

DRAFT
Special Education Advisory Committee
(SEAC) Annual Report for Fiscal Year 2021
July 1, 2020 – June 30, 2021

*Prepared by the Nevada Department of Education for
Submission to the Nevada State Board of Education*

INTRODUCTION

The Nevada Special Education Advisory Committee (SEAC) has played an active role in the state's continuous improvement and focused monitoring efforts. In order to help the state with these ongoing efforts to increase results for children and youth with disabilities, carryout the activities in the State Performance Plan (SPP), and the State Systemic Improvement Plan (SSIP) this important stakeholder Committee serves as:

1. An advisory group to the Nevada Department of Education (NDE) and the State Board of Education (SBE) relative to decisions that may affect special education.
2. A vehicle for disseminating information about federal and State regulations to the constituencies represented by the Committee.
3. An entity to provide support for policies and procedures that are initiated and/or implemented by the NDE and the SBE.

In order to serve these functions, the SEAC operates within the duties that are delineated at 34 CFR §300.169 of the Individuals with Disabilities Education Act (IDEA):

The advisory panel must--

- (i) Advise the State educational agency of unmet needs within the State in the education of children with disabilities;*
- (ii) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;*
- (iii) Advise the State educational agency in developing evaluations and reporting on data to the Secretary under section 618;*
- (iv) Advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the act; and;*
- (v) Advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.*

The SEAC is comprised of a broad representation of individuals with knowledge and expertise in meeting the needs of children and youth with disabilities. The SBE makes appointments to the Committee, with each member serving a three-year term. At their first meeting of the 2020-2021 fiscal year, the SEAC elected MaryAnn Demchak to serve as Chair for this term, and Mathew Montgomery to serve as Vice-chair. Additional members for this fiscal year and the roles they represent are listed on the next page.

REGULAR MEMBERS

<i>Josh Baker</i>	<i>Universities - South</i>
<i>Brian Brill</i>	<i>Parents of Children with Disabilities</i>
<i>Ivy Burns</i>	<i>Special Education Administrators - South</i>
<i>Diana Cannon</i>	<i>Parents of Children with Disabilities</i>
<i>Marva Clevon</i>	<i>Special Education Administrators – Rural</i>
<i>Mariana Delgiudice</i>	<i>Special Education Teachers- Rural</i>
<i>MaryAnn Demchak</i>	<i>Universities - North</i>
<i>Jessica Dunn</i>	<i>Parents of Children with Disabilities</i>
<i>Penni Echols</i>	<i>Parents of Children with Disabilities</i>
<i>Candace Emerson</i>	<i>Parents of Children with Disabilities</i>
<i>Connor Fogal</i>	<i>Individuals with Disabilities</i>
<i>Danielle Fredenburg</i>	<i>Parents of Children with Disabilities</i>
<i>Shirley Gaw</i>	<i>Parents of Children with Disabilities</i>
<i>Roy Harvey</i>	<i>Parents of Children with Disabilities</i>
<i>Sara Jorgensen</i>	<i>Charter Schools</i>
<i>Kati Layosa</i>	<i>Parents of Children with Disabilities</i>
<i>Ellen Marquez</i>	<i>Parents of Children with Disabilities</i>
<i>Travis Mills</i>	<i>Individuals with Disabilities</i>
<i>Mathew Montgomery</i>	<i>Parents of Children with Disabilities</i>
<i>Diana Padua</i>	<i>State Juvenile/Adult Corrections</i>
<i>Melina Proffitt</i>	<i>Special Education Teachers- South</i>
<i>Jodee Prudente</i>	<i>Special Education Teachers - North</i>
<i>Ellen Richardson Adams</i>	<i>Parents of Children with Disabilities</i>
<i>Jesse Rojas-Espinoza</i>	<i>Individuals with Disabilities</i>
<i>Lisa Rosas</i>	<i>Parents of Children with Disabilities</i>
<i>Karen Taycher</i>	<i>OSEP Funded State Parent Training Center</i>
<i>Aliceandrea Untalan</i>	<i>Parents of Children with Disabilities</i>
<i>Jennifer Van Tress</i>	<i>Special Education Administrators- North</i>
<i>Rosalie Woods</i>	<i>Parents of Children with Disabilities</i>

INCLUSIVE EDUCATION STAFF TO THE SEAC

<i>Will Jensen</i>	<i>Director, Office of Inclusive Education</i>
<i>Kim Boles</i>	<i>Secretary to the Advisory Committee</i>
<i>Jessica Boles</i>	<i>Secretary to the Advisory Committee</i>

2020-2021 MEETINGS

During the 2020-2021 fiscal year, the SEAC met on October 14, 2020 (meeting #1); December 9, 2020 (meeting #2); February 11, 2021 (meeting #3); and April 8, 2021 (meeting #4). Due to the COVID-19 pandemic, the meetings were conducted via Zoom.

