

COUNCIL ON SPECIAL EDUCATION
July 15, 2016
MINUTES

Department of Public Instruction, Room P41
125 South Webster Street
Madison, WI 53703
608-266-1781

Members in attendance: Patricia Becker, Margaret Carpenter, Elsa Diaz-Bautista, Meredith Dressel, Pam Foegen, Nicole Hansen, Sue Larsen, Jennifer Mims-Howell, Anna Moffit, Wendy Overturf, Lori Poppe, Julie Quigley, Caroline Rossing, Amy Stevens, Tricia Thompson, Carla Witkowski

DPI staff in attendance: Gregg Curtis, Superintendent Tony Evers, Rachel Fregien, Kay Guberud, Nancy Molfenter, Sarah Okonkwor, Daniel Parker, Christina Spector, Barb Van Haren, Patti Williams

10:00 – 2:30 BUSINESS MEETING #310

Room P41

1. **Introductions**
2. **Public Appearances:** None.
3. **Minutes of Meeting #309:** Motion to approve, seconded, approved.
4. **Correspondence/Chairperson's Report**
 - a. **Public forum participation sub-group:** Caroline reported out on some ideas the subgroup had discussed to increase participation in the public forum. Lots of great ideas brainstormed and the group and additional participants are needed to continue the work. Christina will send the summary out to the entire Council. Carla Witkowski will lead the group moving forward, email her if you would like to join the group.
 - b. **Addressing Significant Disproportionality SAC/ICC webinar (May 11, 2016):** Caroline shared the main points of the webinar and provided notes. Final rules for significant disproportionality have not yet been released by USDE. Christina will send out the link to the recording and we will provide follow up presentations as information becomes available. The most prevalent areas for disproportionality are emotional-behavioral disabilities, specific learning disabilities, and intellectual disabilities. The previous way we calculated disproportionality was approved by Council, but with the changes to the calculation required by the federal government will likely result in additional LEAs being identified in these indicators.
5. **Council Member Reports and Issues:** None.
6. **IDEA Complaint Findings & Decisions and Due Process Hearing Findings & Decisions:** Our estimate is that we are receiving about the same number of complaints related to seclusion and restraint.
7. **Department of Public Instruction Report: Information and Discussion**
 - a. **Superintendent Evers listening session:** Superintendent Evers thanked the council for their service and gave an update on his national work on equity and implementing the Every Student Succeeds Act (ESSA), described the timelines for how state funding for education in the budget will be approved in the next biennium, and discussed his concerns about the pipeline of future teachers.
 - b. **Recognition of Council service:** Superintendent Evers and Barb Van Haren presented recognition plaques to members whose terms are expiring after this meeting.
 - c. **Special Education Team Director's report**
 - i. **DPI Staff updates:** Barb Van Haren provided a number of updates related to staffing on the special education team.

