

**Wisconsin Council on Special Education Draft Meeting Minutes**

Date March 13, 2020

10:00 am – 3:00 pm

Department of Public Instruction, Room P41

Meeting #325

**Business Meeting #324:** Meeting called to order at 10:08 am. 13 of 25 council members attended for quorum. No votes were taken at this meeting.

**Attendance:** Kristin Burki, Loucricia Carson, Victoria Davis Davila, Hugh Davis, Nicole Froelke, Pamela Hencke, Julie Lidbury, Jenifer Mims-Howell, Nelsinia Ramos, Nikki Sprague, Nicole Vander Meulen, Sara Zwiefelhofer

**DPI Staff:** Julia Hartwig, Jayne Bischoff, Iris Jacobson, Carolyn Kiefer, Sharon Madsen, David McHugh, Daniel Parker, Courtney Reed-Jenkins, Barbara Van Haren, Patti Williams, Lynn Wynn

- I. **Welcome**
- II. **Public Appearances.** There were no public appearances.
- III. **Review of Minutes of Meeting #324**
  - a. Approval of minutes for meeting #324 will be voted on at next council meeting when quorum of council is present.
- IV. **Correspondence/Chairperson's Report**
  - a. Online Public Forum Debrief/Summary of Comments
    - a. Council members discussed the summary of public forum comments and identified the following trends in comments:
      - i. Teacher training
      - ii. Families not shown respect during Individual Education Program (IEP) process
      - iii. Early childhood programs and how they interact with schools
      - iv. Request for applied behavioral analysis in classrooms such as for students with autism
      - v. Comments on both ends of spectrum relating to inclusion (e.g. some comments requesting more inclusion / some requesting less inclusion) as well as differences in some comments requesting more behavior supports while others requesting more discipline)
      - vi. Discussion of different interpretation of special education legal requirement from different districts
      - vii. Council member heard some people had difficulty with google link feeling they had to share their email. Question to DPI if a

google account required and if email is required.

**b. Public Forum Letter to Participants**

- a. The Council will revisit this topic at a future meeting.

**c. Review IDEA Decisions and Complaints**

- a. Department of Public Instruction (DPI) received more complaints in the last year than any other year
- b. Many complaints relate to implementation of IEPs (e.g. IEPs not written clearly, services not implemented) as well as complaints relating to supporting behavior needs of students (e.g. lack of behavior supports)
- c. Continue to reinforce 60-day evaluation timelines and issuing corrective action for all complaints to ensure issues do not continue in the future
- d. Two DPI consultants were a part of a national dispute resolution organization workgroup help by the Center for Appropriate Dispute Resolution (CADRE) to discuss how best to provide LEAs, e.g. school districts, with procedures for how State Educational Agencies (SEA)s process IDEA complaints
- d. Council inquired if the format for complaint decisions that is provided to council could include more context. DPI discussed some options for providing complaint decision updates to council in the future (e.g. links to decisions included in the document) and will update this process.

**V. Special Education Team Director's Report**

- a. Updates on Coronavirus Disease 2019 (COVID-19) are occurring daily at the state and federal level. DPI is coordinating information to schools and this information is archived on the DPI web page <https://dpi.wi.gov/sped/covid-19-sped-updates-and-resources> and sent out through DPI Division of Learning Support email list to all district special education directors. DPI received additional information from Office of Special Education Programs (OSEP) as well as Center for Disease Control (CDC) and is relaying that information to schools. Council is included in the Division emails and the DPI archived messages are publicly available. These emails may come out more frequently than weekly as needed at this time.
- b. Council inquired about instruction of minutes related to students with IEPs and Julia outlined guidance from OSEP relating to this topic that can be found in the archived message page of the DPI web page and from Division of Learning Support Email list.
- c. OSEP proposed changes to federal indicators and asked states to provide input. DPI will be relaying input on OSEP indicators as DPI is provided updates on any changes and council will be involved in future indicator target setting for Wisconsin.
- d. DPI will email a summary of the Annual Performance Report (APR) to council.
- e. DPI has identified five focus areas for the work of the department and is currently looking across the agency to ensure we are prioritizing and aligning to these focus areas.