ACCOMPLISHMENTS

In keeping with their prescribed duties, the SEAC discussed many issues and generated a number of actions during the 2020-2021 fiscal year. Following is a summary of the activities of the Committee relative to each of these federally conferred duties:

1. ***ADVISE THE STATE EDUCATIONAL AGENCY OF UNMET NEEDS WITHIN THE STATE IN THE EDUCATION OF CHILDREN WITH DISABILITIES.***

Activity

A. Special Education Advisory Committee (SEAC)

1. NEW COMMITTEE MEMBERS – OVERVIEW OF ROLE OF SPECIAL EDUCATION ADVISORY MEMBERS (MEETING #1)

The Special Education Director from the Nevada Department of Education provided information about the roles and responsibilities of the SEAC members. Discussion ensued:

- SEAC consists of members appointed by the Governor or any other official authorized under State law to make appointments.
- Majority of the members must be individuals with disabilities or parents of children with disabilities.
- Members must serve 3 years.
- Members are Representatives, Parents, Individuals, Teachers, Administrators, State Representatives, Higher Education,
- Purpose of SEAC- an advisory committee that provides guidance on policies, procedures, regulations. For Special education and related services for children and youth with disabilities. Ages 3-21.
- SEAC Function:
 - 1. Advise the SEA of unmet needs within the State in the education of children with disabilities
 - 2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities.
 - 3. Advise the State in developing evaluations and reporting on data to the Secretary under Section 618 of the Act.
 - 4. Advise the State in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act.
 - 5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities.
 - 6. The SEA, after deleting personally identifiable information must provide the SEAC with the Due Process Hearing decisions and make decisions available to the public.
- Meeting Process:
 - One chair and one vice chair-
 - Elected annually from the membership

- Chair runs meeting in collaboration with NDE.
- Agenda developed by NDE and Chair.
- Follow Robert's Rule of Order
 - Conduct of meetings (motions, turn-taking, etc.)
- Adhere to Open Meeting Law
 - Agenda posted, visitors welcome
 - Standing agenda items for committee and visitor input

B. Initiatives/ Programs

1. SB203 INFORMATION (MEETING #2)

Draft document on Language Development for children who are Deaf, Hard of Hearing, Blind or Visually Impaired was provided. Possible action included a recommendation for submission to the State Board of Education. Discussion ensued:

- 3 responsibilities outlined in the bill.
 - Responsibility 1: Review and make recommendations relative to evaluation criteria and existing tools and/or assessments for parents or guardians to use to evaluate the development of language and literacy skills of children who are less than 6 years of age who are deaf, hard of hearing, blind or visually impaired, including, without limitation, children who are both deaf and blind, who communicate using primarily spoken or written English, with or without the use of visual supplements, or American Sign Language; or read using braille.
 - Responsibility 2: Determine how often the tools and/or assessments reviewed should be used for children who are less than 6 years of age who are deaf, hard of hearing, blind or visually impaired, including, without limitation, children who are both deaf and blind, who communicate using primarily spoken or written English, with or without the use of visual supplements, or American Sign Language; or read using braille.
 - Responsibility 3: Identify expressive and receptive language and literacy skills for children who have typical development, including, without limitation, children who do not have a disability, and according to the age of the child.
- Asked SEAC to approve the document to follow the next step to get it approved by the State Board of Education.
- Members, Parents, deaf individuals, experts in deaf education and experts in educating children with visual differences.
- Relied a lot on other states examples, only state who included deaf blind as well as visually impaired. California, Oregon, and Louisiana, that had comprehensive work already done on this topic.

- Main purpose of SB203 is to take the document and present to the State Board of Education then they are going to create a resource for parents and professionals as well as data tracking.
- SB203 called for committee work with special education stakeholders. Took it through the SEAC with permission. Pandemic happened and was delayed.
- After SEAC approves this, it goes to the State Board of Education meeting on Jan 28th. Present it and see what is recommended and that will inform the next steps.
- Depending on what the State Board decides, it is possible to go into NAC or into guidance.

Motion: The committee moved to approve the SB203 document without change for submission to the State Board of Education.

2. SB203 UPDATE (MEETING #3)

The committee received an update of activity from the SB203 subcommittee regarding the Board meeting. Discussion ensued:

- Last time presented the document of language and literacy milestones. Approved by the SEAC
- Next step met with the State Board at the end of January and pulled out portion that was applicable and need for approval.
- Report that the Board was impressed and approved all 6 recommendations so the next steps can take place.
- SB203 subcommittee members will need to meet to provide feedback and suggestions for the future parts.
- SB203 committee created a report, hard fought word for word. Solid representation for the committee. How it will interact with the rest of the Bill. For the board only had the part of the report that has to deal with the parent component. Board members asked about the rest of the components. Now the 6 recommendations were approved, now moving on other elements of the work regarding regulations. Regulations will be based on the SB203 report and the regulatory process, multiple workshops and public hearing.
- NDE is responsible for training, parents, teachers, school and other agencies.
- Write a manual about how all of this works. Written in language that everyone can grasp. More interested on access than on shininess.
- All these activities need to be completed in the next coming school year.

C. Pandemic

1. ALTERNATIVE LEARNING PLANS DURING THE PANDEMIC (MEETING #2)

The director of the Office of Inclusive Education at the Nevada Department of Education provided information on alternative learning plans during the pandemic for students with disabilities. Discussion ensued:

- The Department has been looking at some student alternative learning plans. Looking at documents associated with those plans and information sent to parents. Working with LEAs in schools to correct some that were not in accordance with IDEA.
- How the FAPE is delivered during this pandemic, not changing it.
- Alternative learning plans are not a bad thing as long as everything is in order.
- Alternative plans do not replace the IEP. FAPE is still in place and FAPE is found in the IEP. Should not be changing minutes, adding or removing services.
- Recommendation that this information is shared at SEDA. Correct use and inform February SEDA meeting.

