

DRAFT
Special Education Advisory Committee (SEAC)
Annual Report for Fiscal Year 2023
July 1, 2022 – June 30, 2023

Prepared by the Nevada Department of Education

I. INTRODUCTORY LETTER

The Nevada Special Education Advisory Committee (SEAC) has played an active role in the state's continuous improvement and focused monitoring efforts. 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.*

Nevada SEAC is comprised of a broad representation of individuals with knowledge and expertise in meeting the needs of children and youth with disabilities. The Nevada State Special Education Director makes appointments to the Committee, with each member serving a three-year term. At the 2022-2023 May fiscal year meeting, the Nevada SEAC elected Mathew Montgomery to serve as Chair, and Anna Marie Binder to serve as Vice-chair for the 2023-2024 term. Additional members for this fiscal year and the roles they represent are listed on the next page.

This was a year of change for the Nevada SEAC. We started the year with the goal of reviewing and revising the By-Laws. Working with John Copenhaver, Program Director of Technical Assistance for Excellence in Special Education (TAESE), the Nevada SEAC accomplished this goal. Over the upcoming years, the Nevada SEAC is committed to an ongoing process of thorough review and continuous improvement, aimed at aligning itself more closely with the fundamental mission and multifaceted responsibilities of the Committee. This proactive approach reflects the SEAC's dedication to evolving in response to changing circumstances and ensuring that its endeavors harmoniously fulfill the objectives and duties entrusted to it by the State of Nevada.

II. LIST OF MEMBERS AND OFFICERS

- Melissa Bart-Plange Parents of Children with Disabilities
- Janet Belcove-Shalin Protection and Advocacy
- Anna Marie Binder (Vice Chair) Parents of Children with Disabilities
- Barbara Bidell Private Schools
- Ivy Burns Special Education Administrators – South
- MaryAnn Demchak Universities – North
- Penni Echols Parents of Children with Disabilities
- Leah Edge Parents of Children with Disabilities
- Kaci Fleetwood Parents of Children with Disabilities
- Connor Fogal Individuals with Disabilities
- Lisa Hunt Parents of Children with Disabilities
- Sara Jorgensen Charter Schools
- Doralee Martinez Individuals with Disabilities
- Ellen Marquez Parents of Children with Disabilities
- Travis Mills Individuals with Disabilities
- Mathew Montgomery (Chair) Parents of Children with Disabilities
- Joseph Morgan Universities - South
- Derild Parsons Special Education Administrators – Rural
- Jami Pavicic Department of Health and Human Services
- Melina Proffitt Special Education Teachers- South
- Shanda Roderick Special Education Teachers- Rural
- Jackie Sheppard Parents of Children with Disabilities
- Amanda Shipp Parents of Children with Disabilities
- Shelly Speck Parents of Children with Disabilities
- Jennifer Strobel Parents of Children with Disabilities
- Karen Taycher OSEP Funded State Parent Training Center
- Sarah Thomas Foster Care
- Diane Thorkildson Parents of Children with Disabilities
- Jennifer Van Tress Special Education Administrators- North
- Laurel Winchester Special Education Teachers - North
- Rosalie Woods Parents of Children with Disabilities

INCLUSIVE EDUCATION STAFF TO THE SEAC

- Julie Bowers Director, Office of Inclusive Education
- Jessica Boles Secretary to the Advisory Committee

III. PRIORITIES ADDRESSED DURING THE YEAR

- Revision of Bylaws for the operation of the Committee.
- The Committee identified future agenda items at its' last meeting as follows:
 - Behavior and Discipline (Department's intention to support school districts)
 - Guidance for students to "Walk" with adjusted diploma.
 - Break down indicator data by disability category
 - Local enrollment trajectories over the past 5 years
 - Update regarding definition of visually impaired changes in August. See what was changed and now what is in statute.
 - Cameras in the classroom, BDR
 - Update and policy changes in CCSD regarding discipline and behavior legislation/data
 - APT overview participation /projection and expansion, data
 - BDR Updates
 - Transportation
 - Subcommittees
 - SEAC committee having Student Spotlights
- The Committee identified the following future spotlights and initiatives:

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide.
- NDALC
- Focus Program – UNLV
- NCED information and news/events
- VR Services Update

Special Education Initiatives

- Data on inclusion of young students with disabilities

IDEA Spotlight – Legal Requirements/Evidence Based Practice

- Linkage to IEP
- Case Law
- MOE
- Transition Services
- Behavioral entitlements of students with disabilities, risk assessment
- Suspension/Expulsion
- Standing Reports-Restraint and Seclusion and dispute resolution, SPDG & Transition Grant
- Charter school/SPSCA dispute resolution

IV. KEY ACTIVITIES, RECOMMENDATIONS, AND ADVICE ON PRIORITIES

- The Committee received training regarding the role and responsibilities of the SEAC members (Meeting #1).
- The Committee received a report of data, trends, and information regarding state complaints filed in the 2021-2022 school year including information on due process, complaints, and mediations (Meeting #1).
- The Committee received an annual report on the use of physical restraints, mechanical restraints, and aversive interventions on students with disabilities for 2021-2022 (Meeting #1).
- The Committee received updates on legislation and regulations regarding SB203, transition age, SB210, and SB485 (Meeting #1).
- The Committee received information on the following:(Meeting #1)
 - State Performance Plan Target Setting
 - NDE District Monitoring
 - OSEP Differentiated Monitoring
 - Proposed Comprehensive Special Education Data Management System
 - State Personnel Development Grant (APT)
 - State Personnel Development Grant (Project Achieve)
 - CTE Paraprofessional Project
 - Office of Inclusive Education (OIE) Resources
- The Committee received a presentation from the Technical Assistance for Excellence in Special Education (TAESE) regarding SEAC purpose, membership, functions, Bylaws, and meeting procedures under IDEA (Meeting #2).
- The Committee received a presentation from TAESE to provide them with information regarding proposed changes to the Bylaws and opportunity for feedback (Meeting #3).
- The Committee passed a motion to approve the proposed changes to the Bylaws without objection (Meeting #3).
- The Committee received information regarding Executive Orders 2023-003 and 2023-004 regarding comprehensive review of regulations (Meeting #3).
- The Committee received information regarding the Part B application released for public comment until April 30 (Meeting #3).
- The Committee received a Legislative update regarding an enhancement to budget 2715 for one Education Programs Professional (EPP), one EPP for monitoring IDEA funds in districts, one EPP for Indian Education and GATE, use of Part B funds for alternative assessment and signing of SB71 & SB72 (Meeting #3).

- The Committee discussed subcommittees as follows (Meeting #4):
 - Standing Subcommittees:
 - Bylaws
 - Membership
 - Parental Engagement
 - Revolving Subcommittees:
 - SB203
 - Legislative Session
 - Website Accessibility
- The Committee received a Legislative update regarding: NDE weekly updates, AB54, AB285, and SB315 (Meeting #4).
- The Committee received an update on OIE activities including personnel changes, OSEP visit, district retention and recruitment and upcoming grant submission for Pathways to Partnership Innovative Practices (Meeting #4).

V. ACCOMPLISHMENTS OF THE SPECIAL EDUCATION ADVISORY COMMITTEE

- The Advisory Committee met four times as follows:
 - October 19, 2022 (Zoom Meeting)
 - January 19, 2023 (In Person Public Meeting)
 - March 15, 2023 (Zoom Meeting)
 - May 17, 2023 (Zoom Meeting)
- The Committee approved the official minutes of the first three meetings.
- The Committee elected a chair and vice chair at the first meeting of the fiscal year.
- The Committee elected a new chair and vice chair for the next fiscal year.
- The Executive Committee worked with TAESE to propose revisions to existing Bylaws.
- The Committee adopted the revised Bylaws regarding its' operation.

VI. MEMBERSHIP VACANCIES FOR NEXT YEAR

- The Committee had membership vacancies for the following seats:
 - Homeless Education
 - State Juvenile/AD Corrections
 - Parents of Children with Disabilities/Individuals with Disabilities
 - Charter School Representative
 - Special Education Teacher- South
 - Special Education Administrator- North
 - Special Education Administrator- Rural
 - OSEP Funded State Parent Training Information Center

VII. AGENDAS OF ALL SEAC MEETINGS

- See Appendix A

VIII. COPIES OF THE SEAC MEETING MINUTES

- See Appendix B

APPENDIX A

**Special Education Advisory Committee
Agendas
July 1, 2022 – June 30, 2023**

NOTICE AND AGENDA
SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)
Wednesday, October 19, 2022 — 1:00 p.m. – 4:00 p.m.

NOTICE: THIS MEETING WILL BE VIRTUAL WITH NO PHYSICAL LOCATION

Access	Links
Watch Meeting & Provide Public Comment	<i>Watch Meeting & Provide Public Comment</i>
Provide Public Comment by Phone	+1-253-215-8782 <i>Meeting ID: 874 0340 0325 Passcode: 2022</i>

PUBLIC NOTICE

The public is hereby noticed that the Special Education Advisory Committee reserves the right to take agenda items out of posted order; items may be pulled or removed from the agendas at any time; and items may be combined for consideration. The Committee Chair reserves the right to call on individuals from the audience or to allow for testimony at any time.

Time for public comment is provided at the beginning and at the conclusion of the meeting. A time limit of three minutes will be imposed by the Committee Chair for public comments in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Committee. If you are unable to participate by web or phone and would like to provide a written statement for public comment, please submit your statement to jboles@doe.nv.gov before the conclusion of the Committee Meeting. Reasonable efforts will be made for members of the public who have disabilities and requires special accommodations or assistance to participate in the meeting, including closed captioning services available through the Eduvision Livestream. Please call Jessica Boles at (775) 687-9171 or email at jboles@doe.nv.gov at least five business days in advance so that arrangements can be made.

Supporting materials for this agenda are available at no charge on the Nevada Department of Education website at: Special Education Advisory Committee Meeting Webpage (under the meeting date referenced above) or by, contacting Jessica Boles, at the Office of Inclusive Education, Nevada Department of Education, 700 East Fifth Street, Suite 106, Carson City, Nevada 89701, via phone at 775-687-9171 or by email at jboles@doe.nv.gov. This public notice has been posted at the offices of the Nevada Department of Education (NDE) in Carson City and Las Vegas, online at the Nevada Public Notice website, notice.nv.gov, and the NDE website, and sent to all interested persons who requested notice.

— **AGENDA** —

1. **Introductions/Call to Order**
Chair/Vice Chair
2. **Public Comment #1**
Public Comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. The secretary of the Special Education Advisory Committee will impose a time limit of three minutes. Public Comment #2 will provide an opportunity for public comment on any matter within the Special Education Advisory Committee's jurisdiction, control, or advisory power.
3. **Election of Officers**
(Possible Action) Chair/Vice Chair
4. **Approval of Flexible Agenda**
(Possible Action) Chair/Vice Chair
5. **Approval of Minutes**
Minute approval for the February 16, 2022, meeting due to the April 2022 meeting being cancelled.
(Possible Action) Chair/Vice Chair
6. **Approval of Special Education Advisory Committee Annual Report**
Report of SEAC activities from 2021-2022. Possible action may be revisions to the report before submission to the State Board of Education.
(Discussion/Possible Action) Chair/Vice Chair

7. **New Committee Members – Overview of Role of Special Education Advisory Committee Members**
(Information/Discussion) Julie Bowers, Office of Inclusive Education
8. **Special Education Initiatives - *Members will receive information on various Special Education Initiatives.***
None at this time
9. **Individuals with Disabilities Education Act (IDEA) Spotlight- *Members will receive information regarding the various elements of IDEA.***
 - I. **Due Process, Complaint and Mediation Report**
Report of data regarding state complaints filed in the 2021-2022 school year including information of due process, complains, and mediations. Possible action may include advisement to the NDE.
(Information/Discussion/Possible Action) C.J. Fields, Office of Inclusive Education
 - II. **Annual Report on the Use of Physical Restraints, Mechanical Restraints, and Aversive Interventions on Students with Disabilities**
Review of 2021-2022 reporting of violations by school districts and current procedures for reporting.
(Information/Discussion) Austin Olson, Office of Inclusive Education
10. **Nevada Department of Education Updates**
(Information) Julie Bowers, Office of Inclusive Education
11. **Update of Action Items from February Meeting**
No updates at this time
12. **Future SEAC Meetings**
(Information) Julie Bowers, Office of Inclusive Education
13. **Future Agenda Items**
Chair/Vice Chair
14. **Public Comment #2**
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15. **Adjournment**
Chair/Vice Chair

NOTICE AND AGENDA
SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)
Thursday, January 19, 2023 — 8:30 a.m. – 4:30 p.m.

