

# State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

## Message from the Chairs

Report submitted by Co-Chairs: Hugh Davis and Judy Conlin

We are pleased to report on the Council's activities and recommendations to the State Superintendent. We are grateful to Council members for their frank sharing of perspectives, questions, and active participation in discussions, and for their contributions in work groups.

The public forum had the most participants in several years. Key themes were:

- Staff: training and professional development for teams of general education and special education teachers, paraprofessionals and administrators; more training for special education teachers regarding the specific needs of students; discipline that is responsive rather than punitive and reactive; and the burdens of suspension on parents.
- IEPs: goals not being met; lack of progress in learning; need to better communicate the content of IEPs; staff told to restrict what is written in IEPs; parents not being treated as equal partners with expertise or not asked to provide help.
- Environment: safety and a safe environment: LRE; inclusion; the need for specialized environments for some students; seclusion and restraint issues
- Mental health, trauma informed care, and the need for Social Emotional Learning in schools
- Increased funding for Special Education

As a result of these concerns, Council began to discuss ways to address these concerns. In January, two recommendations were sent to the State Superintendent of Public Instruction.

1. The council recommends a focus on professional development that is provided and implemented with building level/district teams of general education teachers, special education teachers, building and district administrators, and paraprofessionals. Guidelines for the recommendation were provided.
2. The Wisconsin Council on Special Education recommends DPI explore ways that general education staff build their understanding of their collective responsibilities under IDEA to provide supplementary aids and services (e.g., accommodations) to students with disabilities and increase their capacity in providing access to age and grade level standards in the regular education setting through educator preparation and professional development.

The DPI report includes information on implementation. The implementation of these recommendations will likely be topics for further discussion by the Council.

## **State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report**

An IEP snapshot form was created to assist general education teachers, paraprofessionals, and parents to more easily & efficiently identify goals for a student along with helpful information that may not be included in the IEP. This snapshot can be attached to the front of the IEP as a quick reference and is not intended to replace the full IEP.

In response to Council's interest to provide better understanding of the many complexities and legalities of Special Education, WSPEI created a series of 3-to-5-minute video clips to be shared by school staff with parents as they experience different steps in their child's special education journey. Over the summer, work will continue to create video clips that are in Spanish and spoken by parents to parents. The goal is distribution in the fall.

# State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

## Council Purpose

The role of the Council is to bring the voice of various special education stakeholders to the Department of Public Instruction (DPI), share information from DPI with those stakeholder groups, and provide input on pending rules, regulations, and Wisconsin's federal reporting to the U.S. Department of Education. DPI strives to have advisory councils that reflect the racial, ethnic, and geographic diversity of Wisconsin. The Council must be comprised of a majority of parents of Individuals with Disabilities Education Act (IDEA)-eligible students (age 3-21) or individuals with disabilities.

## Council Functions

- Advising the state education agency of unmet needs in the education of children with disabilities within the state.
- Advising the state education agency in developing evaluations and reporting on data to the U.S. Department of Education.
- Advising the state education agency in developing plans to address findings identified in federal monitoring reports.
- Advising the state education agency in developing and implementing policies relating to the coordination of services for children with disabilities and on any other matters upon which the state superintendent wishes the Council's opinion.
- Commenting publicly on any rules proposed by DPI regarding the education of children with disabilities.
- Reviewing the findings of facts and decisions of hearings and appeals brought before the state superintendent.

