

COUNCIL ON SPECIAL EDUCATION
April 28, 2017
MINUTES

Department of Public Instruction, Room P041
(125 S. Webster Street, Madison; 608-266-1781)

Council members in attendance: Meredith Dressel, Maria Escalante, Sally Flashberger, Regena Floyd-Sambou, Pamela Foegen, Mackenzie Gabler, Jennifer Mims-Howell, Anna Moffitt, Sara Nerenhausen, Wendy Overturf, Lori Poppe, Lynette Stansfield, Amy Stevens, Tricia Thompson, Samantha Villagomez, Carla Witkowski.

DPI Staff in attendance: Carolyn Stanford Taylor, Barbara Van Haren, Patti Williams, Julia Hartwig, Christina Spector, Rita Fuller, Amy Owen, Mankah Mitchell, Jonas Zuckerman

10:00 – 3:00 pm

BUSINESS MEETING #313: Chair Anna Moffit called the meeting to order, it was seconded, and the meeting came to order.

1. **Public Appearances: None.**
2. **Minutes of Meeting #312:** The minutes were read by the group. Chair Moffit made a motion to approve the minutes and it was seconded.
3. **Correspondence/Chairperson's Report**
 - a. **Next Year's Open Forum:** Christina will send email out a link to who the RSN is in each CESA so they know how to contact the folks that will be organizing it.
 - b. **Andrew F. Case:** The Supreme Court unanimously ruled that the IDEA requires the student's benefit to be more than "de minimus." If students aren't making progress, IEP Teams must reconvene and update the IEP. Sally Flashberger asked about the applicability of the decision to complaint decisions and Patti Williams replied that we will and will continue to look at whether goals remain the same year after year. Complaints are a bit different than due process hearings because we don't receive testimony, but the case helps support our current analysis. Sara Nerenhausen also emphasized the need to look at assistive technology needs of the student in light of the decision.
 - c. **Elections for next year's officers:** We currently meet in July and we miss the opportunity to have new members participate. State statute requires elections on the first meeting of the next year (September meeting) and the Council was comfortable with that.
4. **Council Member Reports and Issues**
 - a. **Changes to Medicaid:** Sally Flashberger presented the "Medicaid Helps Schools Help Children" policy position paper from the Center on Budget and Policy Priorities (<http://www.cbpp.org/research/health/medicaid-helps-schools-help-children>). Sally proposed the Council members reach out to their Congressional representatives about the importance of Medicaid in schools.
 - b. Council members must add items they would like official Council action on in the agenda. To do this, they need to email the Council Chair and Rita Fuller at least three weeks prior to the meeting.
5. **IDEA Complaint Findings & Decisions and Due Process Hearing Findings & Decisions:** Findings and decisions were presented and the Council did not ask any questions.
6. **Department of Public Instruction Report: Information and Discussion**

- a. Director's Report
 - i. Staff Introductions: Barb introduced Mankah Mitchell, a new DPI Compliance Monitoring Consultant; Rita Fuller, the new Family Engagement Consultant who will be facilitating Council in the future; and Jessica Nichols, the new Autism/Emotional Behavioral/Mental Health Consultant. Jessica was unable to make the meeting and will be introduced in person at the July meeting.
 - ii. State & Federal Proposed Budget: Governor's Budget remains for an increase in per pupil special education funding and 1.5 million dollars for transition readiness grants. Tricia Thompson discussed her testimony in support of transition funds to support students with disabilities and Sally Flashberger described how there were a number of individuals testifying in support of increases in education funding (increased funding in for categorical aids and mental health), particular special education. All of the testimony is posted on Wisconsin Eye (<http://www.wisconsinnetwork.org/blog/budget>). Superintendent Evers has asked for increases in categorical aid for a number of years and there is a bill has been introduced seeking an increase in certain categorical aids, which would be the first increase in almost 10 years (Senate Bill 211). We are also monitoring the continuing resolution status in Washington. The discussions have caused us to delay the release of the allocation in IDEA funds.
- b. **ESSA Updates:** Jonas Zuckerman (Director, Title I Team) shared that the Wisconsin plan for the Every Student Succeeds Act (ESSA). ESSA is considered the general education side of federal education funding. ESSA is the latest version of the Elementary and Secondary Education Act (ESEA), which was most recently the No Child Left Behind Act (NCLB). ESSA information is available at <https://dpi.wi.gov/esea>. One of the requirements of ESSA is states have to write a state plan. Wisconsin engaged in a thorough outreach process to get public input including listening sessions, online forms, convened an Equity Council, which includes some of the same members as Council. Public draft 1.0 will be open for May and June for public comment, July will be for revision of the plan, and version 2.0 will be posted at the end of July/beginning of August. The Governor will have the month of August to review the plan, though he has already participated in the development of the plan. ESSA Plan is due to the U.S. Department of Education on September 18, 2017. It is essential that we complete the plan in order to ensure continued federal funding of education in Wisconsin. Jonas asked that Council members review the draft plan, provide feedback, and encourage others to do the same.
- c. **Present Indicator Data Submitted in the State Performance Plan (SPP)/Annual Performance Report (APR) in February:** Amy Owen and Patti Williams gave a background on the SPP, APR, and the State Systemic Improvement Plan (SSIP). The targets for compliance are a consistent level we are trying to maintain each year, and improvement indicators are about improving data. The graduation indicator (Indicator 1) is based on a 4 year regular diploma graduation cohort. Students who take more than 4 years to graduate are not counted as drop outs, but don't get counted in the indicator related to graduation. Keep in mind that we had a change in assessments related to Indicator 3 in 2013 (WKCE), 2014 (Badger), and 2015 (2015) and this data also includes the alternate assessment (Dynamic Learning Maps). DPI feels that Indicator 14 (Post High School Outcomes) is a highlight of this year's APR. We are currently in the clarifications period where we answer questions from the Department of Education and then they will make determinations. Indicators 9 and 10 is about the policies, practices, and procedures within the district. If there is identified noncompliance, we looked to see whether it is race based or includes racial patterns. We look at a variety of additional data to evaluate Indicator 9 and 10. There are six districts currently identified as "significantly disproportionate" but there are new regulations on that, and that number may increase as a result. If we have a decision to make on "significant disproportionality" we will solicit input from the Council.
- d. **State Professional Development Grant (SPDG) application/coaching update:** Debra Ahrens presented on the SPDG grant, which is part of IDEA to help states take what works in research, put it into practice in small scale, and then scale it up. The new project is called collaborative communities. Our innovation is inclusive, learner-centered environments (ILCE). The grant application is also to support the development of a statewide coaching system (internal and external). Though the law was signed in July 2014, the portions pertaining to school services