Meeting Location:
Renaissance Reno Downtown Hotel & Spa
One Lake Street
Reno, Nevada

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3. **Approval of Flexible Agenda**
(Possible Action) Chair/Vice Chair
4. **Approval of Minutes**
Minute approval for the October 19, 2022, meeting.
(Possible Action) Chair/Vice Chair
5. **Individuals with Disabilities Education Act (IDEA) Spotlight- Members will receive information regarding the various elements of IDEA.**
 - I. Nevada Special Education State Advisory Committee Orientation for Committee Members
To provide Special Education Advisory Committee members with training and information regarding the Committee's purpose and functions under the Individuals with Disabilities Education Act.
(Information/Training/Discussion) John Copenhaver, Program Director, Technical Assistance for Excellence in Special Education (TAESE) at Utah State University

6. **Nevada Department of Education Updates**
No updates at this time
7. **Update of Action Items from October Meeting**
No updates at this time
8. **Future SEAC Meetings**
(Information) Julie Bowers, Office of Inclusive Education
9. **Future Agenda Items**
Chair/Vice Chair
10. **Public Comment #2**
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11. **Adjournment**
Chair/Vice Chair

NOTICE AND AGENDA
SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)
Wednesday, March 15, 2023 — 1:00 p.m. – 4:00 p.m.

NOTICE: THIS MEETING WILL BE VIRTUAL WITH NO PHYSICAL LOCATION

Access	
Watch Meeting & Provide Public Comment	<i>Watch Meeting & Provide Public Comment</i>
Provide Public Comment by Phone	+1-719-359-4580 <i>Meeting ID: 830 2747 3022 Passcode: 2023</i>

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— **AGENDA** —

1. **Introductions/Call to Order**
Chair/Vice Chair
2. **Public Comment #1**
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3. **Approval of Flexible Agenda**
(Possible Action) Chair/Vice Chair
4. **Approval of Minutes**
Minute approval from the January 19, 2023, meeting
(Possible Action) Chair/Vice Chair
5. **Individuals with Disabilities Education Act (IDEA) Spotlight- Members will receive information regarding the various elements of IDEA.**
 - I. **Updated Committee Bylaws**
Provide the Committee with information regarding possible changes to the bylaws and opportunity for Committee feedback.
(Information/Discussion/Possible Action) John Copenhaver, Program Director, TAESE

6. **Nevada Department of Education Updates**

I. Regulation Reminder

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

II. Legislative Update

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

7. **Update of Action Items from January Meeting**

No updates at this time

8. **Future SEAC Meetings**

(Information) Julie Bowers, Director, Office of Inclusive Education

9. **Future Agenda Items**

Chair/Vice Chair

10. **Public Comment #2**

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11. **Adjournment**

Chair/Vice Chair

NOTICE AND AGENDA
SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)
Wednesday, May 17, 2023 — 1:00 p.m. – 4:00 p.m.

NOTICE: THIS MEETING WILL BE VIRTUAL WITH NO PHYSICAL LOCATION

Access	Links
Watch Meeting & Provide Public Comment	<i>Watch Meeting & Provide Public Comment</i>
Provide Public Comment by Phone	+1-346-248-7799 <i>Meeting ID: 826 0303 5532 Passcode: 2023</i>

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Chair/Vice Chair
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3. **Approval of Flexible Agenda**
(Possible Action) Chair/Vice Chair
4. **Approval of Minutes**
Minute approval from the March 15, 2023, meeting.
(Possible Action) Chair/Vice Chair
5. **SEAC Subcommittee Discussion**
 - I. **Standing SEAC Subcommittees**
(Information/Discussion) Chair/Vice Chair
 - II. **Revolving SEAC Subcommittees**
(Information/Discussion) Chair/Vice Chair

6. **Nevada Department of Education Updates**

I. Legislative Updates

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

II. Regulation Updates

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

III. Other Office of Inclusive Education Updates

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

7. **Update of Action Items from March Meeting**

No updates at this time

8. **Future SEAC Meetings**

I. Fall Meeting & Retreat

(Information/Discussion) Julie Bowers, Director, Office of Inclusive Education

9. **Election of Officers**

(Possible Action) Chair/Vice Chair

10. **Future Agenda Items**

Chair/Vice Chair

11. **Public Comment #2**

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12. **Adjournment**

Chair/Vice Chair

APPENDIX B

**Special Education Advisory Committee
Minutes
July 1, 2022 – June 30, 2023**

SPECIAL EDUCATION ADVISORY COMMITTEE

MEETING MINUTES

WEDNESDAY, OCTOBER 19, 2022 – 1:00 P.M. TO 4:00 P.M.

Public Meeting at:

Zoom Meeting

<https://us06web.zoom.us/j/87403400325?pwd=Zk4xemJJckU2WVFLdURrdjI0SjB0Zz09>

Meeting ID : 874 0340 0325

Passcode : 2022

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: Melissa Bart-Plange, Janet Belcove-Shalin, Anna Marie Binder, Barbara Bidell, Ivy Burns, MaryAnn Demchak, Penni Echols, Kaci Fleetwood, Connor Fogal, Lisa Hunt, Doralee Martinez, Ellen Marquez, Travis Mills, Mathew Montgomery, Derild Parsons, Jami Pavicic, Shanda Roderick, Amanda Shipp, Shelly Speck, Jennifer Strobel, Karen Taycher, Sarah Thomas, Diane Thorkildson, Jennifer Van Tress, and Laurel Winchester

Absent: Leah Edge, Sara Jorgensen, Joseph Morgan, Melina Proffitt, Jackie Sheppard, and Rosalie Woods.

Staff: Julie Bowers and Jessica Boles

Presenters: C.J. Fields and Austin Olson

Public: Jeremy Anderson, Katherine Fuselier, and Ashley Price

2. PUBLIC COMMENT #1

Anna – Conner not on today but a member, he has legislation bill. Drop into the chat a link for

3. ELECTION OF OFFICERS

Motion: Karen Taycher moved to appoint Mathew Montgomery as Chair of SEAC. Travis Mills seconded the motion. The vote was called, and the motion carried without objection.

Motion: Anna Marie Binder moved to appoint herself, Anna Marie Binder as Vice-Chair of SEAC. Shanda Rodrick seconded the motion. The vote was called, and the motion carried without objection.

4. APPROVAL OF FLEXIBLE AGENDA

Motion: Anna Marie Binder moved to approve the flexible agenda. Jennifer Van Tress seconded the motion. The vote was called, and the motion carried without objection.

5. APPROVAL OF MINUTES

The minutes of the February 16, 2022, meeting was reviewed and discussed. There were no other changes or corrections offered at this time.

Motion: Ellen Marquez moved to approve the minutes. Travis Mills seconded the motion. The vote was called, and the motion carried without objection.

6. APPROVAL OF SPECIAL EDUCATION ADVISORY COMMITTEE ANNUAL REPORT

A report of SEAC activities from 2021-2022. Possible action may be revisions to the report before submission to the State Board of Education.

Motion: Anna Marie Binder moved to approve the report. Ivy Burns seconded the motion. The vote was called, and the motion carried without objection.

7. NEW COMMITTEE MEMBERS – OVERVIEW OF ROLE OF SPECIAL EDUCATION ADVISORY MEMBERS

The Director of the Office of Inclusive Education 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
- The majority of the members of the committee must be individuals with disabilities or parents of children with disabilities
- Members must serve 3 years
- Members are Representatives:
 - Parents of Children with disabilities ages birth through 26
 - Individuals with Disabilities
 - Teachers
 - Representatives of institutions of higher education
 - State and local education officials
 - Administrators of programs from children with disabilities
 - State Representatives from Child Welfare responsible for foster care
 - Parent Training Information Center (NV PEP)

- Office of Protection & Advocacy (NDALC)
- Representatives of other State agencies
- Representatives of private schools and public charter schools
- At least one representative of a vocational, community, or business organization concerned with the provisions of transition services to children with disabilities
- Representatives from the State juvenile and adult corrections agencies
- State and local officials that represent homeless children
- 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.
- Advocacy is to: take sides, support a position, plead a case or a cause, sometimes argue
- To advise is to: give advice, inform, recommend, suggest, guide
- SEAC Function:
 - 1. Advise the SEA of unmet needs within the State in the education of children with disabilities
 - Identifying Systemic Issues
 - Needs Assessment
 - Inquiry Process (Root Cause Analysis)
 - Selective Evidence Based Solutions
 - Implement Solutions & Monitor Implementation
 - Evaluate Outcomes
 - 2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities.
 - Nevada Administrative Code (NAC)
 - Special Education -Chapter 388
 - Teacher Licensure- Chapter 391
 - 3. Advise the State in developing evaluations and reporting on data to the Secretary under Section 618 of the Act.
 - State Performance Plan (SPP)
 - A six-year plan to improve programs and services for children with disabilities
 - 18 Indicators on compliance & performance
 - State Systemic Improvement Plan (SSIP)
 - Results Driven Accountability (RDA)
 - Annual Performance Report (APR)
 - A report of how we're doing relative to each indicator
 - SEAC members need to:
 - Understand the relationship between APR & SPP
 - Provide guidance to the State in developing measurable and rigorous targets for indicators
 - Participate in discussions on SPP, SSIP, and APR at least annually (the APR is sent to OSEP each February)

- Use the SPP/APR data to help understand needs and work with the partners to improve outcomes
- Know what Levels of Determination are about
 - Made for each State by OSEP
 - Made for each district by the State
 - Meets Requirements
 - Needs Assistance
 - Needs Intervention
 - Needs Substantial Intervention
- 4. Advise the State in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act.
 - Verification Visits (monitoring) by OSEP
- 5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities.
 - Transition Services
 - Part C to Part B; School to Post-School
 - Wrap Around Services
 - Juvenile Justice
- 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
 - In Nevada, we also choose to make complaint reports available to SEAC and to the public
 - Posted online at http://www.doe.nv.gov/Special_Education_Complaint_Reports/
- 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

8. SPECIAL EDUCATION INITIATIVES

None at this time

9. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) SPOTLIGHT

I. Due Process, Complaint and Mediation Report

Report of data regarding state complaints filed in the 2021-2022 school year including information of due process, complains, and mediations. Possible action may include advisement to the NDE. Discussion ensued:

- Everyone received a handout of the Due Process/Complaint/Mediation Report
- Dispute Resolution Options in Nevada
- Opportunities for Conflict
 - Approximately 62,000 students with disabilities in Nevada
 - Every eligible student has an IEP
 - Each student has at least one IEP meeting per year
 - Numerous topics for potential disagreement
- Associated Costs
 - Tangible
 - Monetary- attorneys, expert witnesses, transcripts, substitutes
 - Time- staff preparation, depositions, and defense
 - Intangible
 - Delayed Service delivery to students
 - Delayed student progress, achievement
 - Tenuous school-parent relationships
 - Trust
 - Parent Involvement
 - Credibility
- Policy and Practice Trends
 - Before pursuing a due process hearing, a public agency should attempt to engage parents in mediation or other informal dispute resolution procedures, as appropriate.
- Dispute Resolution and Schools
 - We encourage parents and school districts to work together to resolve disagreements about a student's special education program. However, we understand there are times when additional support is needed to resolve a disagreement.
 - There are dispute resolution options available under the Individuals with Disabilities Education Act. These options can address concerns about the identification, evaluation, educational placement, and provision of a Free Appropriate Public Education to a student (ages 3-21).
- IDEA 2004 Regulations-Dispute
 - Sec. 300.506- Mediation
 - Sec. 300.507- Filing a due process complaint
 - Sec. 300.508- Due process complaint
 - Sec. 300.509- Model Forms
 - Sec. 300.510- Resolution process
 - Sec. 300.511- Impartial due process hearing
 - Sec. 300.512- Hearing rights

- Sec. 300.513- Hearing decisions
- Sec. 300.514- Finality of decision; appeal; impartial review
- Sec. 300.515- Timelines and convenience of hearings and review
- Sec. 300.516- Civil action
- Sec. 300.517- Attorneys' fees
- Sec. 300.518- Child's status during proceedings
- Dispute Resolution Options
 - In accordance with IDEA, the OIE ensures establishment, maintenance, and evaluation of a state mediation and state complaint investigation system including evaluation surveys from system users.
 - Each resolution option is offered in adherence to requirements and timelines established in the IDEA.
 - Along with mediation and state complaint options, the OIE offers a continuum of dispute resolution options available to parents and LEA's
- Technical Assistance
 - OIE offers technical assistance materials to the public and parents through the NDE website (including model forms and procedural safeguards)
 - OIE offers technical assistance training to LEAs, parents, advocates, and others regarding due process hearing procedures as well as all other dispute resolution options
 - OIE provides ongoing training of hearing and review officers, IEP facilitators and mediators
 - OIE tracks and analyzes issues to identify training and technical assistance needs for LEAs
- IEP Facilitation
 - Not Requires under IDEA
 - An optional resolution process that is initiated by a parent or school district where an impartial facilitator assists the IEP team with communication and problem solving with the final outcome of developing an IEP that is supported by all team members that benefits the student
 - Must be agreed upon by both parties
 - Provided at public expense
- IEP Facilitation Benefits
 - Builds and improves relationships among the IEP team members and between parents and schools.
 - Serves as a more cost-efficient mechanism for resolving disputes than more formal proceedings such as due process hearings. Average cost to state \$500-\$1000 with no cost to district or parent.
 - NDE provides the trained facilitator, and that facilitator works with parent and district to arrange meetings.
 - Is typically a less stressful mechanism for resolving disputes.
 - Provides opportunities for IEP team members to resolve conflicts if they arise.

