

**SPECIAL EDUCATION ADVISORY COMMITTEE
MEETING MINUTES**

TUESDAY, MARCH 19, 2013 – 9:30 A.M. TO 2:00 P.M.

Public Meeting at:

AIRPORT PLAZA HOTEL
1981 TERMINAL WAY
RENO, NEVADA

A. INTRODUCTION. The regular meeting of the Special Education Advisory Committee (SEAC) was called to order at 9:35 a.m. Roll call was taken, and quorum was determined:

Present: Sheila Allred, Pam Alvey, Diana Cannon, Sue Chambers, David Coffey, Regina Connolly, MaryAnn Demchak, Ann Drendel-Haas, Joseph Holguin, Mary Ellen Horan, Caroline Longre, Dorothy Pomin, Robin Renshaw, Ellen Richardson Adams, Rique Robb, Karen Taycher, and Rita Varney

Absent: Mary Bryant, Lisa Erquiaga, Jack Gordan, Michelle Guthrie, Domenica Hillenbrand, Susan Lacey, Brian Patchett, Tom Pierce, Carleen Quinn, and Sam Simatos

Staff: Marva Cleven, Marcia Calloway, and Kim Boles

Public: None

B. SPECIFIC ITEMS FROM VISITORS/PUBLIC COMMENTS

No items were introduced at this time, and there were no public comments

C. APPROVAL OF MINUTES*

The minutes of the January 15, 2013 meeting were reviewed and discussed. There were no other changes or corrections offered at this time.

Motion: Sue Chambers moved to approve the minutes. David Coffey seconded the motion. The vote was called and the motion carried without objection.

The minutes of the February 08, 2013 telephone conference call were discussed. There were no other changes or corrections offered at this time.

Motion: Ann Drendel-Haas moved to approve the minutes. Caroline Longre seconded the motion. The vote was called and the motion carried without objection. MaryAnn Demchak abstained.

D. DUE PROCESS, COMPLAINT, MEDIATION SUMMARY

This documents provides information about the number of due process, complaints, and mediations that are filed with the department, it also provides historical data from the last several years. The due process and complaint reports are available at the Nevada Department of Education (DOE) website. Karen Taycher explained that it is an excellent way to learn by reading these reports. Karen asked Marva if the DOE is seeing any trends in complaints or due process cases. Marva replied that there are no known trends that are emerging, all the complaints have been different topic areas. Karen mentioned that by filing complaints parents can get better service and better programming, it helps the districts and parents to be on the same page, in turn building a stronger system. Ann Drendel-Haas stated that historically the data shows that the districts are showing a pattern of settlements and withdrawals which demonstrates that districts are wanting resolution, it also looks like mediation is being accessed less and less in the formal sense. She wishes that mediation was being accessed more. In the past mediation was a good experience, it brought different leadership to the meeting that was helpful to the families, having a impartial trained individual participating. Karen Taycher believes that it makes the parents feel that they are being heard.

E. NEW OSEP REGULATIONS ON PARENT CONSENT FOR MEDICAID

Marva Cleven wanted the committee to be aware of the new regulations around Medicaid and parent consent. Nancy Kuhles stated that one of her projects is working with DOE, she explained that there is a one time consent. Parents can withdraw consent if they choose, it doesn't impact their lifetime benefits. Marva Cleven stated that the DOE is in the process of providing some model forms. Karen Taycher added that there is curriculum that is being vetted by OSEP to teach parents the process. Great collaboration between school district, the DOE, and Medicaid. The services that can be billed in the State of Nevada are speech, audiology, and nursing. Karen Taycher asked if a new signature is required if the service is changed in any way. Nancy replied yes that is correct. Ann Drendel-Haas stated that the special education pieces are provided by the district as a function of the IEP, this reimbursement process is very separate process, it's a necessary and valuable service to the district. Joseph asked how the districts bill Medicaid. Ann Drendel-Haas replied that her district has a company that does the billing, if they are logged in the system, we also can retain evidence if service was provided. They then match the eligible students to the benefits. It's an electronically driven process. The log drives the reimbursement, this is another way to look at the fidelity of services. Marva explained that some districts do not meet the criteria or have the capacity to utilize Medicaid. Just because they don't bill Medicaid, the services are still being provided. Ellen Richardson Adams asked if the families that have current agreements or have previously been denied, if they will have to resign. Nancy replied, yes, this is a new

process, a one time only, effective March 18 to July 1. Regina Connolly mentioned that in her experience parents are hesitant to sign for fear that services will run out. Joseph Holguin asked Regina if she knew of any cases where that has actually happened, she indicated that she didn't. Karen Taycher explained that she had experienced that, where the district and the parent are accessing the services and there are limits to what can be reimbursed. It was previously a lifetime limit, now that's not an issue.

