

# **COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN**

**State Board of Education Room**

**NC Dept. of Public Instruction**

**June 14, 2017**

**Summary of Actions**

## **Welcome, Call to Order, Introductions, Review of Agenda**

Chairperson Leanna George called the meeting to order. Council members and visitors provided self-introductions. The agenda was in the meeting packet.

## **Review of Meeting Minutes**

Council provided edits to the March Summary of Actions and approved it with edits.

## **Council Training Debriefing**

Chairperson asked the Council for any feedback regarding yesterday's first-ever training. Council members felt much needed information was provided and look forward to utilizing it. Chairperson stated setting priorities is something she wants to pursue. One idea to implement is to create an application process to become a member of the Council. Some members were encouraging about an application process and suggested it be posted on the website for transparency. Other suggestions were to focus on advising the SBE on items important to the Council such as MTSS/RtI for parents and leadership.

## **Agency Updates**

Assistant Director Sherry Thomas provided updates.

Legislation –HB603: A new bill refreshing the voucher program for students with disabilities attending private school. It proposes a debit card for services without any safeguards. The bill also provides \$20 mil for two years each. EC Division does not feel this is the most effective use of funds to support students with disabilities. Some Council members are concerned about the accountability of the use of these funds with no protection for the child.

Budget is online for public review. The Senate version is most troublesome with a potential 25% cut to DPI. This could result in the loss of current positions.

ECATS – ongoing process; EC Division is in final stages of clarifying requirements/components and making sure vendor is clear on requirements. It's a massive project but will be welcomed by LEAs. There will be one statewide collection system. There is also a base Medicaid platform. EC Division will be forthcoming with an announcement of rollout in Jan. or July. EC Division wants to make sure it's rolled out properly. The new IEP forms will be included.

School Mental Health Initiative (SMHI) – SBE approved the Mental Health policy. There is also legislation supporting this new SBE policy. Legislation will possibly make a few changes to SBE's current policy. It's good to have support in the legislature. There will be a huge professional development for the state. EC Division will attempt to create a dedicated position to support the mental health initiative.

EC Funding Stakeholder group – very close to having tiered-funding based on student needs with a base allotment. There is some interest in the legislature relative to tiered service. There is also a move to raise the CAP to 13%. Rep Lambeth and Elmore have been supportive. Council inquired if the tiered funding would actually get to the school level or just get to LEA level. Funding is distributed to the central office LEA.

LEA Self-Assessment (LEASA) – this is a new tool for LEAs to look at their own needs based on data. Second year update submissions are occurring now. This year will include creating a catalog for PD already in place for LEAs. EC Division will finalize dates at end of this month.

**FORWARD COUNCIL WEEKLY LEGISLATIVE UPDATE**

Council asked what happens when EC Division does program evaluation and ask for parent input – how is parent input provided. EC Division solicits the parents (not the LEA) for survey/input. EC Division also reviews LEAs' stakeholder groups to make sure parents are included in stakeholder group. Increasing parent engagement is a main focus of EC Division. There is also a specific Parent Stakeholder group. EC Division is also working on parent-friendly PD regarding MTSS/RtI, etc. specifically for parents that can be delivered by LEAs. Let's Talk is also an avenue of parent communication.

Significant Cognitive Disabilities Assessments – Extended Content Standards for English Language Arts has already been presented to State Board of Education. EC Division now working on Extended Content Standards for Math. Ronda Layman is contact person for that.

Council asked about teacher evaluation adjustments for students with cognitive disabilities. There is a concern that teacher evaluations in its current form are not appropriate for teachers of students with cognitive disabilities. The EC Division does not create the teacher evaluations. Tom Tomberlin is the contact.

### **Significant Disproportionality – Council Feedback**

Nancy Johnson, consultant for the State Performance Plan, provided the final regulations on Equity in IDEA (which is significant disproportionality). The federal regulations do encourage State Education Agencies (SEAs) to seek advice from stakeholder groups like the Council.

New federal regulations were published December 19, 2016, and states must comply by July 1, 2018. States must begin using risk ratios to determine significant disproportionality. This is all related to race and all seven race categories have to be looked at as well as five areas of disabilities (Autism, Specific Learning Disabilities, Other Health Impaired, ID-mild and Serious Emotional Disability. Calculation also includes:

- Greater 10 days out of school
- Less than 10 days out of school suspension
- Greater 10 days in school suspension
- Less than 10 day in-school suspension
- Total suspensions/expulsions of students with disabilities.