Motion: The committee passed a motion for the Department to share the Alternative Learning Plan information at the February Special Education Directors Association Meeting.

2. EDUCATIONAL OPTIONS IN NEVADA DURING THE DECLARATION OF EMERGENCY (MEETING #2)

The committee received an update regarding educational options in Nevada during the worldwide pandemic. Possible Action may include a recommendation to the Department of Education. Discussion ensued:

- COVID-19 and Students with Disabilities Document. All of these can be found on the Department website.
- Schools were asked to submit plans over the summer for the opening of school. Could include 3 different types of instruction: face to face, total distance, or a hybrid model.
- Governor allowed school districts to make the choice, based on parent and staff choice.
- Students with disabilities or health issues where the general order of emergency didn't cover. School districts were allowed to ask for accommodations.
- COVID-19 and Students with Disabilities document was sent out. Contains most common questions that came up. This is guidance and not always binding.

- Questions:
 - Question 1: Is the requirement to provide FAPE to students with disabilities waived as a result of the prolonged impact of COVID-19?
 - Question 2: Does the circumstance of COVID-19 change the definition of a FAPE for an individual student?
 - Question 3: What is the relationship between a student's IEP and a school's plan to implement the student's IEP during the pandemic, such as COVID-19 distance learning plan?
 - Question 4: Can a LEA require parents of a student with a disability to waive rights under the IDEA or NRS/NAC Chapter 388 as a condition to receive special education or related services?
 - Question 5: Are the evaluation, reevaluation and IEP timelines under the IDEA and NAC, Chapter 388, still in effect during this pandemic?
 - Question 6: What is the role of data collection, progress monitoring, and reporting for each student with a disability during the implementation of alternative delivery plans?
 - Question 7: If chronic absenteeism or removal of the student from school by the parent causes a student to repeatedly miss the instruction or services made available to the student in accordance with student's IEP, what obligation does the LEA have with regard to providing the student a FAPE?
 - Question 8: Given the alternative delivery of some or all of a student with a disability's IEP services during this pandemic was caused by an unprecedented national emergency beyond the control of the LEA, does the LEA still have to address the student's resultant loss of skills/regression and/or the failure to progress?
 - Question 9: What flexibilities are available to a LEA during this pandemic with regard to obtaining parental consent and the issuance of Prior Written Notices and Procedural Safeguard Notices?
 - Question 10: How can parents and LEAs resolve a disagreement regarding the provision of a FAPE to a student with a disability during this pandemic and/or the appropriate remedy?
 - Question 11: During the closure of, or restricted access to, public buildings and facilities and health/safety orders and concerns in the State of Nevada during the pandemic, is it permissible to use alternative means, such as video conferencing, to conduct resolution meetings, mediations, and due process hearings?

3. COMPENSATORY EDUCATION (MEETING #2)

The committee will receive information regarding compensatory education options in Nevada. Possible Action may include a recommendation to the Department of Education. Discussion ensued:

- Each district needs to decide how they want to handle compensatory education.
- The Department shares the information with the directors, and they take that information and make a decision.
- Reference back to Question-and-Answer Document in the Data and Factors and IEP Team May Want to Consider. The 7 questions are going to be foundational, especially question 4.
 - 1. What instruction and services in the student's IEP in effect at the time of disruption were offered and delivered during the disruption to the student's in-person instruction at school, including consideration of the specific nature of the instruction/service, such as the amount, required frequency, delivery model, and involvement with students without a disability etc;
 - 2. The student's progress toward meeting the annual goals prior to the disruption; during the disruption; and after the determined reasonable recoupment period;
 - 3. The student's present levels of academic achievement and functional performance, including behavior, prior to the disruption and after the determined reasonable recoupment period;
 - 4. The student's ability to access and engage in the instruction and services provided through the alternative delivery system during the disruption;
 - 5. Information from the student's parent;
 - 6. The results of any assessments conducted; and
 - 7. The student's anticipated needs.
- With situations you need to go back to district for how to respond to, talk to principle and teachers.
- All students with disabilities have the right to compensatory education remedy.

Motion: The committee passed a motion that Office of Inclusive Education provide advisement to each district include forethought on compensatory education and a development of a plan, thereto.

D. Grants

1. STATE PERSONNEL DEVELOPMENT GRANT (SPDG) PROJECT (MEETING #3)

The committee received an update on information from the Office of Inclusive Education on two projects funded by the SPDG grant: Project Achieve and Assess Plan Teach (APT). Discussion ensued:

- The State Personnel Development program provides grants to help state educational agencies reform and improve their systems for personnel preparation and professional development of individuals providing early intervention, educational, and transition services to improve results for children with disabilities.
- In 2015 Nevada was awarded the grant for 3.75 million dollars this SPDG ended in September 2020.
- Goals:
 1. To increase the academic performance of students with IEPs who are in the general education classroom at least 80% of the day, through Instructional Consultation, Assessment, and Teaming, using embedded professional development strategies.
 2. The NDE will support improved performance of third grade students with disabilities on statewide assessments of reading/language arts through building to strengthen the skills of special education teachers in assessment, instructional planning and teaching.
- Grant Objectives:
 1. Select school districts and PD providers with the capacity and expectations necessary to implement ICAT/APT
 2. Enhance the capacity of district school personnel to implement, replicate, and sustain ICAT/APT through evidence-based training strategies
 3. Enhance the capacity of district personnel to implement, replicate, and sustain ICAT/APT through evidence-based coaching strategies
 4. Increase the use of implementation, intervention, and outcome data to support decision making related to ICAT/APT at the school, district and state level
 5. Ensure administrators were trained to support their staff to develop and sustain ICAT/APT
- Instructional Consultation Assessment and Teaming (ICAT): A way for schools to organize and deliver services to support students and teachers. By restructuring and refocusing resources, students achieve academic and behavioral success within the general education environment; teachers assume the primary role of planning and accounting for student performance, and schools allocate resources through accountable decision-making procedures.
- District Participation- Objective 1.1: To select school and professional learning providers with the capacity and expectations necessary to implement ICAT.

