goal to reach it.
- Need to break the idea that credits for graduation requirements drive the needs for every student. Flexibility needs to be part of the system.

Recommendation 2

Recommendation 3

- One challenge with older youth balancing mental health needs is getting the student stable enough to work on the transition needs. Foster care transition specialist needs to be brought into the process and the taskforce did discuss this situation.
- The revised Parents Guide to the Process Handbook was released today.
- There is a need for a guide to be developed that focuses on transition only.

Recommendation 4

- This does not fall in the specific requirements of the Individuals with Disabilities Education Act (IDEA). We will be working with other entities like Families Together.

Recommendation 5

- Kansas Commission on Disability Concerns (KCDC) has a nice resource available online. We will link it to KSDE resources available for transition.
- KSDE internal partners will also be part of the process.
- Mismatch to career pathways to transition. Other states link their career pathways into the IEP discussions. General Ed and Special Ed will need to work together.
- Access in Equity workshop under Perkins is coming and will help general educators understand the supports available to special populations to access the programs.

Recommendation 6

- Embedding practices and training into Early Childhood programs and training for teachers.
- When you are talking about families, you must include the agencies and social workers who support students who do not have traditional family environments.

Recommendation 7

Recommendation 8

- Upload resources we have access to as well as coordinating with etc.

Recommendation 9

- Governors Education Council – students with disabilities need to know how to ask for accommodations. They need to be invited to the stakeholder's transition summit also.

Recommendation 10

Systems Change and Coordination

Recommendation 1

- Coordination with Vocational Rehab and Pre-ETS with Special Education directors.



Recommendation 2

Recommendation 3

Recommendation 4

- Workforce Innovation and Opportunity Act (WIOA) is a missing piece we are not connecting at this time. (Wendy) Career and Technical Education (CTE) is already involved but special education perspective is not.

Capacity Building

Recommendation 1

- Every secondary teacher should be an expert in the area of transition.
- Transition coordinator positions have been lost due to decreased funding. They are really helpful to make the community connections needed in transition processes. There are only a handful of transition coordinators being reported in the categorical aid data.
- Do we have any 14 and younger students who need support?
- How do we build the local capacity to ensure our teachers are receiving the necessary skills?
- Teacher shortages and waivers are part of this problem. It is a critical shortage in our state.

Recommendation 2

- This is the work of Families Together and we will continue to work with them.
- KPIRC
- DRC possible also
- This builds on existing resources.
- Educators need information on receiving benefits and working.
- KDHE – Working Healthy Program – Earl Williams

Data Collection and Tracking

- We do not have the internal capacity at KSDE to do all this work. We do have university contacts to reach out to and develop these resources.

Selection of Sub-Committee

Motion:

Kathy Kersenbrock-Ostmeyer moved that SEAC put together a small committee to study the recommendations and review, clarify, and support columns 2, 3 and 4 to provide feedback to the State Board in February.

Second: Kari Wallace

Discussion:

- Kari represents Transition and should be part of this work.

Motion passed.

Rocky Nichols – Clarification on Transition Report

- First – I want to be clear these recommendations are not rule or regulation. It is not a mandate that schools must follow. It asks the state department to develop and implement best practices.
- Other agencies will also be given recommendations to guide their work in the area of transition.

Public Comment

- Doug Anderson, representing KASEA, response to the Transition Work Group. Handouts
- Robb Scott, Former SEAC member, Responding to Transition Report.

Rebekah Helget will be working with Bert Moore and they will be in contact with several SEAC



members in regards to the small committee that will work on further developing the plan and presentation for the State Board.

As you think of things that need to be involved in this work or steps that need to be taken during the work, please communicate them through Pat Bone pbone@ksde.org who will share them with the group.

Dyslexia

Cynthia Hadicke

PowerPoint and Handout

Please ask questions as information is shared.

- Working with stakeholders to develop the training for districts to be available by April or May.
- Screeners are not a diagnosis. They only determine if a child demonstrates characteristics.
- Screener areas required were adopted by the State Board yesterday. They are listed on handout.
- Structured literacy is a process. It is not the work of Gillham specifically.
- Working with the legislature to fund the agency position to provide coordination of the Dyslexia.
- Training is not intended to be a checkmark, one and done, but lead to systemic change.
- Zaner-Blosser white papers on reading processes. Links on the slide.
- Students do not need to be screened multiple times. If you have a student that is sitting on the edge you need to dig deeper with diagnostic assessment.
- Curriculum will not be mandated from the state. Components of structured literacy will be required. Training will be provided.
- Internal KSDE team, with TASN and MTSS to coordinate movement of these initiatives.