Discipline is the biggest significant disproportionality for LEAs. The SEA is addressing parents being called to pick up child, but child not considered suspended. The revised Parents' Rights Handbook explains this situation better. EC Division does explain and work with LEAs to assist with validity of discipline data.

LEAs with significant disproportionality must use 15% of funds on Coordinated Early Intervening Services (CEIS). A new requirement with the regulations is LEAs must identify and address the factors contributing to the significant disproportionality.

EC Division identified LEAs on warning lists for disproportionality.

The potential effects of the new federal requirements are there is a probable increase in number of LEAs with disproportionate representation in identification (could equate to 88 LEAs) and probable increase in number of LEAs with significant discrepancy in discipline (could equate to 16 LEAs).

The question for Council is to consider risk ratio thresholds. Maintaining the same is greater than 3.0 risk ratio. Council to provide input to increase (4.0) or decrease (2.5) risk ratio. Decreasing risk ratio means more LEAs will be identified. Increasing to 4.0 – OSEP will probably not approve. Also need to create risk ratio for discipline. May want to consider a little bit higher (3.5) risk ratio for discipline due to more areas that must be reviewed. Council suggested decreasing to 2.5 – to make proper identification more of a priority as this may not be happening in some LEAs.

NC does not currently use cell size in identification, but does in discipline – which is 10. OSEP considers 10 as reasonable. In NC, less than 10 students are not reported publicly. It is reported with an \*.

N size = denominator – is used for all three areas. Some states are considering changing but most are currently running numbers on 30. Council advised it may help to look at reports that reflect different numbers to see how it impacts LEAs, ie small LEAs and Charter Schools. Some extenuating circumstances are Charter Schools receive already identified children, making them disproportionate, but the Charter School has no control. The hospital schools also experience the same situation. One LEA has been on significant disproportionality list for three consecutive years, NC

can look at reasonable progress for three years. In some cases, the shift of one or two students can make a tremendous difference. Reasonable progress is at 5.0 risk ratio.

The entire Council should receive the reports, but the Reports and Data Committee will do a deeper dive and make it “lay person” ready so the Council can provide very specific recommendations by the Sept. meeting.

**State Superintendent Mark Johnson came to visit Council and thanked them for the work they do. And that DPI appreciates their input and DPI is listening.**

**ASK/CALENDAR NANCY TO PROVIDE VARIOUS EXAMPLES OF REPORTS REFLECTING RATIO CHANGES.**

### **Public Comments**

No in-person or written public comments were available.

### **Committee Work**

Because of public/open meetings law, the committees need to stay in the same room and not meet separately.

Chairperson asked Council if anyone wanted to volunteer to Chair the Policies & Procedures committee. Diane Coffey volunteered for Unmet Needs Committee with support from Mary LaCorte.

Reports & Data Cynthia Daniels-Hall

Reviewed suggestions for data reports; five days to review and provide comments to Leanna; Tish will setup conference call for committee, then develop and plan of action.

Unmet Needs Diane Coffey

Republishing to Council “Public Comment” for distribution to stakeholders. Question for legal - if person unable to sign in by 12:30, would a walk-in be able to speak during the Public Comment time? Committee is finalizing a Google form to manage data from public comment.

Policies & Procedures ~~Susan Humbert~~

Executive Committee Leanna George

### **Announcements**

- Elena Roberts resigned due to relocation. Second vacancy – parent of child with disability.
- August 1 – scan committee reports to Leanna for annual report.
- Senator Riddell – unable to continue on Council.

**Adjourned at 2:30**

### **Vision Statement**

As a diverse representation of stakeholders, the CESEC informs and advises the SBE on policies and matters relating to improving the educational outcomes for students with disabilities in NC.

### **2017 Council Meeting Dates**

~~June 13, 2017 (Council Training)~~

~~June 14, 2017~~

September 20, 2017

December 13, 2017

### **2017 State Board of Education Meeting Schedule**

January 4-5

February 1-2

March 1-2

April 5-6

May 2-4 (includes the Planning and Work Session)

May 31 and June 1

July 6 (conference call meeting)

August 2-3

September 6-7

October 4-5

October 31-November 2 (includes the Planning and Work Session)

December 6-7