- Supports all parties in participating fully.
- Mediation
 - Initiated by parent or school district and must be agreed upon by both parties.
 - A voluntary process that brings parties together with a mediator.
 - Mediator helps communication between parties to resolve disagreements. The final outcome of mediation is a signed legally enforceable written agreement.
 - Provided at public expense.
- Role of Mediator
 - A mediator who is trained in effective mediation techniques
 - Facilitates open communication between mediation participants.
 - Creates a safe environment.
 - Encourages participants to be respectful and understand other points of view.
 - Clarifies points of disagreement, may help identify options, and assists with writing down any agreement
- Benefits of Mediation
 - Mediation can help everyone better understand differing points of view.
 - Participants work on solutions together and are in control of the outcome, rather than someone who doesn't know the child making a decision.
 - Parties tend to be more satisfied and follow through with the terms of mediated agreements because they are developed together.
 - Disagreements may be resolved more quickly than other dispute resolution options.
- State Complaint
 - This process is used to communicate that a public agency has not followed the IDEA, and to request an investigation. This is the only dispute resolution process that can be initiated by anyone.
 - The outcome of the State Complaint is written decision that includes findings and conclusions listing reasons for the final decision. The final decision might include corrective actions that are student specific and/or system-wide issues.
 - Timeline: A written decision must be issued no later than 60 calendar days after the complaint was received unless the timeline is extended.
 - Filed within 1 year of the date when the individual knew or should have known of the problem.
 - Provided at public expense.
- Due Process
 - Initiated by a parent or school district.
 - This process is used to resolve a formal complaint regarding disagreements relating to the identification, evaluation, educational

placement, or provision of a free appropriate public education to a child who needs or is suspected of needing special education and related services. The outcome of Due Process is a written decision with findings of fact and conclusions of law that is legally binding.

- Timeline:
 - A resolution meeting must take place within 15 calendar days of the filing of a due process complaint. Can have up to 30 calendar days to work on a resolution prior to the hearing timeline.
 - A written decision must be issued within 45 calendar days from the end of the resolution period unless a hearing officer grants a specific extension of the timeline at the request of both parties.
- Must be filed within 2 years of the date when a party knew of or should have known of the problem.
- The LEA is responsible for all expenses related to the due process hearing, including the hearing officer, interpreter, verbatim record. (NAC 388.310(14))
- Each party pays its own expenses to put on its case.
- The decision can be appealed:
 - 1.) To the Superintendent for an impartial review by a State review Officer
 - 2.) The State Review Officer's decision can be appealed through State or Federal Court
- Expedited Due Process Hearing
 - An expedited due process hearing is a very special type of due process hearing that may be requested only in certain situations that relate to discipline.
 - An expedited request may be filed when:
 - Parents disagree with a school district's decision about placement for disciplinary removals
 - Parents disagree with a school district's decision about whether a child's behavior is related to the disability. This decision is called a manifestation determination.
- Constituent Concern Inspection (CCI)
 - A process in effect as of July 1, 2017, that is an addition to the existing alternative dispute resolution process, under IDEA, including due process hearings and the state complaint process.
 - Can be initiated by the Superintendent at his/her own initiative or by a person, including an organization, or government agency filing a request for the superintendent to inspect the believed non-compliant provider.
 - A Constituent can file a CCI Request concerning compliance with special education laws and regulations regarding an individual child with a disability or systemic compliance with special education laws

- and regulations regarding multiple or all children with disabilities in the school.
- The NDE must conclude the inspection of the Provider within 30 days of the determination of good cause.
- Within 30 days of the completion of the inspection and finding of noncompliance, the NDE will meet with the Provider of special education to determine the most efficient and expeditious manner to bring the Provider into compliance with the identified law or regulation; and will request the board of trustees of the school district or the governing board of the charter school, as applicable, establish a plan of corrective action to ensure compliance with the law or regulation.
- Nevada Dispute Data
 - Reporting Period FY22 (July 1, 2021-June 30, 2022):
 - Total Number of Students Enrolled in Nevada Schools- 492,338
 - October 1, 2021, Special Education Child Count- 61,639
 - Requests for Due Process Received: 81
 - Hearings Conducted: 6
 - Reviews: 1
 - Reporting Period FY23 (July 1, 2022-September 16, 2023):
 - Requests for Due Process Received: 21
 - Hearings Conducted: 0
 - Reviews: 0
 - Summary of Complaint/Mediation Activity
 - Complaint requests received:
 - Reporting Period FY22- 10
 - Reporting Period FY23- 3
 - Mediation requests received:
 - Reporting Period FY22- 9
 - Reporting Period FY23- 2
 - Facilitation requests received:
 - Reporting Period FY22- 13
 - Reporting Period FY23- 1
- Trends to Date for Reporting Period FY22:
 - State Complaints:
 - IEP Implementation
 - Parent Participation
 - Placement
 - Due Process:
 - Placement
 - Evaluation
 - IEP Implementation
 - Mediation:
 - IEP Implementation

- IEP Accommodations/Service
- Department of Education Website to review copies of complete Due Process reports, please go to:
http://www.doe.nv.gov/Inclusive_Education/Dispute_Resolution/
- Future of Dispute Resolution- ACCESS System
 - Will allow parties to file all complaints online
 - Be the point of access for all parties
 - Will track timelines and send out reminders to all parties
 - All data will be stored in one place
 - Ease of reporting
 - Transparency

II. Annual Report on the Use of Physical Restraints, Mechanical Restraints, and Aversive Interventions on Students with Disabilities

Review of the 2021-2022 reporting of violations by school districts and current procedures for reporting. Discussion ensued:

- AB280- Assembly Bill 280 was passed by the Nevada State Legislature in 1999 in response to concerns about the use of aversive interventions and physical or mechanical restraints with students with disabilities.
 - According to the legislative history, “the legislation was intended to promote the use of positive behavioral supports and to prohibit the use of aversive or deprivation techniques, especially when those techniques were used because of a disability.”
 - The provisions of AB280 are now contained in Nevada Revised Statutes at 388.471-388.521 (previously NRS 388.521-388-5315), they apply specifically to students with disabilities eligible for special education services under the provisions of Nevada Administrative Code Chapter 388.
- Aversive Intervention- means any aversive action used to punish a pupil with a disability or to eliminate, reduce or discourage maladaptive behavior of a pupil with a disability.
- No Exceptions
 - Use of noxious odors and tastes;
 - The use of water and other mists or sprays;
 - The use of blasts of air;
 - The use of corporal punishment;
 - The use of verbal and mental abuse;
 - The use of electric shock;
 - The administration of chemical restraint to a person;
 - The placement of a person alone in a room where release from the room is prohibited by a mechanism, including, without limitation, a lock, device, or object positioned to hold the door closed or otherwise prevent the person from leaving the room;
 - Requiring a person to perform exercise under forced conditions if the:

- Person is required to perform the exercise because he or she exhibited a behavior that is related to his or her disability;
- Exercise is harmful to the health of the person because of his or her disability; or
- Nature of the person's disability prevents him or her from engaging in the exercise; or
- The deprivation of necessities needed to sustain the health of a person, regardless of the length of the deprivation, including, without limitation, the denial or unreasonable delay in the provision of:
 - Food or liquid at a time when it is customarily served; or
 - Medication
- Physical Restraint- means the use of physical contact to limit a person's movement or hold a person immobile.
- Conditions under which physical restraint may be used
 - A physical restraint may be used on a pupil with a disability only if:
 - An emergency exists that necessitates the use of physical restraint;
 - The physical restraint is used only for the period that is necessary to contain the behavior of the pupil so that the pupil is no longer an immediate threat of causing physical injury to the pupil or to others or causing severe property damage; and
 - The use of force in the application of physical restraint does not exceed the force that is reasonable and necessary under the circumstances precipitating the use of physical restraint.
 - Physical restraint may be used on a pupil with a disability if the physical restraint is used to:
 - Assist the pupil in completing a task or response if the pupil does not resist the application of physical restraint or if the pupil's resistance is minimal in intensity and duration;
 - Escort or carry the pupil to safety if the pupil is in danger in his or her present location; or
 - Conduct medical examinations or treatments on the pupil that are necessary.
- Mechanical Restraint- means the use of devices, including, without limitation, mittens, straps, and restraint chairs to limit a person's movement or hold a person immobile.
- Conditions under which mechanical restraints may be used
 - Except as otherwise provided in subsection 2, mechanical restraint may be used on a pupil with a disability only if:
 - An emergency exists that necessitates the use of mechanical restraint;
 - A medical order authorizing the use of mechanical restraint from the pupil's treating physician or advanced practice registered nurse is included in the pupil's individualized

- education program before the application of the mechanical restraint;
- The physician or advanced practice registered nurse who signed the order required pursuant to paragraph 9B) or the attending physician or attending advanced practice registered nurse examines the pupil as soon as practicable after the application of the mechanical restraint;
 - The mechanical restraint is applied by a member of the staff of the school who is trained and qualified to apply mechanical restraint;
 - The pupil is given the opportunity to move and exercise the parts or his or her body that are restrained at least 10 minutes per every 60 minutes of restraint, unless otherwise prescribed by the physician or advanced practice registered nurse who signed the order;
 - A member of the staff of the school lessens or discontinues the restrain every 15 minutes to determine whether the pupil will stop injury to himself or herself without the use of the restraint;
 - The record of the pupil contains a notation that includes the time of day that the restraint was lessened or discontinued pursuant to paragraph (f), the response of the pupil and the response of the member of the staff of the school who applied the mechanical restraint;
 - A member of the staff of the school continuously monitors the pupil during the time that mechanical restraint is used on the pupil; and
 - The mechanical restraint is used only for the period tat is necessary to contain the behavior o the pupil so that the pupil is no longer an immediate threat of causing physical injury to himself or herself.
- Reporting Requirements
 - Districts track, compile, and submit an annual report to NDE. This report includes aversive interventions, mechanical restraints (permissible and non-permissible), and physical restraints (permissible and non-permissible).
 - Non-permissible restraints, seclusions, and aversive interventions requires a corrective action procedure with oversight and approval from NDE.
 - Emergency Use/Permissible restraints and seclusions are tracked and monitored within each district.
 - Parents, IEP teams, and the Board or Designee must be notified and provided a copy of the report.
 - Denial or rights determination must be made by the Board or Designee.

- ACCESS NV
 - Portal for all districts to report violations, with system generated responses and reminders.
 - Annual reporting will be done via the portal for all districts, and private schools.
 - NDE system interface with Infinite Campus or other systems districts use to eliminate duplication of entry.
 - Ability to look at data from different entry points and generate reports.
- Trends in the data
 - School Year 2018-2019
 - Number of Instances of Physical Restraint: 4000
 - Number of Instances of Mechanical Restraint: 24
 - Non-Permissible Physical Restraint: 51
 - Non-Permissible Mechanical Restraint: 11
 - Aversive Intervention: 30
 - School Year 2020-2021
 - Number of Instances of Physical Restraint: 597
 - Number of Instances of Mechanical Restraint: 3
 - Non-Permissible Physical Restraint: 18
 - Non-Permissible Mechanical Restraint: 3
 - Aversive Intervention: 5
 - School Year 2021-2022
 - Number of Instances of Physical Restraint: 2615
 - Number of Instances of Mechanical Restraint: 12
 - Non-Permissible Physical Restraint: 53
 - Non-Permissible Mechanical Restraint: 12
 - Aversive Intervention: 23

10. NEVADA DEPARTMENT OF EDUCATION UPDATES

The Director of the Office of Inclusive Education provided updates from the Nevada Department of Education. Discussion ensued:

- Legislative/Regulation Updates
 - SB203- Language Development for Children Who Are Deaf, Hard of Hearing, Blind or Visually Impaired
 - Drafting regulation language to then open workshop
 - Draft resource guides to go out to stakeholders for review
 - Change of Transition Age
 - Draft regulation language compete-workshop is the next step
 - SB210/SB485
 - SB210 required contents of a request for reimbursement of costs incurred by a hospital or other facility for providing educational services to a child to which the hospital or facility provides residential treatment

- SB485 requirements for governing the enrolment o certain children who are admitted to a mental health facility in public schools
- Draft Regulation going to State Board in October (10/25/2022)
- State Performance Plan-Target Setting
 - Thank you to all who participated in the Target Setting Process
 - All Targets submitted have been accepted by OSEP
 - Review data and targets internally and externally to determine improvement strategies
- NDE District Monitoring
 - Districts in 2022/2023 Cycle
 - Elko
 - White Pine
 - Humboldt
 - Lander
 - Eureka
 - Nevada Youth Training Center
- Office of Special Education Program (OSEP) Differentiated Monitoring System Update
 - Reviewing OSEP Protocols and gathering documents
 - Reviewing and updating documents as needed
 - Revising and updating website with most current documents
 - Working with OSEP and other National Partners to prepare for in person visit November of 2023
 - This committee will be part of the monitoring, waiting to hear more specifics on the expectations
- Data Processes and Results System
Collaboratively building a new comprehensive special education data management system that will service both functions of accountability and reporting in support of outcome improvements for students with disabilities.
 - Phase 1: June 2019-March 2023
 - Interoperability with other NDE data systems
 - System name, logo, and design
 - Early Childhood Outcome Module
 - Post-Secondary Transition Module
 - Due Process Module
 - Restraint and Seclusion State Reporting Module
 - Phase 2: June 2024
 - SPP Indicator Data Collection and Reporting
 - LEA APR Determination Reports and Dashboards
 - Comprehensive Monitoring Module (Performance Monitoring and Compliance Monitoring)
 - Future Work
 - Professional Learning and Technical Assistance Module
 - Parent Engagement Module