Questions:

- Link grant and professional development. Are you collaborating with them? Yes.
- Who should be trained here? Speech Paths are required to have some of this training. SLP needs to be represented at the table in the development process.
- Screening – Parents As Teachers (PAT) – ASQ scores, could PAT be trained to do some of the screening?
- Data Collection Tools – Will there be a collection system to enter scores? That is not in the plan at this time. We do want an accountability piece. It has not been developed yet. Conversations are ongoing in this area.
- From the higher education perspective should we include screening tools in our preparation courses? There are several screeners that will meet the requirements. We will not ask the board to approve a list of screeners.
- Will there be training on communicating this information with parents? As we work through the process with parents could get a little murky. We have some parents working with us to develop what the needs of parents are.
- Screener – most of our small districts would appreciate an approved list. We have five that meet the requirements.
- Resources:
 - <https://www.ksde.org/Agency/Division-of-Learning-Services/Career-Standards-and-Assessment-Services/Content-Area-A-E/Dyslexia>
 - <https://drive.google.com/file/d/1IEFQqi1X4zOZEzkNn8QQHsTLH-SEyRgs/view>
- A protocol on response to a question about what to use has not been developed. She is working on ways to get the information out.
- Administrators need training on what to be looking for with their staff.
- Who will complete the additional diagnostics? Parents are being told that only certain



programs meet their child's needs.

- Can general or special education teacher's diagnosis Dyslexia or does it need to be a medical diagnosis? No decision has been made on that at this time. We are still working on this area. Many districts may be using 504 plans to address these tools. This is not a good solution to improve instruction.
- Special Ed, Classroom teachers, and School psychologists were included on the Dyslexia committee.
- How does this impact SPED students? They already have an IEP. The regulation says all students. It is still very muddy.
- Timeline may be adjusted because we are not prepared to launch. We do have the State Board and the legislature monitoring our progress so we will move as quickly as possible but will not implement before we are ready to provide support.
- There remain no laws or regulations on this topic. Time to provide comment to the State Board would be the February meeting.
- Proposed Dyslexia regulations are embedded in Accreditation (KESA) regulations.
- KSDE has received 5 formal complaint requests since the recommendations of the dyslexia task force were approved.
- A new internal group of KSDE staff and TASN providers are now formulating the response to these recommendations.

Member Updates

- Families together – Lesli is ill. No update available.
- KASEA – Kathy Kersenbrock-Ostmeyer requested information on three documents that were developed and shared a few years ago. They are going to be reviewed and revised. KASEA Winter conference is coming up in February.
- DRC – Rocky - Handouts (2)
 - Rep Payee Review Program – random review of representative payees who oversees the payments of Social Security for someone who is disabled. DRC can review any payee based on a report. Do you know of any payees who are not doing their job appropriately? Please report to DRC any concerns you see in your work.
 - Disability Crime Victims Unit – received increased funding for two more staff. They now have 5 employees doing this work. We can also now serve senior citizens who are victims of abuse, neglect, or violence. Reporting of crime or prosecution is not a necessary component. Families Together may want to include this information in their work with education advocates.
- Joan Macy – NASBE published new guidelines for education outcomes for deaf students. New edition includes checklists for program components necessary for success. Information will be coming out soon. March 24-25, 2020. Registration will go through the TASN website.
- Stacie Clarkson– licensing of Speech Language Pathologists through education department is being discussed. Need to engage Kansas Department for Aging and Disability Services (KDADS). Need to address shortages and the impact on education. As this develops they will want to add it to SEAC for discussion.

Thank you for the work you do for the state! Keep sharing your needs. Send agenda items to Pat Bone pbone@ksde.org or Rebekah Helget Rebekah.Helget@usd333.com.

Motion to Adjourn:

Joan Macy



Second: Marvin Miller

Motion passed and meeting adjourned at 1:20 PM.

Sub group committee will meet on January 31, 2020 at 9:00 AM

For more information, contact:

Pat Bone

Special Education and Title -Services Team

785-291-3097

pbone@ksde.org

Kansas State Department of Education

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SPECIAL EDUCATION ADVISORY COUNCIL
MINUTES



Details

Date April 21, 2020

Time 9 AM-Noon

Location: Virtual

Call to Order: at 9:02am

Quote: In the middle of this difficulty lies opportunities.