- ii. **Office of Special Education Programs determination:** Wisconsin meets requirements of IDEA according to the US Department of Education. This is due to the hard work and collaboration of our stakeholder groups, districts, and families across the state.
 - iii. **Council public forum and Fall Council:** DPI is also committed to increasing stakeholder voice in the public forum. As the first step in this process, we will be separating the public forum for 2016-17 and making it part of the October 10th Council meeting. We look forward to evaluating public forum involvement once we see how that goes.
 - iv. **[ESSA Listening Sessions:](#)** There is still time to participate in an ESSA listening session in Eau Claire or virtually. See the hyperlink for registration and more information.
 - v. **2015 Wisconsin Act 161: June 2016 Memo:** DPI shared a memo sent to pupil service and special education coordinators about a new state law that promotes information sharing between school and child welfare agencies by allowing child welfare workers to access education records without parental consent.
 - vi. **[OSERS Dear Colleague Letter on Children with Disabilities in Nursing Homes:](#)** DPI shared a Dear Colleague letter reminding LEAs of their responsibility to provide FAPE to students with disabilities in nursing homes.
 - vii. **[OSEP Memo: Early Childhood Response to Intervention \(Rtl\):](#)** DPI shared an OSEP memo reminding state directors and early childhood directors that similarly to special education requirements for school aged students, a response to intervention process cannot be used to delay a referral for special education for children in early childhood programs.
 - i. **State Implementation and Scaling Up of Evidence based Practices (SISEP) update:** We are working with our regional implementation teams (RIT) and determine which CESAs will be an implementation zone for the work. Our coordinated improvement planning for districts is moving forward and will present at the October meeting. We are also applying what we have learned about implementation science to other areas of our special education work.
 - ii. **Sample Special Education Forms:** The changes that occurred are not new or additional changes, they are focused on addressing result and having thorough IEP team meetings. The one page overview of the changes made to the forms was presented to the council. We will be providing training across the state throughout the 2016-17 school year. More information will be presented at the October meeting.
 - iii. **[Isaiah Buhrke's story:](#)** The council viewed the "I'm Ready" video series profiling Isaiah Buhrke, which introduced the topic of transition.
8. **Special Report: Workforce Investment Opportunity Act (WIOA) and Post-Secondary Outcomes:** The WIOA was implemented on July 1, 2016 and there are many unknowns as the law begins implementation. Nancy Molfenter and Meredith Dressel (Council member from the Division of Vocational Rehabilitation-DVR) provided information about the three main shifts in the law. One major change is students may not participate in sub-minimum wage jobs before utilizing DVR services. Under WIOA, DVR is specifically required to spend a certain amount of federal grants targeting services for students with disabilities. Finally, LEAs can no longer purchase transition services that include being trained in sub-minimum work. The goal is to provide training in careers that provide competitive wages and opportunities for advancement.
9. **Special Report: Academic and Career Planning (ACP):** ACPs are an opportunity for all students to think about who they are, what they want to do, and what steps they need to engage in to make that happen. Gregg Curtis presented on DPI's definition of "college and career ready," and explained how ACP is a process, a tool, and a product. Beginning with the 2017-18 school year, each school board will provide ACP for all students in grades 6-12, including students with disabilities. DPI is required to provide the administrative rule, tool, and professional development on ACPs. The ACP will typically begin before the Post-Secondary Transition Plan (PTP) requirement, so the ACP can lead to naturally into the PTP.
10. **Special Report: Indicator 8 Parent Survey Questions:** Daniel Parker presented on the draft Indicator 8 Parent Survey questions. The work the results of both a cross-agency and stakeholder effort across the entire state. Major changes include reducing the number of questions to 22, writing the questions at a more universal level of understanding, and making a stronger link to student outcomes. The council

reviewed the drafts and made final recommendations for consideration during the 2016-17 school year.

11. New Business

a. Officer elections:

- i. Caroline Rossing nominated Anna Moffitt to be the Chair for the 2016-17 Wisconsin Council on Special Council. Anna accepted the nomination and it was adopted by voice vote.
- ii. Julie Quigley nominated Jennifer Mims-Howell to serve as Vice for the 2016-17 Wisconsin Council on Special Council. Jennifer accepted the nomination and it was adopted by voice vote.

b. **2015-16 annual report:** Julie Quigley presented the 2015-16 annual report for review by the group. The report was approved by voice vote.

12. Unfinished Business

13. Announcements

- a. **Next meeting date: October 10, 2016. 12:00 p.m. - 1:00 p.m. (orientation & welcome lunch), 1:00 p.m. - 4:30 p.m. (business meeting), 5 - 6 p.m. (public forum), (Department of Public Instruction Room P41 – 125 S. Webster St., Madison; 608/266-1781).**
- b. **Leadership Conference:** Christina Spector reminded the group that continuing members are welcomed to join the State Superintendent's Conference on Special Education and Pupil Services Leadership Issues, October 18 and October 19, 2017 in Wisconsin Dells. Interested council members should e-mail Marge Schenk by September 16, 2017, if they would like to attend and/or need lodging. Christina will email the group a reminder to contact Marge in early September.
- c. **Children's Long Term Support Waiver:** Sue Larsen from the Department of Health Services (DHS) discussed how Birth to 3 providers developing an Individualized Family Services Plan (IFSP) are prohibited from paying for services that should be provided by outside agencies, and they are a payer of last result. There are new requirements for programs funded by the Medicaid waiver programs to do additional inclusion and minimum wage/segregated settings will not be allowed. Sue echoed the importance of cross-agency collaboration and will email the web link to Christina for the group.
- d. **Birdies4Life.org:** Julie Quigley shared a charity that will support activities for students with disabilities, up to age 21.

14. **Public Appearances:** None

15. **Adjournment**