- State Personnel development Grant-Assess, Plan, Teach- APT
 - Effects of COVID19- Slowed progress
 - Reviewed and revised list of school for Implementation- 25 Total Schools
 - Cohort 1-17 schools
 - Cohort 2- 8 schools
 - 4 dedicated coaches to provide in person and virtual coaching to teachers and administrators to support implementation of APT
 - Increased collaboration with CCSD Parent Engagement and NVPEP
 - All teachers participate in the 5-day CORE Reading Academy to learn literacy framework and are provided with ReadWell curriculum to implement
 - Support training is offered on a monthly basis to expand knowledge of use of curriculum and revisit the practices/strategies learned in the CORE Ready Academy
 - A Welcome to APT meeting will be held with all administrators in the project
- State Personnel Development Grant Project Achieve
 - Carson City School District is expanding implementation to two middle schools and one more elementary school, bringing total number of schools implementing to four. Last year Carson City shared an instructional coach with Lyon County but this year that will be implementing with their own coach.
 - Lyon County School District is expanding implementation to three elementary schools and two middle schools, bringing total number of schools implementing to seven.
 - Dr. Pam Mims and Dr. Bree Jimenez provided in-person on boarding training to new project staff in July and are currently developing 24 onboarding training modules that cover evidence-based practices in teaching grade-aligned ELA, mathematics, and science to students with disabilities with moderate to high support needs. These modules will be available on the NDE's Canvas platform when completed.
 - Dr. Robert Pennington will be developing similar onboarding training modules for the Autism and Low-Incidence Classroom Observation Tool (ALCOT) and will be working with the NDE as a consultant to crosswalk with ALCOT with the Nevada Educator Performance Framework and to create a new tool that aligns the two observation tools.
 - Free monthly statewide webinars will be offered from November through May on evidence-based practices in teaching grade-aligned ELA, mathematics, and science to students with disabilities with moderate to high support needs. Nevada PEP has partnered with the NDE in promoting these webinars. Dr. Pam Mims and Dr. Bree Jimenez will lead these webinars.

- CTE Paraprofessional Project
 - To increase* equitable access to CTE for students in the most severely impacted subpopulations.
 - To increase* successful outcomes from CTE for students in the most severely impacted subpopulations by closing opportunity gaps for students who have been traditionally underserved, preparing students to be both college and career ready, providing a variety of work-based learning experiences, teaching employability and leadership skills, preparing students for high-demand, high-skill, high-wage occupations, and improving Standard Diploma and College and Career Ready Diploma graduation rates.
 - Using ARP ESSER III funds, 30 9-month paraprofessional positions (15 each year) were awarded through a competitive grant process for the 2022-2023 and the 2023-2024 school years to support Nevada Districts and schools in ensuring equitable access to and successful outcomes from career and Technical Education (CTE) programs or students in the most severely impacted special populations during the ongoing response to and recovery from COVID-19.
 - Professional learning modules for the paraprofessionals have been created and will be published by the end of October through the Nevada Department of Education Canvas Learning Management System.
 - Baseline data will be established and targets for increase set at the state level in collaboration with LEAs beginning in November.
- Office of Inclusive Education Resources
 - Updating of website to include more information about programs and services
 - Increased use of NDE Canvas Learning Management System to provide professional learning options for all stakeholders
 - Training on Nevada ACCESS will be happening June of 2023 to roll out use of new modules

11. UPDATE OF ACTION ITEMS FROM FEBRUARY MEETING

No Updates at this time

12. FUTURE SEAC MEETINGS

- Past two years meetings have been virtually. Before our virtual COVID format we had in person meetings in Reno.
- While we were not ready to go back to a completely in person forum, we were wondering if the committee would be open to having the January meeting in person in Reno.
- The whole group would be together in the same location and be able to have an all-day meeting.

- We pay all expenses, planning for mid-January in Reno, fly in the night before, so we could have a full day of meeting. Make it a day to go deeper into the suggested agenda items and in-depth items that the NDE would like to present.
- Working with TAESE out of University of Utah and they work with states on their special education advisory committees and want to look at this committee like we never have before and have a vision of what the committee will do, review the bylaws needing to be updated.
- Work with the TA center to redefine the vision and purpose of this group and how it operates and move us in the direction we need to go at the SEA. More information to come regarding the next steps including the things they will need the committee to do regarding that change.

13. 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
- Local enrollment trajectories over the past 5 years- Joseph Morgan
- Update regarding definition of visually impaired- Lisa Hunt review updated changes in August. See what was changed and now what is it statute.
- Cameras in the classroom, BDR- Anna Marie Binder
- Update and policy changes in CCSD regarding discipline and behavior legislation/data- Anna Marie Binder
- APT overview participation /projection and expansion, data - Anna Marie Binder
- BDR Updates

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide
- NDALC
- Focus Program – UNLV
- NCED information and news/events- Travis Mills

Special Education Initiatives

- Data on inclusion of young students with disabilities

IDEA Spotlight – Legal Requirements/Evidence Based Practice

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

14. PUBLIC COMMENT #2

Shelly Speck- The Interim Finance Committee at the state legislature will be meeting tomorrow at 9am to allocate funding for Early Intervention services and support of the EI workforce. Public comment will be crucial in ensuring this funding. Items: D45, D46, D89, D90.

15. ADJOURNMENT

The next regular SEAC meeting is January 19, 2023, in person meeting, Reno.

SPECIAL EDUCATION ADVISORY COMMITTEE

MEETING MINUTES

WEDNESDAY, JANUARY 19, 2023 – 8:00 A.M. TO 4:30 P.M.

Public Meeting at:

Renaissance Downtown Reno Hotel and Spa

One Lake Street, Reno Nevada

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: Janet Belcove-Shalin, Anna Marie Binder, Barbara Bidell, Ivy Burns, Penni Echols, Kaci Fleetwood, Lisa Hunt, Sara Jorgensen, Doralee Martinez, Ellen Marquez, Travis Mills, Mathew Montgomery, Joseph Morgan, Derild Parsons, Jami Pavicic, Melina Proffitt, Shanda Roderick, Amanda Shipp, Shelly Speck, Jennifer Strobel, Diane Thorkildson, and Laurel Winchester

Absent: Melissa Bart-Plange, MaryAnn Demchak, Leah Edge, Connor Fogal, Jackie Sheppard, Karen Taycher, Jennifer Van Tress, and Rosalie Woods, Sarah Thomas

Staff: Julie Bowers and Connie Torres

Presenters: John Copenhaver

Public: Katherine Fuselier, C.J. Fields

2. PUBLIC COMMENT #1

None

3. APPROVAL OF FLEXIBLE AGENDA

Motion: Joseph Morgan moved to approve the flexible agenda. Shanda Roderick seconded the motion. The vote was called, and the motion carried without objection.

4. APPROVAL OF MINUTES

The minutes of the October 19, 2022, meeting was reviewed and discussed. There were no other changes or corrections offered at this time.

Motion: Ellen Marquez moved to approve the minutes. Ivy Burns seconded the motion. The vote was called, and the motion carried without objection.

5. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) SPOTLIGHT

I. Nevada Special Education Advisory Committee Orientation for Members

Presentation from Technical Assistance for Excellence in Special Education (TAESE) to provide a general orientation for the Special Education Advisory Committee members regarding the Committee's purpose, membership, functions, by-laws, and meeting procedures under the Individuals with Disabilities Act. Discussion ensued:

- The Advisory Committee in the Context of the History of Special Education
 - The State SEAC has a great deal of influence improving results for children and youth with disabilities.
 - Key Role of the Advisory Committee -Committee goal –“Keep the Main thing the Main thing” – Children and Youth with Disabilities
- Know Your Acronyms
 - SEA- State Education Agency
 - LA- Lead Agency
 - LEA- Local Education Agency
 - OSEP- Office of Special Education Programs
 - Section 618- Data Requirements in IDEA
 - APR- Annual Performance Report
 - SSIP- State Systemic Improvement Plan
 - OCR- Office for Civil Rights
 - IDEA- Individuals with Disabilities Education Act
 - SEAC/SAC- State Special Education Advisory Committee under Part B
 - Part B- Special Education-School-Aged Children
 - Section 619- Special Education-3-5 Years
 - Part C- Special Education-Birth-2 Years
 - ICC- Interagency Coordinating Committee
 - IFSP-Individual Family Service Plan
 - IEP- Individual Education Program
 - LRE- Least Restrictive Environment
 - FERPA- Family Educational Rights and Privacy Act
 - ADA- Americans with Disability Act
 - Section 504- Civil Rights based on Disability
- **IDEA Structure, Authority, and Purpose**
 - Part C – Infants (Birth through 2yrs)
 - State Interagency Coordinating Committee
 - Department of Health

- Early Intervention
- Advice around infants and toddlers
- Section 619 – Toddlers (3-5yrs)
- Part B – School age children (5 – 21 years)
 - State Advisory Committee
 - Nevada Department of Education
 - Special Education Office
 - Advisory Committee advises 3 years through 21 years
- Try to establish a membership link between the ICC and the SEAC
- Collaboration Issues: Part C and Section 619 and Part B
 - Create a member link between the two groups
 - Meet together annually
 - Partner on common APR indicators
 - Possible early childhood section of Annual Report
- Section 619 Coordinator – a bridge
- IDEA Regulations Regarding the Advisory Committee
 - Establishment-CFR 300.167
 - Membership- CFR 300.168
 - Duties/Functions- CFR 300.169
 - Due Process- CFR 300.513/514
 - Waiver- CFR 300.164©(4)
 - Every state approaches the Advisory Committee differently. There is no right or wrong way, except the importance of adhering to federal and state regulations relating to committee purpose, membership and functions.
- Purpose of the Special Education Advisory Committee Under IDEA
 - The purpose for the Committee is providing policy guidance with respect to special education and related services for children with disabilities in the State (CFR 300.167).
 - SEAC, as the Advisory Committee to the Nevada State Education Agency (SEA) is mandated by PL 108-446 the Individuals with Disabilities Education Act (IDEA), hereinafter referred to as IDEA, and has been authorized to carry out the functions defined in these by-laws.
 - It's about representing your stakeholder group.
 - Operational Standards purpose functions advisory, membership, Executive committee Annual Report
 - Advisory committees have been in existence since 1975 and have contributed to progress and improvement in special education and services for children with disabilities.
- **A Brief Legislative History of Special Education**
 - Committee members should have an understanding of history of Special Education – from 1960 – 2023:
 - Parents movement
 - Exclusion

- Institutionalism
- Supreme Court Cases
- EHA
- FAPE
- Civil Rights – 504/ADA
- Advisory Committee
- Access
- Compliance
- Advisory Committee
- Inclusion
- Results
- IDEA
- Covid 19
- General Education First, remember....
 - All students are general education students first.
 - Special education is not a place or program. It is a support and services for those who are eligible.
 - Special Education Accountability – 48 years of progress 1975-2023 – from No access, IEP/LRE, SPP, APR, Levels, All Means All!
- The Legislative History of Special Education
 - Public Law 89-10 – 1965 through IDEA Amendments of 2004 – Public Law 108-446 – IDEA and is now pending Reauthorization (19 years and waiting)
 - Reauthorization – to revisit a law – what is working and what needs to be changed.
 - It has been 49 years since the regulations were implemented for Section 504 of the Rehabilitation Act of 1973. The US Department of Education is now gathering public input to improve the law.
- **Membership Requirements Under IDEA**
 - The membership of the Advisory Committee must consist of members appointed by the Governor, or any other office authorized under State law to make these appointments CFR 300.168(b)
 - IDEA Membership of the Panel
 - Parents of children with disabilities ages birth through 26
 - Individuals w/ disabilities
 - Teachers
 - Representatives of Institutions of higher education
 - State and local ed officials
 - Administrators of programs for children with disabilities
 - State Representatives from child welfare responsible for foster care
 - Representatives of other state agencies
 - Representatives of private schools and public charter schools
 - At least one representative of vocational, community, or business organization concerned with the provision of transitions services to children with disabilities