F. UPCOMING LICENSURE CHANGES: THE EFFECT ON SPECIAL EDUCATION STUDENTS

Marva Cleven reminded the group at the last Special Education Advisory Committee meeting, that Tom Pierce was going to a Commission on Professional Standards meeting to talk about the Alternative Route to Licensure for special education teachers. Please take a few minutes to read the attached minutes from that meeting. Marva wanted to clarify what is called alternative route to certification (ARC) vs. alternative route to licensure (ARL). If we have a teacher come into a district that has a general teachers license, they can go through the ARC this is also called the "options" program, they already have their licenses and have done the student teaching, that is different in the ARL world, where those people come in with no license in education, they currently have degrees in other areas. Ann Drendel-Haas wanted a point in clarification, what actually happened in the motions and where did it land with referral to the pedagogy. Marva replied that nothing has moved forward, a group was formed to work on the pedagogy part and will have special education representation. MaryAnn Demchak stated that something happened at the meeting, some things got pulled that are going to be looked at again, and we don't have those minutes. Ann Drendel-Haas said that her interpretation is that they got to 7b, satisfies or meets parameters, motion to change language to one or the other, or is it both.

Pam Alvey stated that her question is about pedagogy when its not based on core curriculum. MaryAnn stated that having a degree is irrelevant if you don't have the teaching techniques down. If we don't have teachers that are prepared we are not going to have effective results. MaryAnn further stated that there are studies that show when you compare first year teachers to teachers for America, beginning teachers are doing better. Teach for America teachers catch up but they don't stay caught up. Why are we putting in millions of dollars into this when this population isn't sticking around. It is a matter of bringing in teachers with stronger content and building up the pedagogy for them. MaryAnn Demchak all said that she would argue that special education should not be part of the process. Caroline Longre stated that she thinks the SEAC should be for this, that we have special education kids that are in the regular education classroom. MaryAnn clarified that when she says we shouldn't be a part of it, what she means is teacher licensure, where there is not background whatsoever to teach special education. If we have appropriately licensed teachers providing support to them, anyone that goes through approved licensure programs, some are better quality than others. Karen Taycher asked if someone wants to make a motion that the SEAC can take an action on. MaryAnn Demchak asked what are the requirements? What do they have to have, might

be different depending on a special education license. There is a mentoring process are they going to be mentored?

Motion: Pam Alvey moved that the Special Education Advisory Committee states our position is that special education licenses should not be a part of the Alternative Route to Licensure.

Motion was withdrawn.

Karen Taycher stated that she is hearing consensus on removing the requirement of pedagogy, She is also hearing that we want special education representation on this decision.

Motion: Pam Alvey would like to motion that the Special Education Advisory Committee recommend that the pedagogy requirement stay in the Nevada Administrative Code governing the ARL and that special education representation from the Special Education Advisory Committee be included in further discussions and decision making around the ARL. Robin Renshaw seconded the motion. The vote was called and the motion carried without objection.

Karen Taycher asked the committee that if the request is honored who on the Special Education Advisory Committee should be the representative. Possibly Tom Pierce and/or MaryAnn Demchak. Tom and MaryAnn can discuss who would be the best person. Mary Ellen Horan would like to get Tom's opinion on this matter. MaryAnn doesn't think that Tom will have any objection to this motion. Karen Taycher asked who from the DOE attends this meeting, Marcia Calloway stated that Rorie goes to this meeting, but we don't have specific representation from the DOE office. Karen will get with Marva Cleven and Kim to write a letter then with MaryAnn and Tom Pierce to appoint a representative.

* During the meeting MaryAnn received an email from the DOE appointing her and Tom to the Commission on Professional Standards.

G. ACADEMIC PLAN FOR ELEMENTARY SCHOOL STUDENTS IN FOSTER CARE

Marcia Calloway stated that under both federal and state statutes there has been a requirement to build the systems to support our most vulnerable students. In February, 2012, a work group and specifically Nevada revised statute calls for an academic plan for students entering middle and high school designed along these same line, what does this student need to enter high school? An academic plan needs to be developed. There are no plans for kids in elementary school. Students can have multiple placements and the academic plan doesn't always catch up. This is causing concern for foster children, SB470 in the last legislative session requires there to be a academic plan developed that needs to be a part of the student entering school, it will be developed immediately to help that student succeed. This handout is the draft we developed and rolled out in the interim as we are thinking about rolling something out electronically in the future. That way the