## Council Meeting Schedule for 2022-2023

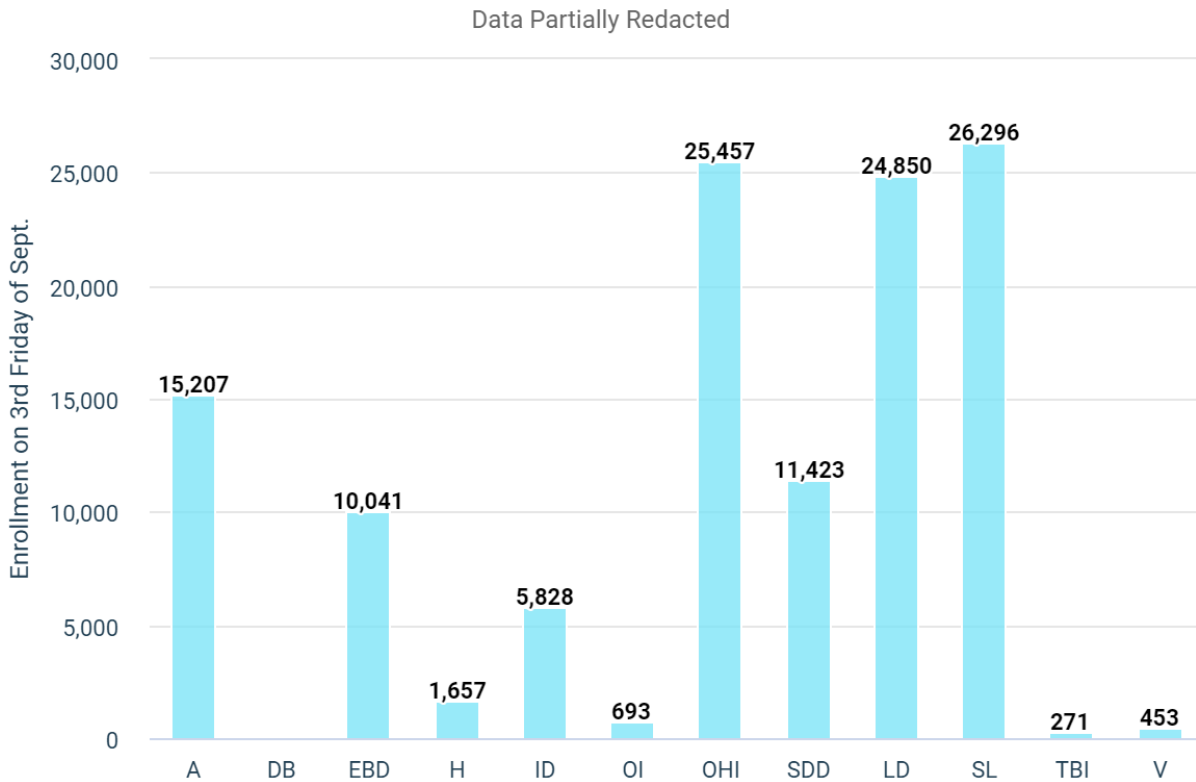
- Friday, September 23, 2022
- Wednesday, October 12, 2022 (Public Forum)
- Wednesday, November 16, 2022 (Special Meeting)
- Friday, December 2, 2022
- Friday, January 20, 2023 (Special Meeting)
- Monday, January 23, 2023 (Special Meeting)
- Friday, March 10, 2023
- Friday, June 23, 2023
- Friday, August 04, 2023

All meeting agendas and meeting notes may be found on the [DPI Special Education Special Education Council Agenda and Meeting webpage](#).

# State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

## Special Education Student Count 2022-2023

(cut and paste graph from [Public WISEdash](#) below – see example below)



## 2022-2023 Ongoing Council Agenda Items

### Updates from Wisconsin DPI Special Education Director

- The majority of updates related to current guidance and information relating to the COVID-19 public health emergency. Additional updates include updates from US Department of Education Office of Special Education Programs and Wisconsin DPI updates relating to new guidance, resources, and supports available to Wisconsin school districts and families.

### State Complaint Review

- For each council meeting, council members reviewed quarterly reports of state complaint filed with Wisconsin DPI. These reports are disaggregated by race and CESA region of the person filing the state complaint as well as a list of common complaint topics. Brief details of each complaint filed are also included in this report.

## State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

[Link to DPI IDEA State Complaint webpage](#)

### Complaints Received June 1, 2022 – June 1, 2023

Number of total complaints **received** during the year: **105**

#### Complaints filed by parent's identified ethnicity and race:

Hispanic/Latino: **7**  
 Not Hispanic/Latino: **63**  
 American Indian/Alaska Native: **3**  
 Asian: **1**  
 Black/African American: **16**  
 Native Hawaiian/Other Pacific Islander: **1**  
 White: **61**

#### Complaints filed by location:

CESA 01: 28	CESA 04: 3	CESA 07: 11	CESA 10: 1
CESA 02: 26	CESA 05: 5	CESA 08: 4	CESA 11: 6
CESA 03: 4	CESA 06: 10	CESA 09: 0	CESA 12: 7

Number of total complaint decisions **issued** the year: **64**

#### Complaint decisions by complainant's identified ethnicity and race:

Hispanic/Latino: **6**  
 Not Hispanic/Latino: **44**  
 American Indian/Alaska Native: **2**  
 Asian: **1**  
 Black/African American: **13**  
 Native Hawaiian/Other Pacific Islander: **0**  
 White: **41**

#### Complaint decisions by location:

CESA 01: 23	CESA 04: 3	CESA 07: 7	CESA 10: 1
CESA 02: 12	CESA 05: 2	CESA 08: 2	CESA 11: 5
CESA 03: 1	CESA 06: 7	CESA 09: 0	CESA 12: 1

## State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

### Complaint decisions involving:

IEP Implementation: 35  
 IEP Development: 30  
 Discipline: 12  
 Evaluation: 12  
 Placement: 9  
 Parent Communication: 7  
 Seclusion/Restraint: 7  
 Shortened School Day: 6  
 Transportation: 3  
 ESY: 3  
 Behavior: 2  
 Extracurricular Activities: 2  
 Additional Services: 1  
 Child Find: 1  
 Post-Transition Planning: 0

