



Jill K. Underly, PhD, State Superintendent

Wisconsin Council on Special Education Meeting Minutes

Date March 10, 2023

10:00 am – 3:00 pm

Department of Public Instruction, Virtual Meeting

Meeting #337

Business Meeting #337: Judy Conlin called meeting to order. There were 18 council members in attendance. Quorum was met at time of voting for the approval of council minutes.

Council Attendance: Allison Gordon, Judith Conlin, Doan Bui, Lisa Stewart, Jacob Roberts, Hugh Davis, Lama Bergstrand Othman, Lisa Misco, Jeanette Nowak Goniou, Jenny Evrard-Larson, Alison Peetz, Beverly Walker, Shanice Baquet, Jason Rahn, Deb Rathernel, Jason Ostrowski, Renae Bliss, Travis Pinter

DPI Attendance or Presenter: Cheri Sylla, Ellen Antoniewicz, Paul Manriquez, Daniel Parker, Seth Bishop, Courtney Jenkins, Marge Resan, Alicia Reinhard, Jennifer Bibler, Rachel Fregien, Melissa Kahn, Jessica Frain, Lisa Stein, Iris Jacobson, Jennifer Sommerness, Jessica Bowman

Public Attendance: Caroline Rossing

PO Box 7841, Madison, WI 53707-7841 • 125 South Webster Street, Madison, WI 53703
(608) 266-3390 • (800) 441-4563 toll free • dpi.wi.gov

I. Welcome and Correspondence Chairperson's Report

a. At 10:00am, Council's co-chair Judy Conlin welcomed council and led a

discussion to go over options for council meetings for 2023-2024 school

year. DPI prepared three meeting options for council review. The meeting options were a choice of six meetings at three and a half hours each meeting, five meetings for four hours each meeting, or six meetings for five hours each meeting. Council discussion focused on the number and length of meetings

as well as ideas to include special workgroup meetings on the same day as regular business meetings. Council discussed keeping the four meetings a year schedule and changing the start time to 9:00am to go to 12:30pm and include an optional 12:30pm to 2:00pm special workgroup meeting time on council meeting days. No council members opposed this recommendation. DPI will develop a schedule based on this council recommendation and present it at the June meeting before finalizing. Council also discussed how many members would attend if there was an in-person meeting option. Approximately one half of council said they would consider attending in person meetings in Madison and DPI communicated that there would always be a virtual meeting option for council members and members of the public.

II. Public Appearances:

- a. There were no public appearances.

III. Review Minutes of Meeting 335

- a. Council reviewed the council meeting #336 draft minutes and voted to approve them as written. No council members opposed the draft meeting minutes or requested revisions.
- b. Past council minutes can be found on the DPI [Council on Special Education Agenda and Minutes webpage](#).

IV. Idea Complaint and Due Process Hearing Findings & Decisions

- a. Council reviewed previous quarter IDEA complaint and due process hearing data summarized by the DPI special education team. Marge Resan, Wisconsin DPI Complaint Investigation Consultant, shared that the volume of complaints has gone up this year compared to the last two years, and this is a pattern seen across other states. DPI shared that one area of complaints that has repeated was implementing IEPs as written for the frequency, duration, amount, and location of services outlined in the student's Program Summary of the IEP. Council asked if a reminder communication could go out from DPI to all special education directors of public school districts in Wisconsin about this requirement. DPI agreed to send out a reminder communication in the Division for Learning Support email list about the importance of accurately documenting IEP minutes and include a link to [Bulletin 10.07: Describing Special Education, Related Services, Supplementary Aids and Services, and Program Modifications and Supports](#).

- b. Complaint and due process hearing decisions can be found on the DPI [complaint](#) and [due process hearing](#) webpages.

V. Special Education Team Director's Report

- a. Daniel Parker, Assistant Director of the Special Education team provided an update. Daniel provided updates related to new DPI personnel on the special education team, recent guidance from the United States Department of Education Office of Special Education Programs, and updates related to recent Wisconsin DPI guidance resources and discretionary grant projects.

Daniel shared DPI's appreciation for their January 2023 recommendation to the State Superintendent that included recommendations for DPI, CESAs, and districts to develop collaborative professional learning opportunities that bring general and special educators, administrators, related service providers, and paraprofessionals together to learn how to support the needs of students with disabilities. The recommendation also emphasized the importance of institutions of higher education and DPI to develop resources that emphasize the important role and legal requirements of general educators to provide supports to students with disabilities. For more information see the link to the [full council recommendation](#) on the [DPI Special Education Council Agendas and Minutes webpage](#). Daniel shared some of the actions DPI has taken and plans to take based on council's recommendation. Current actions at the time of the meeting included sharing the recommendation with the special education team to brainstorm ideas on how to implement the recommendation. Future actions were to include the language related to professional learning into the internal grant guidance for all DPI special education discretionary grant projects. In addition, future actions include referencing the recommendation in DPI email communications and meeting with Directors of other DPI teams to share the recommendation. Daniel mentioned the work of DPI consultants to draft a resource on the general educator's role in the IEP process. This draft will be shared at a future council meeting and can be put on a dedicated webpage for general education teachers to learn about special education requirements. Council commented on the need for more information for general education teachers and liked the idea for those resources.