- ICAT Implementation- Objective 2: To enhance the capacity of district and school personnel to implement, replicate, and sustain ICAT through evidence-based training strategies.
- Coaching- Objective 3: To enhance the capacity of district and school personnel to implement, replicate, and sustain ICAT through evidence-based coaching strategies.
- Data Based Decisions- Objective 4: To increase the use of implementation, intervention, and outcome data to support decision making related to ICAT at the school, LEA, and state level.
- Administrative Support- Objective 5: To ensure administrators are trained to support their staff and initiatives to develop and sustain ICAT.
- ICAT Success: Met or exceeded 8/11 performance measures. Growth of ICAT to 1 new district. Expansion of schools across districts. Increase of cases requested. Growth in ICAT trainers across districts. Sustainment of 80% or higher LOI ratings. Increased participation and capacity of district leadership in sustaining ICAT Process. Continued development of professional learning opportunities to support growth.
- Assess Plan Teach (APT): The APT model incorporates a structured, data-based consultation model and training on research-based, explicit, systematic instruction and lesson plan development for literacy.
- School and Staff Selection: To select school and professional learning providers with the capacity and expectations necessary to implement APT.
- APT Implementation- Objective 2: To enhance the capacity of district and school personnel to implement, replicate, and sustain ICAT through evidence-based training strategies.
- APT Success: Met or exceed 9/10 Performance measures. Exceed Goal of 25 schools. Increase in student performance. Increase in teacher confidence and retention. Established a solid foothold in district with a reputation for success.
- Coaching: To enhance the capacity of district and school personnel to implement, replicate, and sustain APT through evidence-based coaching strategies.
- Data Based Decisions- Objective 4: To increase the use of implementation, intervention, and outcome data to support decision making related to APT at the school, LEA, and state level.
- Administrative Support- Objective 5: To ensure administrators are trained to support their staff and initiatives to develop and sustain APT.
- COVID-19 Impact: Both continued to provide student level intervention. Professional learning was shifted from in person to synchronous and asynchronous opportunities. Coaching continued using virtual platforms. Leadership teams reviewed data sources and re-established expectations so that data continued to be collected.
- Moving Forward: Aug 2020: ICAT & APT continued their work in districts to complete the grant cycle in Sept 2020. NDE submitted a proposal for a new SPDG Award 2020-2025. Sept 2020- NDE was

awarded SPDG Grant total of 3.7 million over the next 5 years with APT and Project Achieve as primary projects.

2. STATE PERSONNEL DEVELOPMENT GRANT (SPDG) PROJECT (MEETING #4)

The committee received an update on information on two projects funded by the SPDG grant. Discussion ensued:

- SPDG 2020- to increase the percentage of Nevada’s third grade students with disabilities who score proficient on the statewide reading assessment (Assess, Plan, Teach). To increase the percentage of students with significant cognitive disabilities (SCD) who score proficient on the reading, math, and science parts of the Nevada Alternate Assessment (Project Achieve).
- APT 2020 Overview
 - To continue partnership with CCSD, NVPEP, and NDE
 - To increase the percentage of Nevada’s third grade students with disabilities who score proficient on the statewide reading assessment
 - To maintain APT in the current 25 schools and expand to 20 new schools
 - To provide special and general education teachers opportunities to engage in professional learning that increase their capacity to teach literacy
 - To provide high quality coaching to teachers to help them feel confident and to demonstrate consistency in the use of the intervention
 - To provide professional learning opportunities and support to school administrators to effectively implement APT in their schools
 - To collaborate with NCPEP at the school and district level to promote awareness and understanding of APT as well as Literacy at home
- Consistency of Intervention
 - APT Leadership Team- expanding members
 - Data collection process-review of access in current situation
 - Professional Learning Opportunities- opportunities for synchronous and asynchronous learning (Core Reading Academy and supplemental)
 - Access to Coaching- use of virtual platforms to assist while in digital learning and beyond
 - Access to materials and curriculum to assist in digital learning environments
- Project Expansion
 - Establishing district criteria for selection of (20) new schools

