

Wisconsin Council on Special Education Final Meeting Minutes

December 4, 2020

10:00 am – 3:00 pm

Department of Public Instruction, Virtual Zoom Meeting Meeting
#328

DPI Attendance: Barb Van Haren, Julia Hartwig, Daniel Parker, Patti Williams, Courtney Jenkins, Lynn Winn, Rita Fuller, Rachel Zellmer, Erin Fath, Ben Kopitzke, Sharon Madsen, Susan Piazza, Brenda Jennings

Council Attendance: Erin Arango-Escalante, Loucricia Carson, Judy Colin, Hugh Davis, Meredith Dressel, Pamela Hencke, Michelle Johnson, Katherine Kramer, Julie Lidbury, Shannon Mattox, Kelly Mechelke, Lisa Misco, Kari Moore, Nelsinia Ramos, Deb Rathermel, Nikki Sprague, Amy Stevens, Nicole Vander Meulen, Carla Witkowski, and Sara Zwiefelhofer.

Public Appearances: Bob Johnston

I. Opening

- A. Meeting called to order at 10:05am. DPI consultant Rita Fuller welcomed the Council and introduced DPI staff assisting the council. Assistant Director Daniel Parker facilitated housekeeping.

II. Welcome

- A. Chair called on council members and each introduced themselves.

III. Minutes of Meeting #327

- A. Chair motioned for an approval for the meeting minutes.
 - 1. Council voted in favor of approving the minutes by saying aye.

IV. Correspondence/Chairperson's Report

- A. Public Forum Debrief
 - 1. Council chair provided an overview of the public forum comments and trends and discussed the council's ideas for following ideas for moving forward:
 - a. Virtual or in-person public forum at CESA satellites.
 - b. A spring online forum only or online with virtual.
 - c. Online option for comments along with in-person.
 - d. Getting the word out to more families. The council may consider advertising and finalizing fliers earlier.

- B. Public Forum Letter to Participants
 - 1. Council chair provided a draft letter to public forum participants for Council to review and provide comments on before sending.
- C. 2021-2022 Draft Calendar Dates
 - 1. Council chair provided draft calendar dates for the 2021-2022 year and approved dates.
- D. Review Decisions and Complaints
 - 1. Council reviewed the decisions and complaints.

V. Special Report: Special Education Funding and Biennial Budget Request

- A. DPI consultants Rachel Zellmer, Erin Fath, and Ben Kopitzke provided a special report on special education funding in Wisconsin. The report provided details on:
 - 1. Excess cost
 - 2. The difference between local, state, and federal funding
 - 3. Funding break down for an LEA with an average student population
 - 4. IDEA federal funding source
 - 5. Allowable IDEA formula costs and application process
 - 6. Special education aid, process, and reimbursement
 - 7. IDEA maintenance of effort regulations
 - 8. DPI's special education budget request
 - 9. Special education categorical aid and high-cost aid
 - 10. How other states fund special education

VI. Special Education Team Director's Report

- A. Julia Hartwig, Special Education Team Director, delivered a report that included updates from the Office of Special Education Programs, COVID-19, Federal Identifications with Every Student Succeeds Act (ESSA) and Individuals with Disabilities Act (IDEA), Chapter PI 11 of the Wisconsin Administrative Code, revised Department of Public Instruction (DPI) bulletins, Results Driven Accountability: Procedural Compliance Self-Assessment (PCSA), biennial budget request, annual performance report, and the Modified Virtual Leadership Conference. Important highlights include:
 - 1. USDE has recently published two guidance documents, a [question and answer document](#) on the implementation of IEP services in light of the COVID-19 pandemic and a questions and answers document for K-12 public schools in the current COVID-19 environment focusing on 504 questions.
 - 2. OSEP has initiated a new Differentiated Monitoring System of state education agencies related to their administration of special education.
 - 3. Expectation that statewide assessments will happen this year. Currently no flexibility to administer them virtually.