Roll Call

Members (x present, blank absent):

| | | | | | |
|---|----------------------------|---|-----------------|---|-------------------------------|
| x | Rebekah Helget | x | Heath Peine | x | Mike Martin |
| x | Joan Macy | x | Stacie Clarkson | x | Heidi Cornell |
| x | Amy Dejmal | x | Tina Gibson | x | Chelle Kemper |
| x | Kathy Kersenbrock-Ostmeyer | x | Jennifer King* | | Megan Laurent |
| | Rachel Marsh | x | Marvin Miller | | Troy Pitsch |
| | Sarah Schaffer | x | Laura Thompson | x | Amy Wagoner |
| x | Kari Wallace | x | Becci Werner | | Deb Young |
| x | Lesli Girard | x | Jim McNiece | x | Rocky Nichols OR Mike Burgess |

KSDE Staff:

| | | | | | |
|---|---------------|---|-----------------|---|------------|
| X | Bert Moore | X | Laura Jurgensen | X | Kerry Haag |
| X | Pat Bone | X | Amy Martin | X | Dean Zajic |
| X | Stacie Martin | | | | |

Agenda:

Motion to approve: Heath Peine

Second: Marvin Miller

Action: Motion passed

Minutes January 14 and 15, 2020

Motion to approve: Jennifer King

Second: Stacie Clarkson

Action: Motion passed

COVID 19

Timeline – Continuous Learning Plan (CLP) Bert Moore

- Began making plans March 19. Started planning with a group of teachers to develop the CLP. Both department staff and administrators were involved in the development. Plan

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was developed within the week and released to the field to start building their plans to reach ALL students. The Kansas plan is being used all or in part by many states.

- How do we implement the plan? When to bring students in to a building, if ever, use of packets or online has been implemented. Para's and other staff are available to help in other areas.
- Many parents are feeling frustration as they have never had to oversee their child's education before. Many resources were provided for families and staff.
- The district plans for schools have all been approved by the State Board as of last week. Mischel Miller, director of Teacher Licensure and Accreditation (TLA) led the work for developing and approving these plans.

Roles and Responsibilities – Laura

- Carry out state and federal law as it is written. Flexibility only occurs through congress, the state legislature, or Kansas State Board of Education (KSBE) in regulation. We are helping the field think creatively in how they can meet requirements during this time.
- Kansas State Department of Education (KSDE) Special Education and Title Services (SETS) COVID-19 information page and specific contacts for help.
 - Dynamic Learning Maps (DLM) questions to Cary Rogers
 - Gifted Services – Melissa Valenza
 - 619 Coordinator – Julie Rand - Requirements for Children ages 3-5
 - Critical Friend to reach out to Julie can connect you with the TAT team who stands ready to assist.
- KSDE website guidance. www.ksde.org. Scrolling banner. Kansas Continuous Learning.

Special Education Resources –(<https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/Special-Education>)

- FAQ Document – Laura
- This document is adhering to all state and federal laws. KSDE does not have authority to waive any requirements. This document has been updated several times and is organized into 3 sections:
 - Legal questions – if you don't find answers reach out to Mark Ward or Tiffany Hester.
 - Special Education Data Reporting – contact Mason Vosburgh.
 - Fiscal Questions- Dean Zajic (lead), Christy Weiler, and Evelyn Alden.
 - Maintenance of Effort (MOE) waivers – Congress must act to have any waiver implemented.
 - Staff – all staff, including paras and hourly, both state and federal laws are allowing for continuing to pay these staff. They may be assigned in an alternate way during this time of COVID-19 pandemic.
- Special Education is continuing in the state of Kansas. If we have students who are not receiving the depth and breadth of services this will be addressed later.
- Parents are requesting more services so the federal response is being slowed down to create a balance between parents and requests for waivers.
- Federal Briefs are expected soon. They are currently being reviewed for release.
- Communities of Practice (CoP) – Established by Laura Jurgensen who reached out for Technical Assistance for directors to have discussions. It meets every Friday at 9. Bert attends briefly to provide an update and then leaves to allow for free communication between directors. KSDE is provided information on discussion points that may need to be



addressed.

- Comments from directors:
 - Those CoP were a brilliant idea and very helpful. It helped us understand that answers to our questions do not exist. It has allowed for collaborative discussions to work through our current situations.
 - They are allowing for conversations that KSDE could not have had.
 - Process has been exceptional. KSDE has been thorough and thoughtful in your responses and it is greatly appreciated..

