

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

**State Board of Education Room**

**NC Dept. of Public Instruction**

**March 14, 2018**

**Summary of Actions**

## **Welcome, Call to Order, Review of Agenda, Review of Meeting Minutes**

Leanna George, Chairperson, called the meeting to order. Council members provided self-introductions. Members were asked to review the agenda and December Summary of Actions. The Alternate Assessment presentation was moved immediately following lunch due to a last-minute conflict. At the meeting, there was not a quorum in order to vote on approval of the December Summary of Actions. This will be added to the June meeting.

## **Adapted Physical Education (APE)**

Laurie Ray introduced herself as the Adapted Physical Education (APE), Physical Therapy and a shared Medicaid consultant with the Dept. of Public Instruction. APE is part of the Healthy Active Children Policy. Not all students with IEPs require APE. APE is not a related service. It is not an accommodation. It is a direct special education service. Students with disabilities (SWD) must be provided PE and can be leaders in PE. Evaluation data is required to determine student's need for APE. The IEP Team makes the decision for APE eligibility. IEP Team guiding questions/discussion points were provided in the presentation. The IEP Team determines if the student's needs in PE can be met with supplementary aids, services, modification, accommodations or if the student requires specially designed instruction to progress through the PE curriculum and participate in class. Areas to consider for APE goals are fitness, motor skills and participation abilities. Every LEA must offer a full continuum of placement options and service delivery options to meet the unique needs of each student. PE, or lack thereof, cannot be used as punishment.

CAPE – Certified Adapted Physical Education - is best-practice certification for staff. CAPE also encourages collaboration between general ed teachers, special ed teachers, and related service providers if the LEA does not have CAPE certified staff.

Physical education teachers – what training opportunities are available? There is a volunteer advisory council to provide training/support via a regional concept. The annual EC Conference offers an all-day training.

## **NC Virtual Public School (NC VPS)**

Sherry Bell, Director of EC and 504 Services for NC VPS, provided a brief summary of her educational background. Ms. Bell also provided an overview of students served by NC VPS. Currently, NC VPS offers courses across the board; 58,269 students were enrolled in 2017; 18,665 OCS statewide. Enrollment of students with IEPs was 8,896 for fall 2017. At student enrollment, there is an indicator if the student has an IEP/504, which starts the conversation for accommodations between NC VPS and the school on exactly what accommodations can be provided in an online learning environment.

Ms. Bell also provided NC VPS teacher data/facts. NC VPS teachers are contracted personnel. Ms. Bell also provided NC VPS OCS facts regarding enrollment, teachers, instructional leaders/mentors and coaches. NC VPS is a supplement for SWD. NC VPS does not receive special education funding for these students.

There are four instructional pillars required for all NC VPS courses :

Pillar 1: Effective Instructional Feedback on all Assignments

Pillar 2: Effective Instructional Announcements/Learning Blocks

Pillar 3: Effective Synchronous Conversations to Build Relationships

Pillar 4: Effective Individualization of Learning.

There are high numbers of OCS CTE course enrollment. OCS Math 1 is a semester in length - not a year long course. A typical NC VPS OCS classroom would consist of announcement (whole group), students check grades, feedback and messages (individually) and review vocabulary and begin lesson (whole group).

Face-to-face OCS teacher expectations include document in daily log (CTDL), class time to work directly with students to support learning during whole group activities, teacher of record to report grades to PowerSchool and primary contact with parents, weekly phone call (SCL) for more in depth discussion of individual and class needs and pacing to ensure students maintain reasonable pace and stay in same lesson. The CTDL is imperative for effective communication between students and both teachers to promote student success and foster the co-teaching concept. NC VPS wants to assist teachers and students.

Within NC VPS, there is an EC Advisory Committee with recent focuses that include: alignment of NC VPS IEP/504 guidelines with DPI EC Division *Policies*; education of schools regarding considerations for enrollment of SWD in online learning; specific training needs for NC VPS teachers providing instruction to SWD; guidelines for parents of SWD in online courses to collaborate in the education of their children.

Council asked questions regarding the limited offerings within NC VPS. NC VPS is communicated at high school level. Council wanted to know if this could also be advertised at lower grades. Students' placement can be made way too early if not understanding how NC VPS can help student (and teacher). If middle school teachers were more familiar with how NC VPS works, there could be more open-mindedness on how successful students can be with NC VPS supplements.

### **1% Alternate Assessment Participation Waiver**

Dreama McCoy, Section Chief for Supporting Teaching and Related Services, thanked the Council for the opportunity to present in collaboration with Nancy Carolan, Section Chief of Testing Policy and Operations, of the Accountability Division. Ms. McCoy provided a brief history of the 1% alternate assessment.

In 2001, the Elementary and Secondary Education Act (ESEA) allowed for proficient performance on alternate achievement standards to be counted in with proficient performance on grade-level achievement standards. In the re-authorization in 2003, ESEA regulations placed a 1% cap on the percentage of the total tested student population that could count as proficient on the alternate assessment based on alternate achievement standards. This was not a cap on participation in the assessment. In 2015, with the reauthorization of ESEA as the Every Student Succeeds Act (ESSA), ESSA reaffirmed that the alternate assessment is an appropriate assessment for student with the most significant cognitive disabilities to demonstrate their knowledge and skills. Rather than placing a cap on accountability proficiency rates for the alternate assessment, ESSA placed a 1% cap on **participation** in the assessment.