- a. DPI continues to add questions to Wisconsin's COVID-19 Special Education Question and Answer Document. The new questions are highlighted in the weekly Division newsletter. See [DPI COVID-related resources](#).
4. Federal Identifications (ESSA and IDEA): A vast majority of LEAs have the same identifications as last year. DPI is being flexible with identified districts who have requirements under federal law. Preliminary identifications will be December 10. Technical assistance calls will be taken early 2021. Data inquiry period is January 2021 and final identifications including disproportionality is early March.
5. PI 11 Rule changes hearings are on December 14, 2020 from 3:00 pm - 4:30 pm.
 - a. [Emotional Behavioral Disabilities eligibility criteria](#)
 - b. [Speech/Language eligibility criteria](#)
 - c. [Deafblind impairment category](#)
 - d. [Blind and visually impaired](#)
 - e. [Specific learning disabilities](#)
 - f. PI 9 Pupil Nondiscrimination preliminary hearing was held and the scope statement is signed. It is currently in the stakeholder engagement/drafting phase.
6. Revised DPI Information [Bulletin 20.02](#)
7. Results Driven Accountability: Procedural Compliance Self-Assessment
 - a. [Technical Assistance Document](#)
8. Biennial Budget Request
 - a. Special education: https://dpi.wi.gov/sites/default/files/imce/policy-budget/pdf/Special_Education_one_pager.pdf
 - b. Mental health: https://dpi.wi.gov/sites/default/files/imce/policy-budget/pdf/Mental_Health_One_Pager.pdf
9. Annual Performance Report (APR) submission date is February 2, 2021.
10. Licensure Flexibility emergency administrative rule allows those holding a substitute license to be able to teach beyond 45 days and on a subject outside their certification area. IDEA requires special education teachers to have a bachelor's degree and doesn't allow permit licensure requirement waived on emergency, temporary, or provisional basis.
11. Modified Virtual Leadership Conference is morning of February 16, 2021 and will provide national and state legal update.

VII. Lunch

VIII. Idea Complaint and Due Process Hearing Findings

- A. DPI Assistant Director Patti Williams answered questions to the complaint and decisions.

IX. Special Report: Updates on PI 11

- A. DPI consultant Sharon Madsen and Assistant Directors Daniel Parker and Patti Williams provided updates on PI 11 rules and solicited council member feedback on changes. Questions the council discussed:
 - 1. What are the barriers to applying specific learning disabilities criteria for students attending private schools, homeschool, or virtual school? How can these barriers be addressed?
 - 2. What are the pros and cons of the progress monitoring requirements of the current rule? What if anything would you change?
 - 3. What are the pros and cons of the intensive intervention requirements of the current rule? What if anything would you change?
 - 4. What do you feel in the evaluation process may be leading to disproportionate identification for students of color?

X. Special Report: Mental Health Resources and Support to Schools and Families

- A. Susan Piazza and Brenda Jennings presented on resources available to families and schools.
 - 1. Resources
 - a. Student Services/Mental Health COVID-19 Resources
 - b. Social and Emotional Learning in Virtual, In Person and Physically Distanced Learning Environments
 - c. Social & Emotional Learning Trauma Sensitive Schools Mental Health, SEL, Trauma & Safety Online Training Materials
 - d. [Community of Practices Webinars](#)
 - e. Care for the Caregivers: Information for School Leaders and Crisis Teams
 - f. Advancing Adult Compassion Resilience: A Toolkit For Schools
 - g. [Wisconsin Center for Resilient Schools Network of Coaches](#)
 - h. [Youth Mental Health First Aid \(YMHFA\)](#)
 - i. [Restorative Practices Connections and Coaching](#)
 - j. [Peer-to-Peer Suicide Prevention Grant](#)

XI. New & Old Business

- A. The council discussed agenda topics for March's meeting and council members asked questions or expressed issues.

XII. Announcements

- A. The next meeting date is March 12, 2021.
- B. The next public forum is online, March 1 – March 5.

XIII. Public Appearances

- A. Bob Johnston and Caroline Rossing

XIV. Announcements

- A. There were no announcements.

XV. Adjournment

- A. Meeting adjourned at 3:08pm.
 - 1. Chair moved to adjourn the meeting.
 - 2. Katherine Kramer motioned to adjourn the meeting.
 - 3. Nikki Sprague seconded the motion to adjourn.