Additional updates included inviting council members to provide feedback on updates to DPI's sample IEP forms, clarifying information to the field related to Manifestation Determinations, clarifying to the field the importance of including a Post-Secondary Transition Plan for students who turn 14 years old in Wisconsin, and other updates related to current resources published by Wisconsin DPI such as the Indicator 14 interactive maps, updated compassion resiliency toolkit, and several upcoming professional learning opportunities.

Daniel also provided an update that public school district IDEA Determinations and Racial Equity Reports will be uploaded into SAFE, DPI's file exchange process with school districts, on March 23, 2023. This year, 50

Local Educational Agencies (LEAs), e.g. school districts, will be identified as having significant racial disproportionality in special education

identification, discipline, or placement. For LEA identifications under IDEA, approximately 130 LEAs are identified as needing assistance or needing intervention. Two LEAs - Milwaukee and the Department of Corrections - have “needed intervention” for more than three years and, therefore, are under a corrective action plan.

VI. Special Report: Review Drafts of IEP at a Glance, IEP Video Scripts, and Procedural Safeguards in Plain Language.

- a. Daniel Parker, Assistant Director of Special Education, provided an update on the council on special education workgroup that assisted DPI in developing a draft

Individualized Education Program (IEP) at a glance. The IEP at a glance is intended to help share key information about a student’s IEP with those that may not be as familiar with the full IEP such as general education teachers, paraprofessionals, or related service providers. Council commented that families can also benefit from an IEP at a glance because it summarizes important information in the longer IEP document. The draft the workgroup developed includes many of the important legally required components of IEPs (e.g. strengths, disability-related needs, IEP goals, services) as well as areas that are not required but that council feels would be helpful such as tips on what students’ interests are and day to day strategies to help students be successful in school. One idea that council liked was to have a “always do this” and “never do this” column on the IEP at a glance document. This document can then be posted to the DPI website as a sample IEP at a glance resource and shared with IEP vendors. Many IEP vendors already have an “IEP at a Glance” feature in their student information system that copies over parts of the IEP into a shorter document. DPI discussed how any IEP at a Glance document does not replace the full IEP and should be shared along with the IEP. Council provided many suggestions on potential revisions to the current draft. Based on those comments, DPI will do another round of revision and share out with council in the June meeting. One council member also expressed interest in working with DPI to make some of council’s suggested revisions and DPI communicated they would reach out to that council member individually to discuss revisions.

- b. Daniel shared on council’s inquiry to create a different format for the required Procedural Safeguards document that must be given to each family annually. Two DPI consultants researched other states Procedural Safeguards documents to see if a more parent friendly version or better organized version exists. Most states use something similar to Wisconsin DPI’s sample procedural safeguards. DPI’s version is taken from guidance from the United States Department of Education, Office of Special Education Programs. However, there were a few states that had slightly different formatting that DPI might consider making revisions to Wisconsin’s sample document. However, DPI feels they cannot make significant revisions to the Procedural Safeguards as much of the language outline parent and student rights in special education. DPI stated that they may be able to create an appendix to the Procedural Safeguards that could be attached to the full document. The appendix could provide some “plain language” information to parents explaining the various rights included in the full document. Another update will be provided in the June council meeting.

- c. Daniel shared the video scripts for short three-to-five-minute videos to help parents prepare for IEP meetings. These scripts were drafted by the Wisconsin

Parent Educator Initiative (WSPEI) with some feedback from DPI's IEP workgroup. Council was given a link to the videos to review and a survey that they could use to provide feedback prior to the June council meeting. Daniel shared the idea for the video scripts was to reach out to family support and advocacy organizations to see if any of them had interest in helping DPI record these video scripts and post them to DPI's YouTube Resource for the Field channel. An update on these scripts will be provided in the June council meeting.