- State regulations can go above federal requirements
- Representatives from the state juvenile and adult corrections agencies
- State and Local officials that represent homeless children.
- Special rule 51% the majority of the members must be individuals with disabilities and parents of children with disabilities.
- Same as IDEA membership requirements.
- Committee Membership is Comprised of:
 - 3 Special Education Administrators (North, South, Rural)
 - 3 Special Education Teachers (North, South, Rural)
 - 1 Charter Schools Representative
 - 1 Private Schools Representative
 - 1 State Juvenile/ Adult Corrections Representative
 - 1 Department of Health and Human Services Representative
 - 2 NSHE Representatives (North, South)
 - 1 OSEP Funded State Parent Training Information Center
 - 1 Office of Protection and Advocacy Agency
 - 1 Homeless Education Representative
 - 1 Foster Care Representative
 - 17 Parents of Children with Disabilities and/or Individuals with Disabilities Representatives
 - All members of SEAC shall be appointed by the NV State Board of Education based on recommendations by the State Director of Special Education and the chair of SEAC.
 - Committee Membership Demographics- members are representatives of the State population demographics and composed of individuals involved in, or concerned with, the education of children and youth with disabilities.
 - Cultures
 - Rural/Urban
 - Gender
 - The term of appointment shall be for 3 years, commencing on July 1 of the first year and ending June 30 of the third year. Individuals may be reappointed for consecutive terms.
 - Important Priorities for Committee Members-
 - Read the by-laws
 - Attend the meetings
 - DO your homework prior to each committee meeting
 - Represent your stakeholder group
 - Participate
 - Work as a team
 - Support each other
 - Make a difference
 - It is important to provide training and orientation to all new members annually. Some committees provide training to all member every year
 - Important Committee Resources:
 - Committee By-laws

- Open meeting requirements
- Acronyms
- Committee Annual Report
- SEA Information/Staff
- General Supervision Information
- Committee Meeting Schedule
- Reimbursement Procedure
- Quorum needs to be in the by-laws
- National SEAC/ICC Website
 - Access to State SEAC and ICC Websites
 - Committee/ICC Information/Resources
 - Announcements
 - National SEA/SEAC Quarterly Webinars
- **Executive Committee**
 - Chairperson
 - Vice Chairperson
 - Secretary
 - State Director provides support to the Executive Committee
 - Officers and Leadership Team:
 - Elected officers of SEAC shall be a Chair and Vice Chair. The Chair and Vice-Chair shall assume the position after July 1.
 - The officers shall be elected by a majority of member present at a regularly scheduled meeting.
 - The term of office for elected officers shall be one year, from July 1 to June 30.
 - The Nevada SEA shall provide secretarial services for SEAC.
 - Suggested Roles Chairperson:
 - Ensuring the scheduling of SEAC meetings and task forces
 - Developing meeting agendas with the State Director of Special Education
 - Chairing all SEAC meetings
 - Coordinating all SEAC activities with the State Director of Special Education
 - Establishing task forces with approval of SEAC
 - Ensuring that all meetings of task forces are reported at the following SEAC meeting, and that recommended action is made a matter of record
 - Ensuring that SEAC draft minutes are completed, distributed to members, and final minutes are posted for other appropriate recipients
 - Suggested Roles: Vice Chairperson:
 - Serve as a surrogate for the Chair
 - Use Roberts Rules of Order
 - Understand Open Meeting Requirements
 - Serve on the Executive Workgroup
 - Understanding the basics for the SPP and APR

- Has knowledge of IDEA regulations relating to the committee
- Understand General Supervision
- Purpose and Implementation of Sub-Committees and Task Force-
 - Task Forces shall be established for specific tasks and for a designated time period. A representative of a task force will report on current activities at SEAC meetings. Task forces will draft recommendations for discussion and action by the SEAC as requested. The Chair shall determine membership. Membership on task forces may include representatives from both the field and SEAC.
- **Roles of the State Director of Special Education**
 - The Nevada State Director of Special Education carries out the IDEA regulatory responsibilities defined in IDEA and shall work in partnership with SEAC.
 - Director is responsible for - General supervision, dispute resolutions, IDEA regs, SPP/APR/SSIP, Needs of LEAs, Legislative duties,
 - Although the role of the State Special Education Director in relation to the Advisory Committee will vary from State to State, most State Directors generally have the following roles:
 - Provide relevant and current info to Committee members
 - Serve in an Ad hoc capacity – nonvoting member
 - Assist with agenda development
 - Report on topical issues
 - Provide a “State of State” report
 - Report on APR levels of determinations and RDA
 - Support the committee to carry out their functions
 - Provide feedback regarding Committee advice and suggestions
- **Representing Your Stakeholder Group and All IDEA Children and Youth**
 - One of the most significant contributions each Committee member makes is representing their stakeholder group. Federal regulations require that specific stakeholders be represented by membership on the Advisory Committee.
 - This requires the Committee to consider methods that can facilitate ongoing communication between committee members and their stakeholder group.
 - Reaching Out for Stakeholder Input- social media, conferences, individuals, boards, workplace, agencies, professional organizations, and committees
 - Members of SEAC have further responsibility of establishing and maintaining contact with persons, groups, or associations having an interest in the welfare of children with disabilities in order to remain knowledgeable and informed about public and private interests in special education.
 - Representing the Advisory committee
 - The Chair of the SEAC, or in his or her absence the Vice-Chair, Chair-Elect or the Chair’s designee, is the only member of the Committee authorized to speak publicly for SEAC, and then only in accordance with SEAC recommendations of position statements.

- Individual SEAC members may not represent themselves as spokespersons for SEAC, the Nevada SEA, or the State Board of Education.
- A person selected to represent a specific category may have experience across categories. Membership should be balanced to ensure adequate representation of urban and rural areas; minorities and under-served populations, individuals, and parents of children with moderate and severe disabilities.
- **Advocacy vs. Advisory- Providing Advice that Results in Change**
 - There might be times when your opinion is different than the stakeholder group you are representing - your voice should be their voice.
 - Working as an Advisory Committee, not as an Advocacy Group – Advocacy vs. Advisory – Providing Advice that Results in Change - CFR 300.167
 - The Committee should be actively involved in meaningful work and providing advice to the SEA – A Working Committee
 - Advocacy
 - To take sides
 - To support something
 - To plead your case/position
 - To favor a position
 - To argue
 - Groups are in the State whose purpose is advocacy.
 - Protection and Advocacy
 - Disability Organizations
 - Professional Organizations
 - Advisory
 - To give advice
 - To inform
 - To counsel
 - To recommend
 - To suggest
 - To Guide
 - A Committee Role!
 - SEAC is involved in its advisory role, in the Nevada SEA general supervision decision-making process
 - SEAC shall develop recommendations or position statements regarding significant issues in the education of children with disabilities and communicate such recommendations to the NV State of Director of Special Education
 - It is the responsibility of each Committee member to raise issues that relate to his/her area of representation, giving input on position papers, publications, and policy recommendations.
 - All formal recommendations or position papers shall be addressed to the State Director of Special Education and shall reflect the approval of a majority of members present.

- The State Director of Special Education will provide copies of all formal recommendations or position papers to the State Superintendent of Public Instruction and may provide the same to the State Board of Education, and other advisory groups or agencies concerned with the delivery of services for children with disabilities, as appropriate.
- Exercising Advisory Responsibilities:
 - Committee Issue/Priority
 - Resource/Information (building capacity)
 - Member Perspective/Experience (maybe advocacy)
 - Stakeholder Input
 - Committee Discussion
 - Objective Advice/Suggestions
 - Approval by State Director
 - Change – Improved services for children and youth with disabilities
- Proper Advisory Process:
 - Individual member/stakeholder group to SEAC to State Special Education Director to Superintendent to State Board of Education or also go down the chain as well or side-ways for other interactions with other State agencies (ICC, DHHS, e.g.)
- **Understanding the Advisory Committee Functions Under IDEA**
 - CFR 300-169(a)- have a working understanding of the functions under IDEA. All committee activities should relate to one or more of the functions.
 - 1. Advise the SEA of unmet needs with the State in the education of children with disabilities (CFR 300.169(a)).
 - Examples:
 - Training educators on working with children with Autism
 - Students not being adequately served in juvenile and adult correctional facilities
 - COVID
 - 2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities (CFR 300.169(b)).
 - Example:
 - The federal law is reauthorized, and the State makes revisions to their regulations
 - 3. Advise the State in developing evaluations and reporting on data to the Secretary under Section 618 of the Act. (CFR 300.169(c)).
 - Examples:
 - The SEA is reviewing and refining APR improvement strategies
 - Upon completion of a State and school district drill-down, it was concluded that students with disabilities had lower graduation rates than students without disabilities
 - 4. Advise the State in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act. (CFR 300.169(d)).
 - Example:

- The State has just experienced an OSEP visit and was found to be in noncompliance on various fiscal issues
- 5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities. (CFR 300.169(e)).
 - Examples:
 - The SEA is proposing a new MOU with the Department of Corrections
 - The SEA is revising its MOU with the Department of Health
- 6. The SEA, after deleting personally identifiable information, must
 - Provide the Advisory Committee with the Due Process Hearings findings and decisions (*missing in Nevada SEAC bylaws)
 - Make those findings and decisions available to the public (CFR 300.513(d) & 300.514(c)).
 - Examples:
 - DPH decisions identify consistent issues
 - The SEA has experienced a spike in DPHs
- 7. Waiver of nonsupplant requirement. State must consult with the Advisory Committee regarding provisions of FAPE. (CFR 300.164 (c) (4)).
 - Example:
 - Recession of 2008) this is rarely an issue
 - SEA -Responsibilities in Correctional Facilities- OSEP Letter, December 5, 2014. To implement the supports and interventions needed by students with disabilities entering, attending classes, and exiting the corrections system requires significant collaboration and communication across agencies.
- **Advisory Committee Meeting Issues – Know the Rules**
 - Adhere to State Open Meeting laws. All Advisory Committee meetings and agenda items must be announced far enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public. If possible, provide meals or refreshments at Committee meetings.
 - By-laws set the ground rules for the day-to-day operation of the Committee
 - Recommendations:
 - Name plates – Include name and Stakeholder Group
 - Agenda- insert functions on the back page
 - Advisory Tent
 - Open Meeting Law:
 - Protect and inform the public
 - Maintain integrity of government
 - Build trust between government and citizens
 - Establish consistent procedures for all public meetings
 - Roberts Rules of Order:
 - Henry Martym Robert
 - To bring order out of chaos
 - Consistent rules to keep order
 - First edition 1876 – last edition 2011

- 5 ½ million copies in print
- Consensus:
 - The Committee should move toward consensus
 - Consensus is finding an acceptable proposal that all members can support.
 - Members might not get everything they want, but enough to publicly support.
 - Consensus is NOT -unanimous, majority, a vote of any kind, and is not 100% satisfaction
- Confidentiality FERPA
 - Avoid using the names of individual students, parents, and staff members.
 - Provide a short in-service announcement for Committee members on privacy and confidentiality.
 - Guests – It is important to have a separate seating section for guests and non-Committee individuals. Probably best not to interact with guests during the meeting and during Public Comment.
- Public and /or SEAP Input
 - Guest Seating area
 - Sign in sheet
 - Written or verbal
 - Website
 - Make “public comment” a standing agenda item
 - Set ground rules for public comment
 - Offer a 1-800 call in-number
- Public Input Written Form -
 - Name
 - Position
 - Issues to discuss:
 - Facts/data:
 - Suggestions to improve:
 - Positive items:
- Public Comment Procedures-
 - Provide notice to the public well in advance of each Advisory committee meeting
 - Specify a consistent time on the agenda for public comment
 - Set aside a minimum of 15 minutes on the agenda for public comments
 - Limit public comment to no more than three minutes per individual or group
 - Public comments can be verbal or sent in written form to be read aloud by the Committee Chairperson
 - Alert individuals giving public comments to be factual and objective. Avoid using names of students or school staff to maintain confidentiality and privacy standards. Advisory Committee meetings and procedures must adhere to the requirements of the Family Educational Rights and Privacy Act (FERPA).