Shifting of TASN resources – Kerry

- Para educator modules released
- Virtual coaching has not been impacted
- Courage and dedication of working through the process of continuous learning demands has been very uplifting.
- KPIRC resources for families have been developed and shared.
- SMHI team has continued working with the districts and has expedited work on trauma informed learning and family focus on caregiver modules. These will be available soon.
- Resources on TASN that are of highest level of need. There is a set of links to documents or resources on each subject. <https://www.ksdetasn.org/tasn/kansas-continuous-learning-2020-resources>

KASEA – CASE -Heath

- The pandemic has been a stretch for special education as the laws were not written for continuing during the pandemic.
- Google folder created to contain federal, state, and instructional resources.
- Regional meetings are occurring weekly.
- CoP meetings
- Council of Administrators of Special Education (CASE) will hold their 6th webinar this Friday. They have been a great resource for pulling together to tackle the problems.
- National Association of State Directors of Special Education (NASDSE) and CASE have made requests to the Office of Special Education and Rehabilitative Services (OSERS) for temporary targeted flexibilities for this pandemic crisis. Fully supporting the law as is during normal times.

Discussion - What are the unmet needs visible at this time in local communities?

- One topic coming up in discussions at the USA superintendent meetings, what do we do next year when we start school? Planning is needed and is creating some anxiety. This is next discussion area for the CoP. It will also be part of the CASE webinar Friday.
- Teacher shortages are still a big-time concern. Western Kansas is losing special education teachers to general education classrooms.
- Extended School Year (ESY) – if and when the state will open and what stage we will be in come the beginning of the school year. Any guidance on summer school planning and options available for providing services.
- Professional Development (PD) for staff on effective delivery on online instructions. PD for parents on use of technology to support their student.
- Medicaid issue – delivery of services provided that qualify for reimbursement. Filling the financial gap that is being created.
- We are in a reaction mode. The overwhelming feelings of supporting the work and filling the positions that are open. We must be pro-active and as ready as possible for whatever



circumstance we are in at the beginning of school next year. What will ESY look like and what can we do? Facilitation of conversation via zoom. Anything past an hour you lose your audience.

- Differences of what technology is available in the home when it is not provided by the district.
- Families are talking about technology issues. Behavior assessments and Individualized Education Plan (IEP) meetings. Not knowing the plan for meetings being rescheduled. 504 plans and timelines. Visual and hearing challenges. Multiple students in one home with one computer. No one was prepared but people are trying.
- Parent camp – getting kids engaged or keeping them engaged during this style of learning. Teaching them that the device is not for games but for learning which is different from their normal. Meeting sensory needs as well.
- Problem solving that there are too many people involved with one child during this time. Some students were disengaged because it was just too much. Use of co-teaching has been helpful to meet some of these needs and to do different outcomes during the same online learning session.
- Consider modeling what is being done at the infant toddler level. Coaching that one point of contact who works with connecting the student. More virtual environment may need to model this type of system.
- Limited effectiveness to what we can teach online must be acknowledged and measured so we know where to pick up when we get back to school. Planning for what we need to do when we resume and not let the advances in technology take over what we do we moving forward. Must continue to look at the services being what the child needs.
- There is so much focus of providing information online. Learning is not receiving information at the surface level. We can gain information from Google. We (school staff) need to understand how to help students understand concepts online and move from surface knowledge to deeper levels of using the information. That takes much more than providing content. it requires dialogue and feedback. Some are doing that, some do not understand.
- Even PD is too much providing info and not enough discussion and deep learning!
- Finding a balance between overwhelming them and/or not doing enough. We've done good work but we have to evaluate effectiveness and improvement for learning.
- Some of our neediest families have checked out. Won't answer emails, texts, calls or even answer the door. I have a few students I really worry about!
- Speech language pathologist shortages.
- KSSB and KSSD are offering different types of outreach and support. Two new things. Deaf and Hard of Hearing conference. During the building closures we are opening our classes to districts throughout the state. Collaborating with districts to tap into their classrooms and provide individual supports. We want to reach everyone with a need, please direct anyone you know of in need of services to contact Joan Macy.

IDEA Waiver (ESEA Waivers)

- CARES Act signed. A specific provision requires the secretary to write a provision for flexibility report within 30 days of March 27, 2020.
- It must contain information on waivers that they believe state and LEA's need in order to meet requirements.
- Does SEAC wish to submit comments to address needs in Kansas?
- Letter to OSERS was shared which were sent from CASE and NASDSE last week. It requests



temporary flexibilities during closure. Timelines for reevaluations, annual IEP review timelines, complaint and transition timelines; procedural flexibilities within IEPs', data collection, fiscal management – such as MOE. Looking for flexibilities that are targeted and temporary.