VII. Lunch: Council broke for lunch break.

VIII. APR Submission to Office of Special Education Programs

a. Courtney Reed Jenkins, Assistant Director of Special Education, facilitated an update to the Annual Performance Report (APR) submitted to the United States Department of Education, Office of Special Education Programs. This report outlines targets that DPI set, with council and other stakeholder feedback, from December 2022 to September 2022. Each year, DPI collects data on federally required indicators and reports statewide indicator outcomes across all Local Educational Agencies (LEAs) compared to the targets for those indicators set by Wisconsin DPI. In general, DPI reported slippage occurred over the last year across Indicator outcomes and this is most likely due to the impact of COVID-19 on student's educational opportunities. However DPI expressed that most indicator outcomes will stabilize moving forward with the likely exception of academic outcomes for students with IEPs that will likely have long term effects on reading and math achievement. A council member asked how outcomes will be affected by charter schools that had to shut down and were focused on supporting students with disabilities. DPI shared that many school districts are facing challenging fiscal situations and having to cut back on programs, including district sponsored charter schools and that ensuring there are public school options that foster a sense of belonging for students with disabilities is a high priority. Another council members commented that over the last 20 years many advocates and families have been commenting on the need for better early learning reading instruction in schools and the impact the lack of appropriate reading instruction has on student's long-term outcomes including mental health outcomes. The council member asked what school districts might do differently when considering reading instruction. DPI responded with summarizing the importance of early reading instruction, DPI's past and current engagement with stakeholders, and shared a link to Wisconsin DPI's [Reading Foundational Skills webpage](#).

b. Multiple DPI consultants presented on the Annual Performance Report outcomes and targets for this past year including Indicators for dropouts, academic assessment, and preschool environments and outcomes. For each indicator, the DPI consultant also share DPI's current investments and resources designed to support schools and districts to improve in these indicators.

IX. Special Report: Social and Emotional Learning

- a. Jessica Frain and Lisa Stein from the Wisconsin DPI Student Services Prevention and Wellness Team provided an overview of what social and emotional learning is, why social and emotional learning is an important focus area for Wisconsin educators and shared some resources to support schools and districts with improving social and emotional learning outcomes for all students. Jessica and Lisa described how social and emotional learning is part of the DPI vision statement and reviewed definitions from the National Technical Assistance Center on Social and Emotional Learning (CASEL).
- b. Several council members commented on the presentation including comments that the message about how the benefits of integrating social and emotional learning into the curriculum is a great way to explain the return on investment for Wisconsin schools in terms of improved academic outcomes, graduation, and work skills. Another council member commented how some school boards are saying that social and emotional learning is controversial and the toolkits from the national technical assistance center can help educate school board members on the benefits and misconceptions about social and emotional learning. Another council member asked if DPI is partnering with employers to talk about the benefits of social and emotional learning so they can help encourage legislators and community members on the benefits of integrating social and emotional learning in schools. DPI responded that they have discussed the importance of working with employers and currently are talking to youth about sharing their stories of how important social and emotional learning is to their employment. Another council member discussed how social and emotional learning is referred to as social and emotional development in birth-to-three and within Department of Health Services (DHS). A council member commented that the Department of Children and Families (DCF) is working on infant mental health with day care settings. A council member from other state agencies asked if DPI would partner to develop a community awareness campaign across agencies on the benefits of social and emotional learning. DPI responded that they would be interested in this type of partnership as well as council members representing interest from DWD/DVR, DHS, and DCF. Council member representing the Division of Vocational Rehabilitation (DVR) discussed how they also discuss social and emotional learning in relation to resources to teach “soft skills” such as the Skills to Pay the Bills resource.

X. Special Topic: Educational Environments and Students with Disabilities

- a. Iris Jacobson and Rachel Fregien, Wisconsin DPI Education Consultants on the Special Education Team, shared information about what inclusive learning communities look like in schools and the resources in Wisconsin to help schools move towards more inclusive learning communities for each

and every student. In addition, Jennifer Sommerness and Jessica Bowman from the TIES Center provided information about their work for a national technical assistance center funded through the US Department of Education, Office of Special Education Programs. The TIES Center works with states, districts, and schools to support the movement of students with disabilities from less inclusive to more inclusive environments. Jennifer and Jessica presented on 10 Reasons to Support Inclusive School Communities for All Students and responded to questions and comments from council members.