- Development of marketing materials to entice schools to apply for participation and help with NVPEP family engagement
- Development of application process to select schools that are committed and ready for implementation
- Provide the Core Learning Reading Academy to 5-7 teachers in 20 new schools summer 2021
- Provide instructional materials and curriculum to new teachers and schools to begin implementation fall 2021
- Showed Video of Celebrate the Success
- Project Achieve-
- Funded through a State Personnel Development Grant from the Office of Special Education Programs
- Targets the instruction and academic progress of elementary students with significant cognitive disabilities (SCD)
- Focuses on ELA, math, and science content
- High priority on effective instruction in inclusive general education settings
- Data shown for grades 3-5, NAA proficiency results and how they compare to the state in Reading and Math
- Data shown for Nevada Inclusion Rates and Carson City Inclusion Rates ages 6-21
- Nevada LRE Data vs. National Avg. Intellectual Disability (ID)- data reflects Part B students 6-21 years of age
- Nevada struggling to include this population in general education is also driving down the national average.
- Implementing School Sites: Brodewich Bray Elementary & Fremont Elementary
- Project Scope
 1. Selected Sites- Carson City School District
 - a. Bordewich Bray Elementary School- Autism programs located at this site
 - b. Fremont Elementary School- Life Skills programs located at this site
 2. Train program director, coach(es), on evidence-based coaching strategies
 3. Training on Attainment Curriculum- ELA, Mathematics, and Science (To include training on Evidence-Based Practices)
 - a. Train program director and coach(es)
 - b. Train site-based staff (administrators, teachers, related service providers, and paraprofessionals)
 4. Training on embedded instructional practices- promote inclusion of students with significant disabilities
 - a. Train program director and coach(es)
 - b. Train site-based staff (administrators, teachers, related service providers, and paraprofessionals)
 5. Responsive training; based on need. May include....

- a. Behavioral interventions in inclusive settings
 - b. General education instructional material modifications
 - c. Additional evidence-based instructional practices
 - d. Co-teaching/collaboration methods/practices
6. Develop and implement a digital platform for data collection and data-based decision making
 - a. Train program director and coach(es)
 - b. Train site-based staff (administrators, teachers, related service providers, and paraprofessionals)
 7. Crosswalk the Autism and Low Incidence Classroom Tool (ALCOT) with the Nevada Educator Performance Framework
 8. Implement use of the ALCOT as a tool for program and staff evaluation in alignment with the NEPF
 - a. Train program director and coach(es)
 - b. Train site-based staff (administrators, teachers, related service providers, and paraprofessionals)
 9. Ongoing Coaching
 - a. Curriculum implementation
 - b. Evidence-based instructional strategies
 - c. Data collection and data-based decision making
 - d. Responsive trainings, as necessary
 10. Development of a Virtual Training Platform
- Training and Material Development Partners
 - Dr. Pamela J. Mims, Associate Professor and Associate Dean of Research and Grants
 - Dr. Bree Jimenez, Associate Professor of Special Education
 - Dr. Josh Baker, Associate Professor of Special Education
 - Dr. Robert Pennington, Lake & Edward J. Snyder, Jr., Distinguished Professor in Special Education
 - Attainment Company Trainers
 - Funding Provides
 - Project Coordinator Position
 - Coaching Position
 - Training/Consultation from Foremost Experts in Special Education
 - Curriculum and Instructional Materials
 - Substitute Pay
 - Creation of a Data Collection and Data Based Decision-Making Digital Platform
 - Goals of the Project
 - Increase the proficiency rates of students with SCD on the Nevada Alternate Assessment
 - Increase the inclusion rates of students with SCD in the general education setting
 - Increase the evidence-based instructional competencies of special and general educators and staff teaching students with SCD

- Increase student access to quality curriculum and instructional materials modified to meet the unique learning needs of students with SCD
- Increase the capacity of special and general educators and staff in using data-based decision making to develop student learning goals and IEPs
- Increase the capacity of school administrative staff in evaluating teachers, staff, and programs that serve students with SCD
- Coaching/Project Evaluation
 - Ongoing coaching and evaluation is critical to the success of the project
 - A full-time coach is funded to provide ongoing support and to collect data for the project
 - All components of the implementation will be evaluated for effectiveness/efficacy
- PTI
 - Kate McLeod will represent NV PEP on the project
 - Work will include parents and families throughout
- Project Expansion
 - In year 3, project will recruit 1 to 3 other Nevada school districts for implementation

E. Extended School Year (ESY) Federal Law (MEETING #4)

The committee received information on extended school year (ESY) federal law. Discussion ensued:

- The term ESY services means special education and related services that:
 - Are provided to a child with a disability:
 - Beyond the normal school year of the public agency;
 - In accordance with the child's IEP; and
 - At no cost to the parents of the child; and
 - Meet the standards of the state educational agency
- A district must provide ESY services when a child's IEP team determines on an individual basis that the services are necessary for the provision of FAPE to the child. 34 CFR 300.106 (a)(2).
- In implementing the requirements of this section, a public agency may not:
 - Limit extended school year services to particular categories of disability; or
 - Unilaterally limit the type, amount, or duration of those services.
- Neither the IDEA nor Section 504 establishes a standard for determining a student's need for ESY services
- When the IEP team develops the IEP at a different time from the time that it determines the extent of the ESY services, the district does not commit a

procedural violation. The IDEA does not mandate that the ESY determination be made at a specific time.