- Discussion – Is SEAC interested in sending a letter requesting waivers or flexibilities?
- Believe there is a need to be flexible. Like the CASE letters point out as they are what is important.
- Letter is beneficial and part of our duty to respond as an advisory council. Are there other areas of need that should be addressed?
- From DRC – concerned with waivers, but understand the needs as well. Need time to review, don't want to sign away student/parental rights during this time. Will be sharing this with others in his community.
- Many families are confused with the IEP processes and the current situation process.
- Parents are scared of losing access. Families together needs time to consider. They have not signed on to anything just yet. We can't continue business as usual. Would like to add some perspective from families and disability rights.
- We are on a deadline to submit. It would need to be submitted by Friday to be considered. Could KSDE facilitate the writing of the letter? Yes.

Motion – Kathy Kersenbrock-Ostmeyer made the motion to write a letter asking for temporary flexibility and for the letter to be written by the SEAC leadership committee with the assistance of KSDE staff.

Second: Chelle Kemper

Discussion

- Must include temporary flexibility language.

Action: Approved

Rebekah, Heath, Laura and Bert will connect to compose this letter. Send any comments from stakeholders etc., to them. Letter will be sent to all members prior to being submitted.

SEAC Membership:

- Outgoing members Thank You!
- What a great group of advocates you have all been for students in Kansas!
- The members completing their second term are: Joan Macy, Stacie Clarkson, Amy Dejmal, Kathy Kersenbrock-Ostmeyer, Megan Laurent and Marvin Miller
- Election of Vice-Chair for 2020-2021 to serve as chair the following year:
 - Nominations:
 - Heath will move into the chair position.
 - Nomination for Chair-Elect
 - Jennifer King was nominated by Rebekah Helget.
- Motion: I move we accept Jennifer King as the Chair-Elect. - Rebekah Helget
- Second: Kathy Kersenbrock-Ostmeyer.
- Motion: Approved. Jennifer King will serve as Chair-Elect
- First term completers: Chelle Kemper and Laura Thompson.
- Motions for Membership:
- Nominations for continued membership:
 - Motion: Extended Rebekah's term for one year to serve as Past-Chair. Marvin Miller
 - Second: Stacie Clarkson
 - Action: approved.
- First term members – Laura Thompson and Chelle Kemper



- Motion to continue for second term – Motion: Kathy Kersenbrock-Ostmeyer
- Second: Marvin Miller
- Motion: approved
- Goggle Form to submit nominations for open positions. Link:
<https://forms.gle/b6ZbEKKasHRmZegm9>

Council Member Reports

- Lesli – Families Together – Parent Assistance calls related to COVID 19 about 40. Ages of kids: Nine - were under 10. Urban vs Rural were about the same. All staff are working remotely. Please let your families know they are available to help in whatever way is needed.
- Heath – KASEA no further update. Work on next steps moving forward.
- DRC – Mike
 - Most work is COVID-19 related. Helping clients meet challenges. Lots of confusion exists.
- Jim McNiece – State Board. Support for the work of educators during this time. We will learn a lot from this pandemic as we move forward. He will communicate back to the state board the challenges and successes shared today.
- Kari Wallace. – her 22 students are online almost every day. It has been a heartwarming and successful experience for her as a teacher.
- Tina Gibson– communication with special education teachers has increased with the general education staff and has been awesome.

KSDE Updates

- Work from home for KSDE staff will continue through May 3.
- Leadership Conference in July the work is continuing for a face to face but we will be making alternate plans if that is still not possible. Reintegration of society must occur slowly and carefully. Plans for virtual conference are being discussed.
- Transition Conference on July 27 in Wichita.
- No out of state travel is allowed for staff through June 30 at this time. Midwest Education Leadership Conference in Breckenridge has been cancelled.
- CARES Act funds can be used for Special Education needs. It is formulated on Title I formulas but is not limited to Title I expenditures.
- Transition – Stacie Martin, Dean Zajic,
- Updates – NCATE conference in May was cancelled. We had a strong team who had planned to attend. Refocusing on how to move the forward at this time.
- Transition Conference – Save the Date. July 27, 2020. Plans continue for Interagency collaboration. Working healthy will definitely be attending.
- Addition of secondary transition link. Working on reviewing current resources and hope to have posted on the website by May. <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/Special-Education/Secondary-Transition>
- Secondary Transition is a resource on the COVID-19 resources list.
- Report to State Board at the May meeting will be held.

Recognition

Thank you, Rebekah Helget, for your leadership as chair of the SEAC 2019-2020.

Summer Leadership Conference

Information will be posted on this website for the conference details and registration:



<https://www.ksdetasn.org/>

Public Comment:

No written comments were submitted for today's meeting.

Motion to Adjourn:

Motion: Marvin Miller

Second: Kathy Kersenbrock-Ostmeyer

Action: approved and meeting adjourned at: 11:05 am.

Thank you everyone.

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.