- b. Council members made several comments including how funding and personnel shortages make inclusion difficult for Wisconsin schools. In addition, council commented that one of the barriers is the beliefs and thinking of administrators and educators on the expectations for students with more significant disabilities. A comment was made that using terms like “your students” and “my students” is a barrier to inclusion. TIES center discussed how our society built two different systems (i.e. general and special education) and at times these systems go in different directions. A council member shared that the resources from TIES center are great, and that fear is one of the biggest obstacles to inclusion and felt that educators should include children at young ages early on. Another council member commented how inclusion benefits all students and that accommodations also can benefit all students quoting “what is necessary for some can be beneficial to all.” Another council member commented that although they are on board with the idea of inclusion, the reality is that some parents feel that self-contained programs do a better job of meeting their child’s unique needs and some parents do not have good experiences with their child being included in general education environments. DPI commented that fear is a big part of the conversation related to inclusion and that inclusion cannot be done overnight and requires the appropriate training, knowledge, skills, and systems to create effective learning environments that include all students. TIES center responded that professional learning is not always enough, and you need an entire system to meaningfully include students. TIES center also commented how more reports of abuse occur in self-contained classrooms compared to general education classrooms. TIES Center recommended schools try out inclusive communities in one grade and move from there to other classrooms and grades and at some point, schools just have to make the shift and adjust and provide additional supports based on current needs of students instead of “waiting” until everyone is ready to shift the system to be more inclusive of each student. A council member commented that some parents feel there is not a continuum of supports available in the general education classroom. TIES Center responded that special education is a service and not a place and that there are many ways services can be provided to meet the needs of individual students and intensive interventions can be provided across a lot of different general education settings. DPI encourages IEP teams to discuss in each student’s Individualized Education Program (IEP) meeting the various barriers that are preventing students from accessing and making progress in general

education and come up with creative solutions to address those barriers as well as teach skills and provide supports to address barriers to progress in general education. Thus, encouraging IEP teams to have conversations and problem solve versus jumping right into separate environments that are more restrictive. A council member commented that there also needs to be support for students who have not been in a general education classroom for over a year and are then transitioning back into a general education environment. Another council member commented that many of the decisions about where students are educated benefit the adults in the system more than the students. TIES center responded encouraging IEP teams to discuss what the IEP is for and to plan for life after high school and start with those skills most important for students to be independent. A council member asked if there are any resources or case studies or vignettes on success stories of how a school implemented inclusive learning communities to help those with fear or not knowing what steps to take. DPI responded that DPI is investing in an implementation zone where DPI is looking at these questions so they can report back on practices and systems to support other schools with developing inclusive learning communities. That project will have case studies and data to share out publicly to tell the story of developing inclusive learning communities.

XI. Old Business

- a. Council co-chair Hugh Davis asked about a previous discussion from the last council meeting about DPI's cell size and redaction rules for public reporting of data. Specifically, council would like to know the state or federal requirements related to how DPI makes its data redaction decisions when publishing data related to student outcomes. Council members shared how it can be difficult to have data reports with blank data due to cell size restrictions when DPI reports data publicly. Council shared concerns that DPI's data reduction rules inhibit transparency of how some districts are performing for students with disabilities. A request was made by council for DPI to present on these requirements as well as explain DPI data reduction rules across various data collections. DPI responded they would have a presenter in the June council meeting to explain DPI data redaction rules. Council also inquired whether DPI could create data reports that aggregate similar districts such that data can be combined to create a picture of how students are reporting when cell sizes don't match data reduction rules.
- b. A request for future agenda topics for the June council meeting was requested by council co-chairs. Council recommended a presentation on DPI data reduction rules as well as a presentation on the seclusion and restraint data that is annually published each spring/summer.

XII. Public Appearances:

- a. There were no new public appearances.

XIII. Adjournment

a. The meeting adjourned at 3:00 pm by council co-chair Hugh Davis.

Council on Special Education Roles

The Council on Special Education is a committee appointed by the state superintendent to provide policy guidance to the Department of Public Instruction and its Division for Learning Support (DLS) in matters related to the education of all children with disabilities in Wisconsin. (34 CFR 300.167 and 15.377(4), Wis. Stats.).

The Council:

- advises the State Superintendent of unmet needs within Wisconsin in the education of children with disabilities;
- comments publicly on any rules or regulations proposed by Wisconsin regarding the education of children with disabilities;
- advises the State Superintendent in developing evaluations and reporting on data to OSEP under IDEA;
- advises the State Superintendent in developing corrective action plans to address findings identified in Federal monitoring reports under IDEA; and
- advises the State Superintendent in developing and implementing policies relating to the coordination of services for children with disabilities.

(34 CFR 300.169)

As noted above, the role of council is to advise the State Superintendent.

Thus, any letters of support for specific budget or other educational initiatives should be sent to the State Superintendent and not directed to other entities (i.e. state legislature). As stated in s.15.377(4), Wis Stat., public comment is limited to rules proposed by the Department of Public Instruction regarding the education of children with disabilities.

Thus, there are specific processes and requirements for how public comment is provided on rules proposed by the Department of Public Instruction that Wisconsin DPI and council must follow.