- Mention to those providing comments their input will be taken under advisement at the Advisory Committee addresses their priority issues. Advisory committee members will listen to, but not address, public comments during the comment section.
- Provide a verbal or visual cue to each public commenter signifying one minute before their time is up.
- Compensation – The Advisory Committee shall serve without compensation, but the State must reimburse for the Committee for reasonable and necessary expenses for attending meetings and performing duties.
- Virtual Participation
 - Chairperson – acknowledge and introduce those who are attending virtually
 - Periodically check in
 - Project faces or names on screen
 - After each main discussion
 - If needed, interpreters and other necessary services must be provided at Committee meetings for Committee members or participants. The State will pay for these services.
 - Official minutes must be kept on all Committee meetings and must be made available on request. *Post on website
 - Always follow up on next steps or action items
- **Advisory Committee Annual Report:**
 - Not in regulation but is best practice
 - The Advisory Committee submits an annual report of Committee activities and advice to the State
 - The annual report often becomes a hastily completed document that includes copies of meeting agendas, minutes, reports, and miscellaneous “filler” data documents.
 - Annual reports should be meaningful and useful
 - The Nevada Special Education Advisory Committee submits an Annual Report that lists the advice. *Due Date
 - Written by the Committee or Committee and SEA
 - Disseminate and post on website
 - Annual Report Issues
 - Annually
 - Reflects the advice on priority issues
 - Advice is based on data, sound information, and consensus
 - Role with SPP/APR levels
 - Annual report is the committee’s IEP for the State
 - Assign one or two individuals the task of writing the report
 - User friendly and short
 - Disseminate through hard copies and on the web
 - Review at the first meeting of the new year
 - Annual Report should include:
 - Committee Name/Purpose and Functions

- Schedule of Meetings
- Message from Chairperson
- Priorities Addressed
- Resources/Data/Information Used
- Involvement with SPP/APR
- Advice/Guidance to the State
- List of Committee Membership
- Anticipated Membership Vacancies for Next Year
- Emerging issues for next year
 - *Consider a joint annual report with the ICC
- **Office of Special Education Programs (OSEP)**
 - Emerging State Special Education Advisory Committee Roles
 - General Supervision
 - SPP & State Goals with Measurable Targets
 - Fiscal Management
 - Integrated On-Site & Off-Site Monitoring Activities
 - Effective Policies & Procedures
 - Data on Processes and Results
 - Improvement, Correction, Incentives, & Sanctions
 - Effective Dispute Resolution
 - Targeted Technical Assistance & Professional Development
 - Build the capacity of Committee Members to better understand General Supervision.
 - Monitoring
 - APR
 - Differentiated Monitoring and Support 2.0 and the State Advisory Committee
 - Provides the stakeholders an opportunity to provide OSEP with input relating to the effectiveness of the State General Supervision System. It also helps identify system-wide issues.
 - Prior to phase 2, the OSEP/DMS Team will work with the State to schedule a meeting with SAP/ICC members. Discussion points will be provided to the SAP/ICC before the meeting.
 - Prior to the on-site visit, the OSEP/DMS Team will have a one-hour focus group meeting with the members of the SAP/ICC.
 - If the State and DMS Team agree, the team will observe the SAP/ICC meeting for one hour while on-site. The DMS Team will be an observer only and will not participate in the SAP/ICC meeting. Notes from the meeting will be used during the phase 1-2 interviews.
- **Establishing Committee Priorities**
 - It is important for an organization to plan annually and focus efforts on a limited number of priority issues
 - Setting Annual Priorities
 - Study current and emerging critical issues that impact services for children with disabilities

- Look Beyond the State to regional and national trends
- Input from SEA/Committee Members
- Examine the data from
 - Dispute Resolution
 - SPP/APR
 - Section 618/611
 - State Monitoring Data
 - Child Count
 - State Improvement Efforts
- Focus on 3 to 4 priorities
- Priority Setting- establish a process to determine annual Committee priorities in your by-laws.
 - Past Priorities- Are there any Council priorities that need to continue?
 - Current National-Hot topics in Special Education
 - State Special Education Priorities
 - Advisory Council Members-Suggestions for priorities
 - Discussions and Consensus
 - Priority Baseline- Priorities from previous year(s), Critical current priorities
 - Goal 1: 2-3 priorities
 - Each priority relates to and function of IDEA
 - Develop Action Plan
- Can fill out the Advisory Committee Action Plan
- Trends – Hot topics – examples -Safety in public schools, mental health, IDEA reauthorization,
- **Summary and Conclusion:**
 - Advisory Committee Effective Practices
 - Close working relationships with State Director
 - Membership orientation
 - Advisory, not advocacy, in nature
 - Meaningful work
 - Annual meeting to set priorities
 - Priorities determined by SPP/APR Levels
 - Ongoing communication between SEA, Committee, and Executive Committee
 - Part C Connection
 - Support SEA's improvement efforts
 - Established by-laws for Committee operation
 - Dedicated SEA support staff
 - Meetings four to six times per year
 - Collaborative agenda building
 - In-service regarding confidentiality
 - Awareness brochure
 - User-friendly annual report
 - Annual Report

6. NEVADA DEPARTMENT OF EDUCATION UPDATES

No Updates at this time

7. UPDATE OF ACTION ITEMS FROM OCTOBER MEETING

No Updates at this time

8. FUTURE SEAC MEETINGS

- Continue the virtual format for rest of year meetings and will reevaluate how that works and hopefully will get to in person format for meeting in the future.
- Will look at date for next meeting, spring break may impact the date

9. 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
- Local enrollment trajectories over the past 5 years- Joseph Morgan
- Update regarding definition of visually impaired- Lisa Hunt review updated changes in August. See what was changed and now what is it statute.
- Cameras in the classroom, BDR- Anna Marie Binder
- Update and policy changes in CCSO regarding discipline and behavior legislation/data- Anna Marie Binder
- APT overview participation /projection and expansion, data - Anna Marie Binder
- BDR Updates
- Discuss issues that need to be priorities in the future

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide
- NDALC
- Focus Program – UNLV
- NCED information and news/events- Travis Mills

Special Education Initiatives

- Data on inclusion of young students with disabilities

IDEA Spotlight – Legal Requirements/Evidence Based Practice

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

- Physical Restraints

10. PUBLIC COMMENT #2

11. ADJOURNMENT

The next regular SEAC meeting is March 15, 2023, via Zoom.

SPECIAL EDUCATION ADVISORY COMMITTEE

MEETING MINUTES

WEDNESDAY, MARCH 15, 2023 – 1:00 P.M. TO 4:00 P.M.

Public Meeting at:

<https://us06web.zoom.us/j/83027473022?pwd=dzVGbnpTWZWZRRXM4UWpvUjRTQU1Ddz09>

Meeting ID : 830 2747 3022

Passcode : 2023

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: Melissa Bart-Plange, Janet Belcove-Shalin, Anna Marie Binder, Barbara Bidell, MaryAnn Demchak, Penni Echols, Leah Edge, Kaci Fleetwood, Lisa Hunt, Sara Jorgensen, Doralee Martinez, Ellen Marquez, Travis Mills, Mathew Montgomery, Joseph Morgan, Derild Parsons, Melina Proffitt, Shanda Roderick, Jackie Sheppard, Shelly Speck, Karen Taycher, Sarah Thomas, Diane Thorkildson, Jennifer Van Tress, and Rosalie Woods

Absent: Ivy Burns, Connor Fogal, Jami Pavicic, Amanda Shipp, Jennifer Strobel, and Laurel Winchester

Staff: Julie Bowers and Jessica Boles

Presenters: John Copenhaver, TAESE

Public: Brinley Jones, TAESE

2. PUBLIC COMMENT #1
3. APPROVAL OF FLEXIBLE AGENDA

Motion: Shandra Roderick moved to approve the flexible agenda. MaryAnn Demchak seconded the motion. The vote was called, and the motion carried without objection.

- 20/20 Votes: Approval

4. APPROVAL OF MINUTES

The minutes of the January 19, 2023, meeting was reviewed and discussed. There were no other changes or corrections offered at this time.

Motion: Joe Morgan moved to approve the minutes. Travis Mills seconded the motion. The vote was called, and the motion carried without objection.

- 20/21 Votes: Approval
- 1/21 Votes: MaryAnn Demchak abstains from voting

5. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) SPOTLIGHT

I. Updated Committee Bylaws

Presentation from Technical Assistance for Excellence in Special Education (TAESE) to provide Special Education Advisory Committee members with information regarding changes to the bylaws and opportunity for Committee feedback. Discussion ensued:

- Purpose of Presentation
 - To provide the Advisory Committee members an opportunity to become familiar with changes to the Committee bylaws and for Committee Members to provide any recommendations for edits before approval by the full Advisory Committee.
- Our bylaws are 6 years old, most committees revisit bylaws annually.
- Revision of Advisory Committee Bylaws Process
 - January 18th- Executive Committee met to discuss needed changes to the bylaws.
 - January 19th- Reviewed current bylaws with the full Advisory Committee.
 - February 23rd- Executive Committee conducted an evening meeting to review the first draft of the bylaw changes.
 - March 2nd- Executive Committee met to review and comment on 2nd draft of bylaw changes.
 - March 15th- Full Committee is given information on the revised bylaws for final comments and possible approval & adoption.
- Bylaws
 - Establish consistency in how the Advisory Committee should operate. Creates a fidelity of operation.
 - Bylaws create sustainability of the Advisory Committee meeting procedures as current members tenure off.
 - Bylaws are flexible and fluid. They can be revised as needed- just follow the amendment of bylaws process.
 - Establish a Sub-Committee to review the bylaws each year.
- Council Bylaws- Day to Day Operations
 - Bylaws set the ground rules for the day-to-day operation of the Committee.
 - Every member of the committee should be familiar with the bylaws.

- Bylaws should be consistent with State Open Meeting Requirements.
- Possible Bylaws Content
- Ground Rules of Bylaw Review
 - Cover each Article without comments
 - After each Article, open up to Committee comments, questions, recommendations, and approval.
 - If possible, reach a consensus after each Article.
 - Ultimate outcome-full approval of the bylaws by the Advisory Committee.
- The following are recommendations for the Special Education Advisory Committee regarding changes to the current March 2017 Bylaws. These are just recommendations, the final decision on revising, deleting, or adding any bylaws would be a collaboration between the State Special Education Director, Executive Committee, and following Article VIII in the existing bylaws.
 - Lead in paragraph-a paragraph could be added to introduce the purpose of the bylaws.
 - Add an “Authority” Article that outlines the authority for having an Advisory Committee.
 - For example: “The Nevada Special Education Advisory Committee is established in accordance with 34 Code of Federal Regulations of the Individuals with Disabilities Education Act (IDEA), (C.F.R.) Section 300.167-169. Also, by the Nevada State Special Education Regulations and State Open Meeting Requirements.”
 - Create a new “Purpose” that is consistent with the purpose of the IDEA.
 - “The purpose for the Committee is providing policy guidance with respect to special education and related services for children with disabilities in the State. CFR 300-167.”
 - Article III-Functions-There are two functions that are missing that are listed in IDEA:
 - The SEA after deleting personally identifiable information must; provide the Advisory Committee with the Due Process Hearing findings and decisions and make those findings and decisions available to the public. CFR 300.513(d) and 300.514(c).
 - Waiver of non-supplant requirement. The State must consult with the Advisory Committee regarding provisions of a Free Appropriate Public Education (FAPE). CFR 300.164 (c)(4).
 - Membership-Section 4. The current bylaws do not specify how many terms a Committee member can serve.
 - Quorum- There is no mention in the bylaws of what constitutes a quorum to operate and conduct business.
 - Proxy members- Some committees have a provision to appoint a certain number of Proxy members who would represent members who

- cannot attend a meeting. A proxy could attend and represent a member but would not be a voting member. The Proxys would be part of the annual orientation and given other Committee resources.
- Orientation of members-recommend adding a Section regarding an annual orientation and priority setting for Committee members. This is usually done in August or September of each year.
 - Sub-Committees- The current bylaws have a provision for Task Forces to address certain topical issues that might come up. Many Committees allow the use of sub-committees for bylaws and membership requirements.
 - Possible Sub-Committees:
 - Executive Committee
 - Bylaws Sub Committee
 - Membership Sub-Committee
 - Meeting procedures- a suggestion to create an Article entitled “Meeting Procedures”, this section could address how many meetings each year, quorum requirements, public comment procedures, committee member meeting expectations, Roberts Rules of Order, and virtual participation.
 - Annual Report- There is currently no mention of a Committee Annual Report and when it is due.
 - Bylaws Amendment Process- Amendments to these bylaws may be made by a majority vote at a regularly scheduled Committee meeting, provided that copies of the proposed changes have been disseminated for review and comment at least 30 days prior to the meeting.
- Introduction
 - The bylaws are established to outline the operating procedures for the Nevada State Special Education Advisory Committee. This document is aligned with requirements for the Special Education Advisory Committee under the Individuals with Disabilities Act (IDEA), Nevada State regulations, and the Nevada Open Public Meetings Act.
 - Note: Parents and other individuals who are seeking information regarding children and youth eligible under Section 504 of the Rehabilitation Act should contact the Nevada State Parent Training and Information (PTI), your school district, or the Office for Civil Rights.
 - Article 1- Purpose of the Committee (34 CFR 300.167)
 - The IDEA state, “the State must establish and maintain a Special education advisory committee for the purpose of providing policy guidance with respect to special education and related services for children and youth with disabilities in the state.” The Nevada State advisor committee membership is comprised of individuals in, or concerned with, the education of children and youth with disabilities ages 3 to 21 years.