### Due Process Hearing Requests

Due Process Requests: 19  
 Due Process Decisions: 1

### Due Process Hearing Requests filed by parent's identified ethnicity and race:

Hispanic/Latino: 0  
 Not Hispanic/Latino: 9  
 American Indian/Alaska Native: 0  
 Asian: 1  
 Black/African American: 0  
 Native Hawaiian/Other Pacific Islander: 0  
 White: 9

### Due Process Hearing Requests filed by location:

CESA 01: 8	CESA 04: 2	CESA 07: 2	CESA 10: 0
CESA 02: 0	CESA 05: 0	CESA 08: 0	CESA 11: 1
CESA 03: 3	CESA 06: 2	CESA 09: 1	CESA 12: 0

# State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

## 2022-2023 Council Agenda Special Topics and Discussion

### September 2022 Special Reports

- Indicator 8 Family Engagement Survey Results
- Family Engagement and Navigating Special Education and IEP Processes
- Mental Health Supports and Resources

### December 2022 Special Reports

- Indicator 8 Family Engagement Survey Comments
- Debrief on Public Forum Listening Session
- Professional Development Recommendation
- Brief IEPs and Procedural Safeguards
- Messaging the Importance of Social and Emotional Learning

### March 2023 Special Reports

- Review Drafts of IEP at a Glance, IEP Video Scripts, and Procedural Safeguards in Plain Language
- APR Submission to Office of Special Education Programs
- Social and Emotional Learning
- Educational Environments and Students with Disabilities

### June 2023 Special Reports

- Seclusion and Restraint in Wisconsin Public Schools

### Special Meetings of Council

Council may request additional meetings for council to work on projects, continue discussion, or hold votes. The following special meeting topics were called.

- Wednesday, November 16, 2022 (Special meeting to further discuss draft professional development recommendation)
- Friday, January 20, 2023 (Special meeting to vote on final professional development recommendation)
- Monday, January 23, 2023 (Special meeting to review and update IEP at a Glance and video scripts)
- Friday, August 04, 2023 (Special meeting to provide additional recommendations for procedural safeguard revisions)

# State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report

## Response from Council Chairs and Summary of Wisconsin Council on Special Education Public Forum Held October 12, 2022

Greetings Wisconsin Council on Special Education Public Forum Participants,

The Wisconsin Council on Special Education thanks all who participated in the fall public forum or submitted comments online. More people participated in the forum than we've seen for several years. We are grateful for the thoughtful and, at times, heart-wrenching comments shared by you regarding your concerns, issues, and challenges in attempting to address the educational, behavioral, and mental health needs of your children and students.

Council met to discuss your comments in its December meeting and identified the following key themes:

- Enhanced professional learning for general and special education staff is needed to improve student learning
- Several parents expressed concern over IEP goals not being met
- More work is required to ensure a safe learning environment for all students
- Staff shortages are impacting educational access
- New approaches are needed to ensure discipline is restorative rather than punitive
- At times, there appears to be a conflict between the Least Restrictive Environment (LRE) and the need for specialized learning environments
- Too many students with disabilities experience seclusion and restraint
- Despite progress, mental health understanding/services and trauma-informed care remain a crucial need in Wisconsin schools
- Social & Emotional Learning (SEL) remains a significant need
- Special education continues to be critically underfunded

One parent related a positive experience regarding the services provided to her two children and the respect and information she received from her school district.

The role of the Council is to make recommendations to the State Superintendent regarding Special Education. At a recent Council meeting, we worked to address some of the concerns you voiced. In January, council voted and passed two recommendations for professional development. The first calls for teams of general education teachers, special education teachers, paraprofessionals, support staff, and administrators to participate in ongoing professional development at the building level, with data gathered and evaluated quarterly to determine implementation and the effect on student outcomes. The second recommendation directs DPI to explore ways to enhance general education staff's understanding of their responsibilities to provide supplementary aides and services and to increase their capacity to provide access to age and grade level standards in the regular education setting.



## **State Superintendent's Advisory Council on Special Education 2022-2023 Annual Report**

In response to some of the concerns regarding IEPs, council created a work group that met in January to develop an IEP at a glance template that outlines the main components of the IEP (e.g., accommodations, goals, etc.). While not replacing the full IEP, this outline will allow IEP team members to access the IEP “at a glance.” We also discussed short video ideas to enhance understanding of the IEP process for families at the workgroup meeting. Additionally,

DPI is researching different versions of the procedural safeguards provided to families explaining parental rights and options to potentially update the document to be more parent-friendly and use plain language. These resources will be shared in the March 2023 council meeting with full council. Members of the public are welcome to register for any council meetings by going to the Wisconsin DPI council on special education webpage.

Once again, thank you for taking the time to provide us with your insights and concerns.

Judy Conlin and Hugh Davis, Wisconsin Council on Special Education Co-Chairs