

**SPECIAL EDUCATION ADVISORY COMMITTEE
MEETING MINUTES**

THURSDAY, APRIL 8, 2021 – 1:00 P.M. TO 4:00 P.M.

Public Meeting at:

Zoom Meeting

<https://us02web.zoom.us/j/83061265310?pwd=SWxERUF2Z2s0TTdZTytMZFpB6L2dYUT09>

Meeting ID: 830 6126 5310

Passcode: 2021

1. INTRODUCTION. The regular meeting of the Special Education Advisory Committee (SEAC) was called to order. Roll call was taken, and quorum was determined:

Present: Josh Baker, Ivy Burns, Marva Cleven, MaryAnn Demchak, Penni Echols, Sara Jorgensen, Travis Mills, Mathew Montgomery, Melina Proffitt, Jodee Prudente, Karen Taycher, Aliceandrea Untalan, and Jennifer Van Tress

Absent: Brian Brill, Diana Cannon, Mariana Delgiudice, Jessica Dunn, Candace Emerson, Danielle Fredenburg, Connor Fogal, Shirley Gaw, Roy Harvey, Kati Layosa, Ellen Marquez, Diana Padua, Ellen Richardson Adams, Jesse Rojas-Espinoza, Lisa Rosas, and Rosalie Woods

Staff: Will Jensen, Jessica Boles, and Katherine Fuselier

Presenters: Julie Bowers and CJ Fields

Public: XX

2. PUBLIC COMMENT #1

No public comments at this time.

3. APPROVAL OF FLEXIBLE AGENDA

No motion made due to no quorum.

4. APPROVAL OF MINUTES

No motion made due to no quorum.

5. FEDERAL GUIDANCE REGARDING COVID-19 AND THE OFFICE OF SPECIAL EDUCATION (OSEP)

Nothing new at this time.

6. SPECIAL EDUCATION INITIATIVES

I. State Personnel Development Grant (SPDG) Project

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: Bordewich 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

II. Nevada Alternate Assessment (NAA): Student Participation Guidance

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.

7. PROGRAM SPOTLIGHT

I. Extended School Year (ESY) Federal Law

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.

II. Transition Services for Students with Disabilities

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

8. SUB-COMMITTEE UPDATES

I. Legislative Subcommittee Update

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 ADSD 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 statute.
 - 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.

9. UPDATE OF ACTION ITEMS FROM FEBRUARY MEETING

I. Letter of Support for Special Education Representation

- 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.

10. FUTURE SEAC MEETINGS

- Hoping to have future meetings on Zoom, and to not have people fly.
- If we have Zoom meetings every two months starting in September, November, January, March, and May.
- In favor of subcommittees to pull in more stakeholders for input.
- Zoom is convenient but miss meeting in person. Hybrid model?
- If we continue in person, we will need to move the meeting north and south.
- We will still have to meet virtually at first, at least through the fall semester.
- Not comfortable with how it was before. Needs to be fairer for parents.
- Providing support to our participants needs to be taken into consideration.

11. FUTURE AGENDA ITEMS

- Behavior and Discipline (departments intention to support school district) – Karen Taycher
- Guidance for students to “Walk” with adjusted diploma – Karen Taycher
- Break down indicator data by disability category
- Legislative Outcomes – Fall
- Use of cameras in classrooms
- Accessibility for documents, watermarks aren’t read on screen readers- Ellen Marquez
- Technology for students/kids- Brian Brill
- Proposed bills for upcoming- Sara (keep item on until session is over)
- Relevant OSEP guidance- Karen (standing item)
- Future SEAC Meetings, including data for cost action item
- Approval of our minutes to next meeting
- Final legislative update
- SB203 update from the State of what is going on- Penni
- New developments for COVID- Sara
- New members orientation 30 mins early, existing members can join if wanted/Election of chair and vice chair

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide
- NDALC
- Focus Program – UNLV
- Self-Advocacy Program – Jesse
- Supported Decision Making- Homa Woodrum
- Circle of Friends/Support- Cheryl Catsmark
- Regional centers (Rural, Sierra, Desert)- Penni

Special Education Initiatives

- Data on inclusion of young students with disabilities
- Review of SPP/APR package

IDEA Spotlight – Legal Requirements/Evidence Based Practice

- Linkage to IEP
- Case Law
- MOE
- Transition
- Behavioral entitlements of students with disabilities, risk assessment
- Suspension/Expulsion
- Implications of ENDREW

12. PUBLIC COMMENT #2

None at this time

13. ADJOURNMENT

The next regular SEAC meeting is September, 2021. NEW LOCATION: Zoom Meeting Platform

April 20th Subcommittee meeting for Legislation to address the Bills