2. ***COMMENT PUBLICLY ON ANY RULES OR REGULATIONS PROPOSED BY THE STATE REGARDING THE EDUCATION OF CHILDREN WITH DISABILITIES.***

Activity

A. Legislative Orientation (Meeting #3)

The director of the Office of Inclusive Education at the Nevada Department of Education provided an orientation on the Nevada Electronic Legislative Information System (NELIS). Discussion ensued:

- Instructions will be sent out after the meeting so committee members can create their own NELIS account.
- Bill draft requests- every school district gets one and the department gets a few. But they have to be picked up by Legislators.
- Sometimes Bills come that are troubling to us and they get killed with silence, revisions happen, agreements being meet.
- Assembly and a Senate- two house system. Each household committees. Assembly Bill- AB, Senate Bill- SB. Once approved it has to go to the other side to be moved forward. And then to the floor for a full vote.
- Some of the education bills might hold fiscal impact, important to set up parameters and values for what you want to see.
- Open to revisions, by simply having a conversation with the legislator(s).
- Steps to create a NELIS Account:
 - Go to the State Legislature Website: <https://www.leg.state.nv.us/>
 - Or go directly to NELIS Website (add to bookmarks): <https://www.leg.state.nv.us/App/NELIS/REL/81st2021>
 - Register for a NELIS Account
 - Once you have an account you can filter for the types of bills you want information about
- Be able to track Bill revisions when happening in NELIS.
- Also, it will be able to build our capacity as a SEAC in order for the committee to come back with Bills they want information on.

B. Legislative Updates (Meeting #3)

The director of the Office of Inclusive Education at the Nevada Department of Education provided an update on information of special education bills being brought forward at the Legislative Session. Possible Action may include a letter of support or opposition to a bill. Discussion ensued:

- Information on 5 Bills today: SB36, SB91, SB102, AB67
- Senate Bill 36- Bill the Department of Education sent to the Governor and was picked up. An ACT related to education; requiring a development committee for a school district or charter school that develops a plan for responding to a crisis, emergency, or suicide to include at least one

representative of the county or district board of health; requiring the Department of Education to include information regarding an epidemic in its model plan for the management of crises, emergencies, and suicides; and providing other matters properly relating thereto.

- Penni recommended this Bill to be talked about. It caught her eye; it is asking for emergency/crisis teams to consider epidemics and that it doesn't include representation of special education or disability access and rights. We should ask for that to be included. The population represented is vulnerable to crisis and epidemics.
- Senate Bill 91- An ACT relating to education; requiring the State Board of Education to select at least two college and career readiness assessments for administration to pupils enrolled in grade 11 in public high schools; and providing other matters properly relating thereto.
 - Flagged for SEAC because it has a good chance of going through because it represents flexibility for students. Making sure they keep language in there about students participating in the Nevada alternate assessment may or may not take this. Not a condition of graduation.
- Senate Bill 102- An ACT relating to education; changing the date by which a child must be at least a certain age to be admitted to certain grades of school; and providing other matters properly relating thereto.
 - Questions/Concerns around Bill- Aging out of PreK services? Disconnect in services? What is the intent of this Bill, what is it hoping to solve? This creates more time that our kids won't be getting any education, more behind, delayed in getting school. Will we be increasing PreK opportunities in the state?
- Assembly Bill 67- An ACT relating to education; revising provisions relating to the suspension, expulsion or permanent expulsion of a pupil from a public school, charter school or university school for profoundly gifted pupils in certain circumstances; providing that certain hearings and proceedings relating to suspending, expelling or permanently expelling a pupil are not subject to the Open Meeting Law; and providing other matters properly relating thereto.
 - Behalf of the DOE, language could have significant impact if not revised. AB168 issues of disciplining students, result the department had to write guidance, this is a clean-up, Bill.
 - Suspension vs expulsion vs permanent expulsion. Simply defined these disciplinary actions. Suspension- discipline area of removal up to one school day but less than one semester. Expulsion- disciplinary area of removal with possibility to return. Permanent expulsion- disciplinary area of removal with no possibility to return to any school in the district.
 - Clarifies when a designee may fulfill the decision making of certain disciplinary events on behalf of the board.

- Clarifies that only suspensions of 3 or more days can be used to determine whether or not a student has a record of habitual disciplinary problems.
- Clarifies that a range of disciplinary options are available now that some of the mandatory has been removed.
- Clarifies that any student removed from 1 semester or more must seek educational services.
- Clarifies allows for exceptions to open meeting law when a school board of trustees are required or considering discipline of an individual student.
- Want to look at is the limitations that it puts on removal of young children from Nevada schools.

Motion: The committee passed a motion that the SEAC committee write a letter to the Superintendent of Public Instruction for the State of Nevada, to support the Special Education representation on said committee for SB36.

C. Letter of Support for Special Education Representation (Meeting #4)

- Linked to Senate Bill 36, drafted a letter that got sent directly to the State Superintendent.
- Deputy Superintendent Moore met with Will about a response from the Superintendent, each district can determine who they would like to supply for that role.

D. Legislative Subcommittee Update (Meeting #4)

The committee received an update of activity from the Legislative Subcommittee regarding bills in the Legislative Session. Discussion ensued:

- We have had two subcommittee meetings regarding the Legislative session: March 18 and March 30.
- Bills usually tend to calm down overtime.
- Tomorrow is a big day, have to get out to committee by midnight tomorrow.
- SB179
 - This Bill does have effect on Education but was heard in labor and commerce. Has passed the Senate side of labor and commerce.
 - Progressive in nature, raises the bar in an attainable way for sign language interpreters in educational settings.
 - The language in the bill doesn't really identify school districts.
 - Push back on the bill is that the ASD has giving them permission to regulate sign language interpreting in addition to those set forth in statute. No place for the districts to put a fiscal note, no transparency. Hasn't been referred to education or finance.
 - Proposed solution is to allow legislator to define these in statue.