- Authorizing Legislation-
 - The advisory committee is established in accordance with P.L. 108.446, 34 Code of Federal Regulations under the Individuals with Disabilities Act (IDEA), Nevada State Special Education Regulations, and State Open Meeting Requirements.
- Name of the Committee
 - Nevada State Special Education Advisory Committee, referred to as SEAC.
- Advisory Committee Mission & Responsibilities
 - The advisory committee supports an education system that achieves excellence, equity and lifelong learning for all eligible children and youth with disabilities under IDEA in Nevada. The committee is committed to representing children and youth with disabilities 3 years to 21 years old with diverse and changing education needs and make recommendations that relate to their duties under IDEA.
- Advisory Committee Responsibilities
 - The advisory committee responsibilities include offering advice, consultation and recommendations to the Nevada State Board of Education and State Superintendent through the State Director of Special Education, office of inclusive education on matters of unmet needs concerning special education services and related services within Nevada public schools. The committee is responsible for advising around their duties under IDEA listed in Article II of these bylaws.
- Article II- Advisory Committee Duties (34 CFR 300.169)
 - Advise the Nevada State Education Agency (SEA) of unmet needs within the State in the education of children and youth with disabilities. (CFR 300.169(a))
 - Comment publicly on any rules or regulations proposed by the State regarding the education of children and youth with disabilities. (CFR 300.169(b))
 - Advise the Nevada SEA in developing evaluations and reporting on data to the Secretary of the Advisory Committee Under 618 of the Act. (CFR 300.169(c))
 - Advise the Nevada SEA in developing Corrective Action Plans (CAPs) to address findings identified in federal monitoring reports under Part B of the Act. (CFR 300.169(d))
 - Advise the Nevada SEA in developing and implementing policies on the coordination of services for children and youth with disabilities. (CFR 300.169(e))
 - The Nevada SEA, after deleting personally identifiable information, must:

- Provide the Committee with Due Process Hearing (DPH) findings and decisions.
- Make those DPH findings and decisions available to the public. (CFR 300.513(d) and CFR 300.514(c))
- Waiver of non-supplant requirement. The State must consult with the Advisory Committee regarding provisions of Free Appropriate Public Education (FAPE). (CFR 300.164(c)(4))
- Article III-Advisory Committee Membership (34 CFR 300.168)
 - Nominations and Appointments
 - The Nevada Office of Inclusive Education (Secretary of the Advisory Committee) provides public notices of Advisory Committee membership vacancies along with the procedures for people to make an application for membership consideration. Prospective members must complete an application and meet qualifications to become a member; then a list of qualified potential members is sent to the Nevada State Director of Special Education.
 - The Nevada State Special Education Director shall appoint and work with a Special Education Advisory Committee of no more than thirty-three (33) appointed members. Seventeen will be parents of children and youth with disabilities and/or individuals with disabilities. The Executive Committee and members of the Advisory Committee work in collaboration with the Director of the Office of Inclusive Education. Appointments to the Advisory Committee are made in accordance with the IDEA and Nevada State Law.
 - Advisory Committee Membership
 - The membership of the Advisory Committee must be consistent with the IDEA, 34 CFR 300.168(b). All members of the Advisory Committee shall be appointed by the Nevada State Board of Education based on recommendations by the State Director of Special Education in collaboration with the Committee Chairperson. The Advisory Committee should, to the maximum extent possible, be representative of the State population, and it must be comprised of individuals involved in, or concerned with, the education of children with disabilities.
 - Parents of children with disabilities ages birth - 21
 - Individuals with disabilities
 - A representative of the Parent Training and Information Center
 - Teachers
 - Representatives of institutions of higher education that prepare special education and related services personnel

- State and local education officials, including officials who conduct activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et. seq.).
- Administrators of programs for children with disabilities
- Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities
- Representatives of private schools and public charter schools
- No less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities
- Representatives from the State juvenile and adult corrections agencies
- A representative from the State child welfare agency responsible for foster care
- Note: A majority of the Advisory Committee membership shall be individuals with disabilities and parents of children with disabilities (ages 3 to 21 years)(34 CFR 300.168(b)).
- Note: Members may serve a dual membership role as long as no conflicts of interest are evident.
- The membership of the Advisory Committee shall be representative of Nevada's population and geographic representation of individuals involved in or concerned with the education of children with disabilities. Committee membership is comprised of:
 - 3- Special Education Administrators (North, South, Rural)
 - 3- Special Education Teachers (North, South, Rural)
 - 1- Charter School Representative
 - 1- Private School Representative
 - 1- State Juvenile/Adult Corrections Representative
 - 1- Department of Health and Human Services Representative
 - 2- NSHE Representative (North, South)
 - 1- OSEP Funded State Parent Training Information Center
 - 1- Office of Protection and Advocacy Agency
 - 1- Homeless Education Representative
 - 1- Foster Care representative
 - 17- Parents of Children with Disabilities and/or Individuals with Disabilities Representative
- Expectations of Advisory Committee Members
 - Be committed to quality education for children eligible for special education services.
 - Have experience with special education programs.

- Represent the stakeholder group the member is assigned to.
 - Represent all IDEA eligible children and youth with disabilities in the State.
 - Be available to actively participate in each Advisory Committee meeting.
 - Approach the work as advisory in nature.
 - Have no personal conflicts of interest with the business of the Advisory Committee.
 - Keep the main thing the main thing- children and youth with disabilities.
- Public Guests
 - A public guest is an individual or organization with an interest in decisions and activities of the Advisory Committee. Public guests are not members of the Advisory Committee. (Additional text on this subject is in the Bylaws document).
 - Tenure of Members
 - Members are appointed for a three-year term. Each appointment to the advisory Committee must be appointed by the State Director of Special Education, in collaboration with the Executive Committee.
 - Reappointment Procedures
 - Upon the end of a three-year term, if the Committee Member is interested in another term, they will complete a reapplication form and send it to the Advisory Committee Secretary. The Advisory Committee's Executive Committee, including the Committee Secretary, will submit the application for consideration for an addition three-year term. A member can serve for two terms, additional terms can be considered on a case-by-case basis.
 - Member Orientation
 - The Advisory Committee Chairperson, Vice Chairperson, Committee Secretary, and/or a knowledgeable trainer, will conduct an annual orientation presentation at the September meeting for all Advisory Committee members. (Additional text on this subject is in the Bylaws document).
 - Priority Setting
 - The Advisory Committee will conduct an annual priority-setting meeting as their first meeting (September) each year to determine 3-4 priority areas to address during the year and to provide advice about to the Office of Inclusive Education. This priority setting meeting can be conducted in conjunction with the annual Advisory Committee orientation. Depending on circumstances, the Advisory Committee's established priorities could change during the year. If priorities change during the year, time will be included at an Advisory Committee meeting to consider other priorities. Each priority

should have an Action Plan that outlines how the Committee will address the priority.

- Article IV- Advisory Executive Committee Officers
 - By a majority vote of those members present at the final meeting of the year (June), the Committee will elect a Chairperson, and a Vice Chairperson, each to serve a one-year term. Candidates shall have been members of the Committee for at least one year before assuming these leadership positions. Either the Chairperson or Vice Chairperson needs to be a parent of a child with a disability and/or a person with a disability themselves.
(Additional text on this subject is in the Bylaws document).
 - Representing the Advisory Committee
 - The Chair of the Advisory Committee, or in his/her absence the Vice Chair, Chair-Elect or the Chair's designee, with the knowledge & approval of the state Director of Special Education, is the only member of the Committee authorized to speak publicly for the advisory Committee, and then only in accordance with SEAC recommendations of position statements.
 - Individual Advisory Committee members may not represent themselves as spokespersons for the Advisory Committee, the Nevada Department of Education, or the State Board of Education.

- Article V- Advisory Executive Committee and Subcommittees
 - The Executive Committee and Subcommittees are implemented to help accomplish the work of the Advisory Committee. The following includes possible subcommittees:
 - Executive Committee
 - Membership Subcommittee
 - Bylaws Subcommittee
 - Advisory Priorities Subcommittee
 - Each subcommittee should have a leader and a recorder to officially document their discussions and recommendations. Other Advisory Committee members can volunteer for subcommittees. Each active subcommittee reports on activities at each Advisory Committee meeting.
(Additional text on this subject is in the Bylaws document).

- Article VI- Advisory Committee Meeting Procedures
 - The Committee will meet four times each year and more if needed, and each meeting shall be open to the public. As decided by the Executive Committee with input from members, meetings could be virtual, in-person, or hybrid.
 - The meetings will occur during the following months:

- September: 1.5 days- Orientation, Priority Setting & Business
- November
- March
- June
- There might be times when a meeting could be held in a different month because of circumstances.
- A quorum shall be 51% of the Advisory Committee membership. In order to take any action or conduct business, a quorum must be present.
(Additional text on this subject is in the Bylaws document. Presentation includes parts 1,7, & 8. Also see parts 2,3,4,5,6,9,& 10).
- All members of the Advisory Committee are expected to attend Advisory Committee meetings for the entire length of their term in order to represent their stakeholder group, organization, or agency and to enhance the effectiveness of the Committee. Meeting attendance is defined as the physical or virtual presence of the Advisory Committee member. Should a Committee member be unable to participate in an Advisory Committee and/or Committee meeting, it is their responsibility to notify the Office of Inclusive Education's Appointed Advisory Committee Secretary of their anticipated absence. Notification of an absence is requested within 12 hours of each meeting date.
- Public Comments
Each Advisory Committee meeting will include a "public guest comment" section on the agenda. A standing agenda item for public guest comments will always be included at each Advisory Committee meeting.
(Additional text on this subject is in the Bylaws document).
- Public Comments Procedures
 - Set aside a minimum of 15 minutes on the agenda for public comments.
 - Limit public comments to no more than three minutes per individual or group.
 - Public comments can be verbal or send in written form to be read aloud by the Committee Chairperson.
 - Mention to those providing comments their input will be taken under advisement as the Committee addresses their priority issues. Advisory Committee members will listen to, but not address, public comments during the comment section.
(Additional text on this subject is in the Bylaws document. There are a total of nine Public Comment Procedures).
- Article VII- Resignation, Removal, and Replacement of Committee Members
 - Resignation
 - An Advisory Committee member may resign upon written notice to the Committee Chairperson. A notice of resignation

will be forwarded to the Nevada State Director of Special Education.

- Removal and Replacement
 - Committee members may be removed when the following occurs:
 - The member sends a letter of resignation to the Advisory Committee Chairperson, or
 - The member does not attend three (3) full meetings in one (1) Committee year without a valid excuse such as illness or death of family member.
(Additional text on this subject is in the Bylaws document).
- Article VIII- Roles of the State Special Education Director or Designee
 - The following are responsibilities of the State Special Education Director, or delegated State Education Agency (SEA) Staff in relation to the Committee.
 - Attend Advisory Committee meetings or appoint a designee to attend
 - Serve in a ad hoc capacity- nonvoting member
 - Provide relevant and current information to Advisory Committee members
 - Suggest advisory Committee agenda items to the Executive Committee
 - Report on areas of special education general supervision
 - Report on topical issues
 - Report on progress with the Annual Performance Report (APR) and involvement in Office of Special Education Programs (OSEP) Differentiated Monitoring Support
 - Report on State and school district levels of determination
 - Take Advisory Committee advice/suggestions to the appropriate levels
 - Report back to the Advisory Committee on the status of past advice taken to appropriate levels
 - Support the Advisory Committee in conducting their functions under IDEA and State regulations
- Article IX- Advisory Committee Annual Report
 - The Executive Committee and members of the Advisory Committee will complete an Annual Report each year by August 15th. The Annual Report will contain at least the following:
 - Introductory letter by the Chairperson
 - List of Advisory Committee members and officers
 - Priorities addressed during the year

- Key activities, recommendations and advice provided on priority issues
- Accomplishments of the Committee
- Anticipated membership vacancies for the next year
- Agendas of all Advisory Committee meetings (appendix)
- Copies of the Committee minutes (appendix)
- The Annual Report will be discussed at the first Advisory Board meeting of each year (September).
- Article X- Amendments to Bylaws
 - Amendments to these bylaws may be made by a majority vote at a regularly scheduled Advisory Committee meeting, providing copies of the proposed amendments have been disseminated for review and comment at least fifteen (15) days prior to such a meeting. A Special meeting may also be called for this purpose, with the same 15-day requirement for dissemination and examination observed.

Motion: Anna Marie Binder moved to approve the proposed changes to the bylaws as presented. Shanda Roderick seconded the motion. The vote was called, and the motion carried without objection.

- 19/20 Votes: Approve
- 1/20 Votes: Oppose

6. NEVADA DEPARTMENT OF EDUCATION UPDATES

I. Regulation Reminder

- Executive Orders 2023-003 & 2023-004 Comprehensive Review of Regulations.
 - In an effort to collect input from constituents and stakeholders of regulations related to the Nevada Department of Education.
 - Per Executive Order 2023-003, Section 1: Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement and shall provide a report to the Governor's office detailing how the regulation to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.
 - Per Executive Order 2023-004, Section 2: Nevada occupational and professional licensing boards shall provide a report detailing all regulations that restrict entry into any occupation or profession regulated by the board and shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers.
- First thing it did was stop any new regulation from moving forward

- Second, we are required to review all of our regulations regarding our work to look with a lens on whether there were areas that could be streamline, clarified, reduced that would improve services and no barriers to the work that we do.
- OIE didn't have any current regulation during this session.
- Cannot change a regulation connected to federal law
- Sent to multiple stakeholder groups, anyone that has any input into any education regulations, not just our 388 chapter
- CSO is collecting all of the information and reviewing all of the recommendations
- Department is only allowed to put forward ten changes to the NAC, everything will be considered but may not move forward in this Executive order. Can be opened up and looked at in another place.
- Exceptions to move forward regulation to move forward things already moving in this session. Regulations in regard to teacher licensure have moved forward.

II. Part B

- Office of Inclusive Education Part B application was released today. Asking for Public Comment until April 30th.
- Application to the federal government for our allocation funds for special education dollars allocated to our districts.
- Links for the document and for public comment are on our website and was also emailed to the group.
- Broad categories on how we would spend our federal dollars.