- i. **Effective Instruction:** Each student is taught by teachers using high-quality evidence-based, culturally-responsive materials and practices.
  - ii. **School & Instructional Leadership:** Each student's needs are met in schools led by high quality and effective educators.
  - iii. **Family & Community Engagement:** Each student attends a school that authentically engages with families, communities, and libraries.
  - iv. **Safe & Supported Students:** Each student learns in an environment that promotes social, emotional, and physical well-being and removes barriers to learning.
  - v. **Meaningful Relationships with Students:** Each student has meaningful connections with at least one adult in their school.
- f. DPI is looking at budget recommendations in next budget for Special Education, mental health, Early Childhood, additional learning time, and educator preparation.
- g. Joint identifications were released to all Legal Education Agencies (LEAs) in Wisconsin. These identifications . . . For LEA determinations in special education, Wisconsin moved to 50% compliance and 50% results as well as including educational environments (Indicator 5 and 6) to the determinations. All LEAs received this data.
- h. **State 2021-23 Biennium Budget Planning:**
  - i. Special Education
  - ii. Mental Health
  - iii. Early Childhood
  - iv. Additional Learning Time (After School)
  - v. Workforce Needs – Educator Preparation
- i. **FFY2018 APR summary** now available.
- j. **Special Ed licensure:** [Wisconsin Act 44](#) directed the Department of Public Instruction to create a process that alters the Foundations of Reading Test (FORT) requirement for Special Education licensure. The Department of Public Instruction has started the administrative rules process to make these changes.
- k. We have recently clarified the pathway for how an individual with a **speech-language pathologist license** from the Department of Safety and Professional Services can earn a Provisional teacher license in speech language pathology. For more information, please see <https://dpi.wi.gov/sites/default/files/imce/tepd/SLP-memo.pdf>
- l. **Seclusion and Restraint:** [Wisconsin Act 118](#) related to seclusion and restraint was signed by the governor. It became effective March 4.
- m. Governor Evers also signed Act 116 and Act 117 recently. [Act 116](#) requires student identification cards to include contact information for suicide prevention hotlines. [Act 117](#) creates a school-based mental health consultation pilot program and makes an appropriation. We will share more information on both of these acts as it becomes available.

## VI. **Special Report: Alternate Social Studies Standards**

Iris Jacobson and David McHugh presented plans for the development of alternate state social studies standards that is being considered by the DPI Academic Standards Council. The following were individual suggestions from council members as DPI considers development of alternate social studies standards:

- a. Relatable and big picture
- b. Continue to focus on American Indian and Black history
- c. Wisconsin history
- d. Geography is good focus
- e. Teachers understand what Rigor is
- f. Civic engagement, self-advocacy
- g. Reading level – assessment (how will it be assessed)
- h. Civics addressed for all students

**VII. (AEM) Center, Print Disability, Universal Design for Learning (UDL)**

- a. Jayne Bischoff presented the framework and guidelines for Universal Design for Learning and outlined some of the resources from WI DPI in relation to Accessible Educational Materials (AEM) [including Bulletin 18.03](#). Julie Preman, Director of the Accessible Educational Material center at CESA 2 provided additional information in relation to AEM and how students and schools can access these materials.
- b. Council shared that they would like more educators to be aware of these resources and encouraged strategies to get this information to more families, teachers, and schools. Council also commented on the need for teacher training in the area of Assistive Technology and UDL for students with IEPs as well as students with 504 plans to improve teaching practices and improve Free and Appropriate Public Education (FAPE) and ensure accountability, improve access, and improve achievement of students. Council also shared concerns on how state assessments do not provide the same flexibility as may be available through UDL or AEM during daily instruction.

**VIII. Special Report: Seclusion & Restraint Overview**

- a. Marge Resan provided an update to revisions in Wisconsin's seclusion and restraint law, pursuant to 2019 Wisconsin Act 118 that revises Section 118.305 of the Wisconsin Statutes. DPI outlined those areas of the law that remain the same and those areas of the law that were revised. Resources outlining these changes can be found on the [WI DPI seclusion and restraint web page](#).
- b. Council noted one of the biggest changes was that the new law removed requirement that training include trainees demonstrating use of seclusion and restraint and now includes requirement that trainees identify prohibited techniques. Council noted the contributions of statewide family support and advocacy organizations that helped to get the revision to this law passed. DPI will also be providing additional resources to schools on state and national resources in relation to evidence based positive behavior interventions and supports.

**IX. New & Old Business**

- a. Council chair discussed using budget priorities shared out from council members to help identify June topics for council presentations and discussion. No council member reports were submitted. Council chair encouraged council members to share out any information from seminars, meetings, conferences they attended or upcoming events. If council members have upcoming events, they can submit them to DPI to be shared with all council members. Council asked about training requirements for paraprofessionals and what types of training opportunities are available for paraprofessionals as well as teacher licensure updates. Council suggested agenda item for discussing how cell size reporting is determined by DPI and wanting information on what is the criteria for determining cell size (e.g. regulations, reasons for determining cell size, etc). Council also suggested discussing teacher shortage. Council chair and co-chair will send a response to last public forum participants summarizing the comments from the spring public forum.
- b. Amendment: The working document titled 'Council Priorities', that was initially started on the January 24<sup>th</sup> meeting and again revised on the March 13<sup>th</sup> meeting, be completed.
- c. Amendment: The Council Priorities Grid is a working document that was developed in hope of driving council agendas/topics and eventually to be shared with the State Superintendent. Council Chairs will complete a more final copy of this document to be shared at Meeting #327 on September 11, 2020.

**X. Announcements**

- a. There were no announcements.

**XI. Public Appearances**

- a. There were no public appearances

**XII. Adjournment**

- a. Meeting ended at 2:45pm.