This shift in policy means everyone (states, districts, IEP Teams) needs to think carefully about which students should be included in the alternate assessment, which is for students with the most significant cognitive disabilities. Parents should be informed of the possible implications regarding these students being able to complete the requirements for a regular high school diploma.

ESSA provides the opportunity for states to request a waiver from the 1% cap by meeting several criteria. Specific data must accompany the request, such as the number and percentage of each subgroup of students who took the alternate assessment, and data showing that at least 95% of all students and 95% of students with disabilities participated in the subject area assessments. Requesting a waiver entails significant effort by the state.

NC is at 1.1% of the cap. Other states are over at a much higher rate. NC has already put strategies in place. Nancy Carolan, Consultant for Testing and Policy Operations in Accountability Services, has looked at NC data. Accountability is sending letters to Superintendents to request data to see if LEAs think they may go over the 1%.

There is no reason/justification for OSEP using 1% (vs 2%). The State, not the LEA, cannot go over the 1%.

### **Public Comment**

There were no public comment requests.

### **Committee Work**

#### Reports & Data

Talked about 1% cap for SCD and disproportionality and the significance of the federal government postponing the changes for a year. **Desired breakout EOG data for grades 3-8 for trends of up and down.** Graduation rate such a focus, some feel it forces kids out of system with minimal community service post high school.

## Unmet Needs

No public comments received and there is not enough data for trends analyses; talked about ways to obtain unmet needs from different counties; list of LEAs with Councils; ECAC, various ways to solicit input from families to see what they are experiencing regarding unmet needs.

## Policies & Procedures

*Vacant*

## Executive Committee

Leanna offered up the opportunity for anyone interested in upcoming vacant vice chairperson to let her know.

## **Agency Updates**

William Hussey, Director of Exceptional Children Division, provided updates.

**ECATS** – is at a very important implementation point. Internal staff will get trained on new system in order to work with pilot sites. Since last meeting when EC Division intended to start pilots in February, pilots have been postponed until end of March. MTSS component staff training is March 19; pilots start April 11. There are 20 MTSS pilot sites; 16 EC pilots and 4 pilots with MTSS/EC. Pilots are for the purpose of functionality and data integration.

At the March Institute, spent an entire day on ECATS, service documentation and receiving feedback. EC Division is still working to finalize the ECATS training plan. ECATS must be in production before training can take place, but it appears on target for July implementation. The Directors Advisory Council (DAC) discussed how to find alternate ways of getting LEAs advance information to ECATS training. There could be a grace period of being able to accept new docs, while staff are being fully training, from July until Sept. Parent training and information could begin as soon as ECATS is up and running. EC Division will work with ECAC to get that training out.

Existing state forms will be available for quite some time but will slowly disappear as adopting new ones are adopted within ECATS. Parent info/letter from DPI to reassure families that the process regarding exceptional children is not to be interrupted; meetings needs to occur; children's needs must be addressed. If given the opportunity, it would be optimal to have IEPs complete prior to the "dark period" of when both systems will be down. However, EC business should be occurring, business as usual.

Basic ECATS forms will be available like current basic forms. The big difference is the visual layout and including prompts for the IEP Team to discuss SOC, OCS, extended content standards. Keep process, process based, ie LEAs have asked for new forms, EC Division will try to provide a form and how to complete that form.

MTSS – Four (4) large districts will come up with some element of MTSS process in July.

New voucher came out from legislature. It's a \$9,000 debit card to be used by parents for private schools. Three (3) funding streams -\$8,000 voucher, \$4,000 tax credit and \$9,000 debit card – provide parents with \$21,000 per child. In the past the vouchers applied to EC kids previously identified as EC in public school that transferred to a private school. The new debit card is expanded to include children already in private schools. There is not shared data about specially designed instruction. Sometimes EC children are successful in private setting; however, if an EC child leaves public school, the child leaves their due process rights. Parents can talk with the State Education Assistance Agency for more details on the new debit card.

Recently, there was a NC Forum article regarding EC funding. It spoke mainly about the funding shortage, the EC funding model. Currently, 17,500 children in NC receive no state EC funding due to being over the cap. All LEAs under cap (largest districts) receive no additional money. Proposed funding does well with LEAs and Charter Schools with over 150-200 EC kids. The proposed EC funding is a proportional increase. Programming also has to be addressed.

Medicaid – as of two weeks ago, NC has developed its own free care program. Now NC can acquire more money in the way of refunds that are already present and use the funds for EC and general ed.

School Mental Health Initiative – legislature passed a school mental health policy in the short session without any dollars; the policy was subsequently postponed, due to audit commission by the Superintendent. It is extremely important to move forward now to coordinate with other agencies regarding safe schools; suggest everyone spread the word for basic school mental health policy in your LEAs, that certain training would occur for LEA staff, mental health first aid, warning re: student trauma; require three elements – core – how to prevent/lessen impact of mental health issues in school; primary – working with social workers, counselors connecting students with mental agency; encourage support for SMHI and to fund mental health supports for schools.

17 pilot sites participated in school mental health initiative with the SHAPE grant – which gives tools/assessment structure on how to meet the student mental health needs.

Going into next year of LEA-Self-Assessment. LEA-SAs are public records. EC Division created entire professional development catalog based on LEA-SA data. EC Division is working on re-tooling the PD; NC is focusing on graduation and moving toward its 78% goal and just we're just about there. Bill feels confident students with disabilities graduation rate may hit 80% soon.

### **Announcements**

Heather Ouzts – leaving DPI

Tish Bynum – another position within DPI

### **Adjourn**