III. Legislative Update

- Our budget 2715 has been discussed in the budget committee, put forth enhancement in order to get another Education Programs Professional (EPP) in OIE (Part B Federal Funds).
- One position for monitoring of IDEA funds in the districts, shifting our focus of compliance and monitoring to more of a results-based accountability. Seeing results in our indicators.
- Another position for EPP for Indian Education for tribal consultation and GATE.
- Third enhancement as a management analyst to review data for GATE and Indian Education, this has not moved forward, but it is still in negation to move forward.
- Assessment and Accountability to use federal Part B funds to pay for the alternative assessment provided to our students who participate in testing.
- Budget move for Indian Education to be moved under 2715.
- Not everything is directly related to special education but wanted to update you from the education perspective.
- Last week the Senate Education Committee passed the first two bills Senate Bill 71 and 72.

- SB71 establishes a state advisory committee for professional recruitment and retainment in our state relation to teachers and special service providers.
- SB72 was an order for five studies for the Senate Education Committee to do in the interim. Look at our graduation rates and achievement rates of high school students and several different data sets.
- Also heard testimony on SB158 which is related to video cameras in the classroom. A lot of the school districts have provided fiscal note for that bill. Not sure if it moves forward or not.
- Federal funds are not up for negotiation at this point unless IDEA is reauthorized. Need to look at making comment to that at the federal level. One thing we can do is to have a representative attend the annual CEC or CASE legislative summit each June in Washington DC. These are the types of issues to bring forward at the Federal level that could change those laws in Nevada. Talk about in our Part B application on how to spend those discretionary funds in the best way.
- Just a reminder if you are making comment in testimony or regulation, you are representing yourself and not this committee.
- Assembly Education Committee also met this week. They heard three assembly bills.
- AB164- related to outdoor recreation.
- AB72- created an advisory committee on safety and well being of teachers.
- AB73- related to adornments at grad ceremonies and what students will be allowed to wear.
- SB196- related to coaching and interscholastic sports
- AB175- use of hybrid school board meetings
- Legislative commission has put forward those regulations in regard to teacher licensing have moved forward.
- Tomorrow there will be testimony on bills regarding restorative justice and changes to discipline. New BDR on discipline, reviewing to see if there are things that will affect students with disabilities. Most changes are around age limits passed in the last session on suspension, expulsion and permanent expulsion from drugs, weapons, and violence. BDR#820638- school safety and student behavior.
- Can send weekly email updates about things going on at LCB regarding educational bills that are going through.
- Call a special meeting if anything arises of concern for this committee.
- AB161- to allow the DMV to put designation on license if you have a communicative disorder.
- Fiscal impact- when a bill draft is created it is sent to all executive departments to see if there would be a fiscal note or cost associated with that bill going through that there are funds to do the work.

7. UPDATE OF ACTION ITEMS FROM JANUARY MEETING

No Updates at this time

8. FUTURE SEAC MEETINGS

- Fall meeting will be in person
- Keeping virtual option for most of our meetings, moving in the same direction that works for everyone
-

9. 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
- Local enrollment trajectories over the past 5 years- Joseph Morgan
- Update regarding definition of visually impaired- Lisa Hunt review updated changes in August. See what was changed and now what is it statute.
- Cameras in the classroom, BDR- Anna Marie Binder
- Update and policy changes in CCSD regarding discipline and behavior legislation/data- Anna Marie Binder
- APT overview participation /projection and expansion, data - Anna Marie Binder
- BDR Updates

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide
- NDALC
- Focus Program – UNLV
- NCED information and news/events- Travis Mills

Special Education Initiatives

- Data on inclusion of young students with disabilities

IDEA Spotlight – Legal Requirements/Evidence Based Practice

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

10. PUBLIC COMMENT #2

11. ADJOURNMENT

The next regular SEAC meeting is May 17, 2023, via Zoom.

DRAFT
SPECIAL EDUCATION ADVISORY COMMITTEE
MEETING MINUTES

WEDNESDAY, MAY 17, 2023 – 1:00 P.M. TO 4:00 P.M.

Public Meeting at:

<https://us06web.zoom.us/j/82603035532?pwd=ZlNiMlVrbEZlZlplLY3V4eTMyTkpzUT09>

Meeting ID: 826 0303 5532
Passcode: 2023

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: Melissa Bart-Plange, Janet Belcove-Shalin, Anna Marie Binder, Barbara Bidell, Ivy Burns, MaryAnn Demchak, Penni Echols, Kaci Fleetwood, Connor Fogal, Sara Jorgensen, Doralee Martinez, Ellen Marquez, Travis Mills, Mathew Montgomery, Joseph Morgan, Derild Parsons, Jami Pavicic, Melina Proffitt, Shanda Roderick, Amanda Shipp, Shelly Speck, Jennifer Strobel, Karen Taycher, Sarah Thomas, Diane Thorkildson, and Laurel Winchester

Absent: Leah Edge, Lisa Hunt, Jackie Sheppard, Jennifer Van Tress, and Rosalie Woods

Staff: Julie Bowers and Connie Torres

Presenters:

Public: Autumn Blattman

2. PUBLIC COMMENT #1

No public comment

3. APPROVAL OF FLEXIBLE AGENDA

Motion: Shanda Roderick moved to approve the flexible agenda. MaryAnn Demchak seconded the motion. The vote was called, and the motion carried without objection.

- 23/23 Votes: Approval

- 0/0 Votes: Opposed
- 0/0 Votes: Abstained

4. APPROVAL OF MINUTES

The minutes of the March 15, 2023, meeting was reviewed and discussed.

- Correction needed: right header on pages 2-15 needs to be removed.
- Correction needed: page 5, 3rd bullet point, first sentence, **and** needs to be changed to **an**.
- Correction needed: page 13, 1st bullet point, first sentence, **weather** needs to be changed to **whether**.

Motion: Anna Marie Binder moved to approve the minutes with corrections. Joseph Morgan seconded the motion. The vote was called, and the motion carried without objection.

- 24/24 Votes: Approval
- 0/0 Votes: Opposed
- 0/0 Votes: Abstained

5. SEAC Subcommittee Discussion

Subcommittees would meet as a group separately from the regular SEAC meetings and report back to the whole SEAC committee.

I. Standing SEAC Subcommittees

- Bylaws –
 - Review the bylaws on an ongoing annual basis
- Membership –
 - Recruitment of new members
 - Member selection
 - Retention
 - Mentorship
- Parental engagement –
 - Working with administrators and teachers to find way for parents to be more meaningfully engaged in their children’s education.

II. Revolving SEAC Subcommittees

- SB203-
 - Review the SB203 subcommittee work
- Legislative session
 - Special Sessions
 - Federal Advocacy Opportunities
- Website Accessibility

6. NEVADA DEPARTMENT OF EDUCATION UPDATES

I. Legislative Update

- Have been sharing the weekly NDE updates from our Legislative Liaison have been helpful.
- No legislative bills passed or signed formally for education on any topic yet. Most of them are still in the subcommittees, or have died in a subcommittee, or have made their way to the floor, and will be heard for a final vote.
- AB54 went through from the Senate side will go to the floor for a full vote. Regarding some issues on attendance as well as some early childhood issues.
- AB285, is a restorative discipline bill that is being heard. There has been no formal new discipline bill. Out of the three discipline bills it appears that AB285 is the one moving forward.
- There will not be a legislative update following this legislative session, until the fall. The fall meeting will have a complete update on anything that passed during session, and any work that had been done over summer regarding that legislation.
- Committee on Health and Human Services - SB315 Bill of Rights for persons with intellectual, developmental, or physical disabilities and was created from an adult point of view to ensure that their rights were being met, access to the community, and vocational services that they need. Part of it also crossed over into the education side. They created a subsection for people with disabilities, Office of Inclusive Education looked at it. What was proposed were rights the students or parents already had under IDEA. We proposed to change the language to a Transition Bill of Rights for students with disabilities to create a bill of rights for each person with a disability who is enrolled in public schools, receiving services from a provider of special education, and receiving transition services through IDEA. Noted those rights as that secondary student to have access to information regarding vocational opportunities, independent living opportunities as well as any agency involvement that would be necessary as they made the transition. The Bill of Rights was passed with no opposition. No new responsibilities of the districts to provide any services, that they aren't already doing.
- NDE legislative Updates will be sent out until end of session.
- Not a lot has been signed yet, but will keep you updated as they are, and what those signed bills will mean to us in the fall.
- OIE will get one new Education Programs Professional that will focus on monitoring work; and will get a data person, that is federal, and state funded, – will support IDEA data collection as well as data collection for Indian Education and GATE. One more Education Programs Professional for Indian Education to work with our tribal consultation.

II. Regulation Updates

- Legislative session put all regulation work on hold; executive order from the Governor said nothing would go through until session was over.

- We sent out a link to multiple stakeholder groups and OIE received no feedback on changing any regulations for chapter 385, related to special education.
- Will move forward with regulation updates this fall, based on the vision regulations that were started a few years ago. Have been working with vision services team to draft those regulations and proposed draft language to LCB. Open a work session to review the proposed reg changes and get more feedback before submitting to LCB for regulation on those services.
- Also, have a proposed change to the transition age again.
- SB203 and have been working on proposed language for regulation as well. Ran into a few issues with implementation, when it came to data because of the cell sizes being reported on. Another problem is that there is not a common assessment that is being used across age ranges that can be commonly compared to each other. Working on identifying other sources of assessments so the data can be compared easier. Resource documents have been drafted, reviewed, and finalized, hopefully completed soon for dissemination. Parent handbook needs to be reviewed – make them more easily digestible more user friendly.

III. Other Office of Inclusive Education Updates

- Already updated on the new OIE positions
- CJ Fields no longer with us, OIE has a vacancy for that EPS position.
- Derild Parsons, the new Superintendent for Churchill County.
- OSEP will visit Nevada and in May they will begin looking at our website to collect documents. Have been updating our website to make sure that we have everything up there that they are looking for.
- The website will have a new look, new icons that cover our work in General Supervision. New look will be emerging from our office around policies and procedures and documents that we have.
- OSEP will be reaching out to different groups – such as SEAC, Nevada PEP, Districts; what the visit will look like and what questions may be asked.
- NDE is working with national technical assistance centers and have been working with other states and the process for the OSEP monitoring and what to expect. States that have gone through the process already have not gotten any final reports, so in the end we don't really know what they are exactly looking for. Results will be shared with the committee.
- Big increase in dispute resolution this past year.
- Trying to help with district retention and recruitment issues.
- OIE is working to get grant submitted by June 5, 2023. Pathways to Partnership Innovative Practices – the grant in front loaded with the intent that transitions services within the State become seamless for youth and provide more opportunities for work-based learning. Working with various agencies across the State (NVPEP, VOC REHAB, etc.).

7. UPDATE OF ACTION ITEMS FROM MARCH MEETING

No Updates at this time

8. FUTURE SEAC MEETINGS

I. Fall Meeting & Retreat

- Proposal for 2-day meeting in the fall– one day would be for training and purpose of the committee and the next day would be the formal meeting. Orientation training does not need to be open meeting.
- This would be our one in person meeting for the year and virtual meetings for the rest of the year.
- When we put out the agenda only list start time and remove end time – so the meeting does not have to stay open until that end time.
- Planning for fall meeting – Las Vegas or Reno could be a consideration; discussion ensued – poll will be sent out for option of North or South and dates for meetings.
- Planning to take place after election of officers and then planning can take place.

9. ELECTION OF OFFICERS

Motion: Anna Marie Binder moved to appoint Matt Montgomery as Chair of SEAC. Doralee Martinez seconded the motion. The vote was called, and the motion carried without objection.

- 24/24 Votes: Approval
- 0/0 Votes: Opposed
- 0/0 Votes: Abstained

Motion: Matt Montgomery moved to appoint Anna Marie Binder as Vice-Chair of SEAC. Shanda Roderick seconded the motion. The vote was called, and the motion carried without objection.

- 23/23 Votes: Approval
- 0/0 Votes: Opposed
- 0/0 Votes: Abstained

10. 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
- Local enrollment trajectories over the past 5 years- Joseph Morgan
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- Update and policy changes in CCSD regarding discipline and behavior legislation/data- Anna Marie Binder
- APT overview participation /projection and expansion, data - Anna Marie Binder
- BDR Updates
- Transportation – Travis
- Subcommittees – Anna Marie Binder
- SEAC committee having Student Spotlights – Anna Marie Binder

Program Spotlight

- Rural Regional Resource Centers –being part of transition, equity from rural to urban, consistency statewide.
- NDALC
- Focus Program – UNLV
- NCED information and news/events- Travis Mills
- VR Services Update – Anna Marie Binder

Special Education Initiatives

- Data on inclusion of young students with disabilities

IDEA Spotlight – Legal Requirements/Evidence Based Practice

- Linkage to IEP
- Case Law
- MOE
- Transition Services – Shanda Roderick
- Behavioral entitlements of students with disabilities, risk assessment
- Suspension/Expulsion
- Standing Reports-Restraint and Seclusion and dispute resolution, SPDG & Transition Grant
- Charter school/SPSCA dispute resolution – Janet Belcove-Shalin

11. PUBLIC COMMENT #2

Anna Marie Binder- celebrating a graduate with an adjusted diploma and Anna gets to attend his graduation ceremony.

Anna Marie Binder- Department of State Issue, J1 visa teachers will be needing support in keeping their positions that are not in 4 or 5 star rated school, if not in one they will risk getting sent home.

12. ADJOURNMENT