school would have information on hand to help prepare the academic plan and the plan would accompany the student. This plan needs to be shared and reviewed by the students placement. Dorothy Pomin added that this is just to help the foster students that fall through the cracks, this is to help make the schools aware of the foster children, this will help the school identify these students and help meet this child's educational needs. This went into law the last session, the need for child welfare to notify the school that this student was in foster care, prior to this law, this was not a known factor. Diana Cannon asked if this plan would be updated as the student leaves the school or shows improvement. Marcia replied that the plan will be updated at a minimum annually. This creates a paper trail that goes to the courts and gets reported on annually. If a student is at a school for a period of time there is an assumption that this student will be followed. NRS already requires that a homeless advocate be placed at the school, that would be an appropriate person for the plan to go to, there might be other needs that the student needs. Diana Cannon states that there needs to be specific guidelines.

Sue Chambers doesn't see any mention of special needs on this form, Marcia pointed out that this is not tied to special needs. Sue Chambers thinks that would be important to indicate that the student also has an IEP. Karen Taycher asked if recommendations can be made about this form to include suggestions. Marcia Calloway stated absolutely, this is just a draft form and has not yet been disseminated. MaryAnn Demchak I have a question, in elementary school you could have an IFSP should that be mentioned as well? if they don't do the transition they may not have an IEP in place. Maybe an IFSP check box. Ellen Richardson Adams added as a previous foster parent, she is very excited about this. She also suggests that a primary language is added to the form, as that can be an issue for some students. Joseph Holguin asked, so if this works correctly the social worker should be informing the school about that child. Dorothy replied that is the way it should work, it could be the foster parent that is doing the informing to the homeless contact. So if they happen to be withdrawn and change schools that should be done if the child is enrolled anywhere else. The plan should follow as that child is enrolled.

Marcia shared that there is a flag in the current system so foster students can be tracked. Karen Taycher stated that students move schools a lot and fall through the cracks, one school may have a concern and then the student is placed in a different school and on and on. Marva added if you know that they are part of the evaluation process and they pick up and go the new school should be responsive to the 45 day timeline, there needs to be something that indicates that they were part of the evaluative process or if there was a referral. The next school needs to adhere to the 45 day timeline and that process and hopefully they are adhering to that. Mary Ellen Horan asked is this only for elementary school students? Marcia replied that its already happening is middle school and high school this is a way to add elementary school to the mix. Marcia will share information with Karen and let her review the proposed academic plan.

H. CHANGES IN FERPA REGARDING STUDENTS IN FOSTER CARE

Karen Taycher indicated to the SEAC that this is just an information piece. The committee can not make recommendations or suggestions. Marva Cleven indicated that the document just provides some really good information.

I. OCR GUIDANCE ON PROVIDING STUDENTS WITH DISABILITIES EQUAL ACCESS TO EXTRA CURRICULAR ATHLETICS

Marva Cleven directed the SEAC to their packet, which includes a press release as well as guidelines around students with disabilities participating in extra curricular activities. OCR has said that students with disabilities have access to participate in extra curricular activities. The white handout gives the districts considerations for students with disabilities participating in these activities. It's about providing equal access and accommodations that can be provided in those settings.

David Coffey stated that this is a good policy, after reading through this it seems vague, he is concerned if you take some of the coaching responsibilities off the coach, he is concerned that the coach, in trying to make a quota, is detrimental to the student as well as the team. If these standards are being taken out of the coaches hand there is a possibility of derailment. Karen Taycher wants to reiterate that this is a federal requirement. Marva Cleven shared that all the districts have been provided this documents. Karen Taycher shared that over the years she thought all the educators knew all these rules and regulations, so she learned to not assume that all educators know about all of these requirements. So you as a committe should share what you know and let them make decisions after that. Focus on the students individual needs. With every law and every change there has to be some common sense and individualized decision making.

J. 2013 LEGISLATIVE SESSION

Marva Cleven shared a list by targeting any bill drafts that had anything to do with education. Some of these have gone into bills, some have not. This is informational only.

K. ISSUES IN SPECIAL EDUCATION

Items Introduced by Committee Members:

Karen Taycher would like to get a presentation on college and career readiness and how students with disabilities fit into that model.

Items Introduced by Visitors / Public Comments:

None

L. FUTURE AGENDA ITEMS*

Transition Planning/Programming
College and Career Readiness Standards
Annual SPP/APR
SEAC Annual Report

The next regular SEAC meeting is scheduled for Tuesday, May 21, 2013.