went into effect on July 22, 2106.

7. Special Reports

- a. **WIOA overview, best practices for collaboration, Post-Secondary Transition Plan (PTP)/Transition App Demo:** Nancy Molfenter and Meredith Dressel presented on the Workforce Innovation and Opportunity Act (WIOA). There are a number of pre-employment transition services that need to be provided by the Department of Vocational Rehabilitation (DVR) and local education agencies (LEAs). Continue to use the Transition Action Guide as a tool to cost share needed services (it is in the process of being updated). Section 511 tells schools that they cannot contract with providers for the purposes of purchasing transition services that include training in subminimum wage employment. There have been rumors that students have to have a certain number of “failed” employment opportunities, they can go to subminimum wage positions and that isn’t true. There are a number of school transition best practices we recommend. Nancy also demonstrated the PTP demo website (purpose is for information/education of parents, students, and other support folks prior to an IEP meeting to save as a PDF for yourself or print to give out to someone) and the Transition App. There have been some problems with school districts sharing the PTP information with students and families. Nancy encouraged parents and families to use the Transition App to bring with them to IEP team meetings.
- b. **Essential elements, alternate assessment, alternate diploma under ESSA, ESSA’s 1% rule, and input on draft definition of “Students with the Most Significant Cognitive Disabilities”:** Molly Bever and Kristen Burton (Office of Student Assessment) presented on the alternate academic achievement standards. In Wisconsin, we call them the Essential Elements (EE). The Wisconsin essential elements are aligned to the Dynamic Learning Maps (DLM) and linked to college and career readiness grade level expectations at each grade level. The essential elements are not replacements for state standards, IEP goals/benchmarks, downward extensions, or statement of functional skills. ESSA includes a cap at the state level that only 1% of students in a given grade, by assessment, can take the alternate assessment aligned with alternate achievement standards. If the state exceeds the 1%, we need to apply to the federal government for a waiver one year only with a number of additional assurances. The waiver must be submitted prior to the testing window (early winter- late fall) which means we’ll need to know who will be taking the alternate assessment at the beginning of the school year. Wisconsin is also required to provide “appropriate oversight” of districts that exceed the 1%, require an LEA justification, ensure parents are clearly informed, and make the information publically available. They also shared the draft definition of students with the most significant cognitive disabilities and asked for feedback.

8. **Unfinished Business:** None.

9. New Business:

- a. Please encourage nominations for next year’s Council.
- b. During the July meeting, we will thank the outgoing members, co-teaching work, discuss procedural compliance self-assessment. No other agenda items suggested at this time.
- c. **Any other special report requests?**
 - i. Presentation from assessment team about Dynamic Learning Maps and other alternative assessments that may be used?

10. Announcements

- a. Next meeting date: Friday, July 21, 2017, 10:00 am-3:00 pm, Department of Public Instruction, Room P041, 125 S. Webster Street, Madison; 608-266-1781
- b. Revised 2017-18 school year meeting calendar distributed. Open forum date chosen and time slightly adjusted to 5-6:30.
- c. Save the date:
 - i. First meeting date of 2017-18 School Year: Friday, September 22, 2017
 - ii. Remote Listening Session: Wednesday, October 11, 2017, 5-6:30
 - iii. State Superintendent’s Conference on Special Education & Pupil Services Leadership Issues, October 17-18, 2017 – Wilderness Resort, Wisconsin Dells
- d. The Endless Possibilities Conference is coming up, Christina will send the link via email. (<https://tinyurl.com/EP2017>)

11. **Public Appearances:** None.

12. Adjournment: Chair Moffit proposed adjourning the meeting, it was seconded, and the meeting ended at 3 pm.