- No mention of interveners which is helpful for hearing and visual impairments.
- Districts are adding unsolicited fiscal notes to the bill now.
- No one has testified in opposition against this bill. Just needs to be a little bit more transparent.
- SB169
 - In order to stay alive, it needs to go through a work
 - Bill that makes trauma a special education category and extended the definition of trauma to include being subject to racism and other protected class violations at some point.
 - Not gaining a lot of traction, people were wanting to amend the language.
 - The need is needed to be addressed in the bill is a need that Nevada needs to address but can't just borrow from an existing system.
 - Infrastructure issue with identifying kids correctly.
- AB194
 - Progressing and probably going to pass in some form
 - Revises provisions governing of suspension and expulsion of a pupil. It allows students to appeal any disciplinary measures that involve removal, suspensions, expulsions, and permanent expulsions.
 - A quorum of the board of trustees has to meet in order to give a hearing within 3 days. It would be an impossible task.
 - Address the language on the designee.
 - Must offer an appeal to the student who was suspended.
 - Not an appeal process for suspension in place, as of yet.
- AB67
 - It is a department level bill and we covered in the last SEAC meeting. Put forward by the department was an attempt to clean up the language misunderstandings of AB168, passed in 2019.
 - Good job in just putting forward language clean up. Other folks want other things in the bill. The department is playing its role as a neutral party.
 - Put forward 1 amendment, not all clean ups got translated over to the bill.
 - Wanted to make it clear when the board of trustees have to be present for a decision. A quorum needed for a matter. What was put forward was what we believe the legislative intent was. That designees of the board of trustees can decide some things about discipline as long as they are under the umbrella of board policy.
 - Believe that it will pass and pass along with amendments put forward.
 - Concerns about changing the rules around hearings and public access. Covers things other than hearings that are related to disciplinary events where the board has to be involved.

- Suspension is a disciplinary removal from school for less than 6 months. Anything over 6 months would be expulsion or permanent expulsion, you have to seek educational services are required by law. The bill just addresses suspension.
- If we want an official chain of events, we can have an official motion from SEAC to direct the department to address guidance once we see it go through.
- It will pass and it will pass big
- AB225
 - Not directly related to k-12 education, if it passes the department will have to make regulations for accommodations for persons with disabilities across our licensure structure.
 - Looking at if they have the knowledge that the licensure is seeking and not just jumping through hoops.
 - Regulatory hearings to address the issue with having reasonable accommodations in place.
 - Make sure there is some sort of equity between teachers' accommodations vs student accommodations. Documentation & criteria of disability, etc in order to get the accommodations.
 - Get involved in the regulatory process and putting forward our ideas in that.

3. ***ADVISE THE STATE EDUCATIONAL AGENCY IN DEVELOPING EVALUATIONS AND REPORTING ON DATA TO THE SECRETARY UNDER SECTION 618.***

Activity

A. Nevada Alternate Assessment (NAA) Guidance (Meeting #1)

An Education Programs Professional from the Nevada Department of Education provided information on the NAA Guidance regarding language changes to the six questions required for consideration when IEP committees are making Nevada Alternate Assessment determinations. Discussion ensued:

- Nevada Alternate Assessment: Student Participation Guidance
- NAA Participation Federal Requirements- Elementary and Secondary Education Act 2003- the 2002 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. Every Student Succeeds Act 2015- ESSA places a 1% cap on participation in the alternate assessment.
- 6 Questions to Guide the Decision-Making Process to Determine Whether a Student Participates in the Nevada Alternate Assessment and is a Student with the Most Significant Cognitive Disabilities. If an IEP committee does not answer YES to all six guiding questions, then the student should not participate in the NAA.
 - Question #1: Is the student eligible for and receiving services under the Individuals with Disabilities Education Act (IDEA) through a current IEP?
 - Question #2: Does the student demonstrate cognitive functioning and adaptive behavior that limit full participation in the general education curriculum and state-wide assessments even with supplementary aids, accommodations, and modifications?
 - Question #3: Does the student require substantial supports to meaningfully access and achieve measurable gains on the state's challenging grade-level content standards?
 - Question #4: Does the student require extensive, direct individualized instruction to achieve measurable gains on the state's challenging grade-level content standards and to acquire, maintain, and generalize skills necessary for application in school, home, work, and community settings?
 - Question #5: The IEP committee's decision about the student's participation in the NAA was NOT primarily based on any of the following: a disability category or label, poor attendance or extended absences, native language, social, cultural, or economic differences, academic and other services received, educational environment or instructional setting, percent of time receiving special education services, English Learner (EL) status, or current

- or previous low academic achievement, or current previous need for accommodations (e.g., assistive technology/AAC) to participate in general State or districtwide assessments.
 - Question #6: Has the IEP committee informed the parent/guardian of the consequences of the student participating in the Nevada Alternate Assessment (e.g., modified diploma vs. standard diploma) and of being evaluated against alternate achievement standards?
- NAA Determination and Alternative Diploma Considerations:
 - The student will participate in curriculum aligned to the NVACS Connectors, which has less academic depth and breadth than the curriculum designed for students pursuing a standard diploma.
 - The student's postsecondary education and training options may be limited if the institutions and organizations offering that education or training require a standard diploma.
 - Job opportunities in some fields may be limited if employers require a standard diploma.
 - The student may be limited in options for serving in the military if a particular branch requires a standard diploma.
 - As per Least Restrictive Environment (LRE) data, students who participate in the NAA are more often educated separate from their typically developing peers outside of the general education environment.
 - Placement in more restrictive settings and absent or limited interaction with typical peers may have consequences on the student's social and communication development, development of social capital, etc.
- NAA Determination and Adjusted Diploma Considerations:
 - The student will participate in a curriculum that is driven by IEP goals, which may have less academic depth and breadth than the curriculum designed for students pursuing a standard diploma.
 - The student's postsecondary education and training options may be limited if the institutions and organizations offering that education or training require a standard diploma.
 - Job opportunities in some fields may be limited if employers require a standard diploma.
 - The student may face barriers accessing Federal financial aid for college.
 - The student may be limited in options for serving in the military if a particular branch requires a standard diploma.
 - As per Least Restrictive Environment (LRE) data, students who participate in the NAA are more often educated separate from their typically developing peers outside of the general education environment.

- Placement in more restrictive settings and absent or limited interaction with typical peers may have consequences on the student's social and communication development, development of social capital, etc.

Motion: The committee passed a motion to support the change in the six questions for the NAA.

B. Nevada Alternate Assessment (NAA): Student Participation Guidance (Meeting #4)

The committee received an update regarding the addition of a footnote to the NAA document regarding the Letter to Runkel from the Office of Civil Rights (1996) and school districts' obligations related to transcripts and diplomas for students with disabilities. Discussion ensued:

- Guidance of the 6 questions
- Provide some clarification around what is required of districts around
- Footnote added based off the concerns of the SEAC, references The Office of Civil Rights in their Letter to Runkel;
 - indicate that school districts may not use language or other symbols on high school transcripts or diplomas to indicate that a student is a student with a disability or that the student has received services under the IDEA. However, the behavior and processes of postsecondary institutions are outside of the scope of supervision of the Nevada Department of Education, and therefore the potential may still exist for these institutions to acquire knowledge of a student's educational programming and their diploma type.

4. ***ADVISE THE STATE EDUCATIONAL AGENCY IN DEVELOPING CORRECTIVE ACTION PLANS TO ADDRESS FINDINGS IDENTIFIED IN FEDERAL MONITORING REPORTS UNDER PART B OF THE ACT.***

There were no activities in this area.

5. ***ADVISE THE STATE EDUCATIONAL AGENCY IN DEVELOPING AND IMPLEMENTING POLICIES RELATING TO THE COORDINATION OF SERVICES FOR CHILDREN WITH DISABILITIES.***

Activity

A. Nevada Special Education Technology Assistance Project (Meeting #3)

The committee received information from Liz Isaacs on the Nevada Special Education Technology Assistance Project (NSETAP). Discussion ensued:

- Project started back in 1986, 2 years before any legislation came into play for Assistive Technology. Had the vision to start in 1988 knowing technology would take off.
- Increasing the capacity of school districts to provide assistive technology devices and services.
- What are assistive technology (AT) devices?
 - Any item, piece of equipment or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such a device.
 - AT Devices may be needed for?
 - Seating/Positioning and Mobility
 - Communication
 - Computer Access
 - Academics
 - Recreation and Leisure
 - Vision
 - Hearing
 - Daily Living Skills
- What are assistive technology services?
 - Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The services may include as assistive technology evaluation in the child's customary environment. It may also include acquiring or purchasing a device and customizing the device for the child's needs, as well as, coordinating the use of the device and providing training to the student, family and staff working with the child.
 - Evaluate
 - Provide
 - Design
 - Coordinate
 - TA for Child and Family
 - TA for Staff
- What you should know:
 - AT consideration at least annually at the IEP

- If AT is needed, document in the IEP
 - Devices and training are provided at no cost to the family
 - Involve the student in decision making
 - AT can be taken home- IEP decision
- Nevada Assistive Technology Consortium- enhancing the capacity of school districts in Nevada to provide Assistive Technology devices and services for our children.
- Free Project Services:
 - Consideration of Assistive Technology Needs
 - Assistive Technology Assessment
 - Equipment Load
 - Consultation and Technical Assistance
 - Training
- Top reasons to be involved with the project:
 - Free and Cost Effective
 - Collaborative Process
 - Outreach Program
 - Builds Capacity
 - Educational Basis
 - Statewide Consistency
- The plan forward:
 - Continue project activities next year and on a year-to-year basis, as it has been in the past.
 - New project coordinator next school year.
 - Project supports/collaborations will continue to be available to teams and agencies for our children’s AT needs.

B. Transition Services for Students with Disabilities (Meeting #4)

The committee received information of changes with transition services for students with disabilities. Discussion ensued:

- Requirements according to IEP is 14 and 16 for others
- The idea of lowering all transition services to the age of 14
- Expecting districts to bring up barrier, SEDA directors rose up and didn’t provide any barriers
- Aligns with other requirements that other students have to do in the school
- Data shows that when kids with disabilities are involved in CTE, they graduate high school at a rate higher than the regular education population.
- CTE is critical
- Need a system that is aligned for them, not one that people have to fight for. Make it easier for people to access and earlier.
- Transition work has to start much earlier.
- Data shows it would improve our dropout rates.
- Makes this change the summer of 2022.