



SPECIAL EDUCATION ADVISORY COUNCIL MINUTES



Details

Date January 11, 2023
Time 8:30 a.m. – 3:00 p.m.
Location: Hybrid (KSDE/ZOOM)

Call to Order: at 8:30 a.m.

Roll Call

Members (x present, blank absent):

	Jennifer King	X	Lena Kisner	X	Whitney George
	Heath Peine	X	Marvin Miller		
X	Brooke Moore				
	Barney Pontious	X	Michelle Warner		
X	Chris Reffett		Paul Buck		
X	Brandon Gay		Rebecca Shultz		
X	Jennifer Kucinski		Sabrina Rishel		
X	Jennifer Kurth	X	Tobias Wood	X	Emily M-Interpreter
X	Lindsey Graf			X	Allison-Interpreter
X	Laura Thompson		Dr. Troy Pitsch		

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Ex-Officio Members (x present, blank absent):

	Jim McNiece	X	Ashley Enz	X	Jon Harding
X	Leslie Girard		Rocky Nichols	X	Luanne Barron
X	Mike Burgess				

KSDE Staff:

X	Bert Moore	X	Alysha Nichols	X	Kerry Haag
X	Trisha Backman	X	Kayla Love	X	Dean Zajic
X	Shanna Bigler		Brian Dempsey		Cary Rogers
	Ashley Niedzwiecki	X	Crista Grimwood		

Guests:

Quorum (11) met: Yes, 12 Voting members present

Public Comment:

No written comments were submitted for today's meeting. No in person comments were presented.

McKinney-Vento Homeless Report

Maureen Tabasko and Roxanne Zillinger

- The original McKinney Vento act was signed in 1987 by President Reagan
- The act states that we have to provide every educational opportunity to families and children experiencing homelessness, as we would with anyone in the school.
- McKinney Vento was reauthorized in 2015
 - It became a law then that every school district in the country had to have a liaison for McKinney Vento
 - It also afforded the opportunity to have the McKinney Vento grants
- Most students experiencing homelessness are likely to be
 - Be chronically absent from school
 - Get lower grades
 - Have special education needs
 - Score poorly on assessment tests
 - Drop out of school
- Who is considered to be homeless under McKinney Vento?
 - As a student you need to have a loss in housing, due to a hardship of some kind
 - Such as Natural Disasters, separation of family, etc.
 - Not eligible for McKinney Vento are:

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- Moving across country, sold housing, and temporarily staying in a hotel
 - Other intentional situations
- There are 2 sub-categories of homeless children and youth:
 - Accompanied
 - At least one parent or full guardian is present
 - Un-accompanied
 - No parents or guardian is present
 - This includes a homeless child or youth not in the physical custody of a parent or guardian
- States and School districts must develop, review, and revise policies to remove barriers to the school identification, enrollment, and retention of McKinney Vento students
 - Including barriers due to outstanding fees, fines, or absences
- The local liaison in each district pretty much has the final say in who is eligible and who is not
 - These are made on a case-by-case basis
- We get provided the data (number of students) for McKinney Vento at the end of the school year, which we provide to the Department of Education. We always run off the previous year's data. This data is published on our website each year.
- If your district has reported 9 or fewer McKinney Vento students, you do not get added to the list for privacy reasons
- In the 2021-2022 school year (K-12 data)
 - Total of 7,129 homeless students identified
 - 891 were unaccompanied youth
- Data from 2017-2022
 - 18-19 school year is the last fairly accurate data since COVID
 - We had 9,014 K-12 students identified
 - We usually run between 7,000 and 10,000 homeless youth in the state of Kansas
 - We fully expect that by 2022-2023 school year we should make it back up to close to 10,000 identified
 - During the COVID pandemic, McKinney Vento youth went "missing" they had other obligations, so now in the 2021-2022 school year we are seeing those youth return back to their schooling
 - This is why the data took a dip from 18-19 to 21-22 school years
- McKinney Vento Funding Sources
 - Local funds
 - Community help
 - Donations
 - Title 1 money set aside

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- McKinney Vento Subgrant
 - 3-year competitive grant
 - Usually, 10-12 districts get awarded
 - Typically, 600-700 thousand dollars
 - McKinney Vento Emergency Relief Fund
 - Also known as the ARP-HCY grant (American Rescue Plan- Homeless Children and Youth)
 - Totaled \$800 million nationwide
 - Kansas received about \$5 million
 - ARP-HCY I was a competitive grant as well at just over \$1 million
 - This was dispersed between the 12 districts that were awarded the subgrant awards
 - ARP-HCY II was \$4,083,208, every district was eligible for a portion of this money
 - If \$5,000 or less, it was to be set up in consortiums in rule of the federal government
 - We have 4 large consortiums in Kansas
 - ESSDACK/Orion
 - Greenbush
 - Smoky Hill Education Service Center
 - Southwest Plains Regional Service Center
 - There are 64 individual districts that received over the \$5,000
 - A total of 68 ARP II grants
- National resources and links were provided
 - Please reach out to Maureen or Roxanne if you have any questions, mtabasko@ksde.org and rzillinger@ksde.org

Graduation Requirements

Dr. David Fernkopf and Dr. Robyn Kelso

- 2028 is when these changes to graduation requirements will go into effect
 - These are the current 7th graders
- Students will complete 2 or more postsecondary assets from 2 categories that align with their Individual Plans of Study
 - Career and Real-World Examples
 - JROTC
 - Youth Apprenticeships
 - 40 or more Community Service hours
 - 4-H

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- Girl Scouts/Boy Scouts
 - And more constantly being added
 - Academic Examples:
 - ACT Composite (Score of 21 or higher)
 - ASVAB per requirements of military branch selected
 - SAT Score (1060 or higher)
 - 9+ college hours
- There are 21 credits for students for graduation that the state requires and still are, but have changed what the 21 credits look like
 - Currently require 4 credits of English Language Arts
 - Change to 4 credits of Communication
 - 3.5 ELA credits
 - 0.5 Communication credits
 - Currently 3 credits of history and government and 1 credit of fine arts
 - Change to 4 credits of Society and Humanities
 - No change in the courses needed
 - Currently require 3 credit of science and 3 credits of math
 - Change to 7 credits of STEM
 - 3 credits Math
 - 3 credits Science
 - 1 credit STEM elective
 - Computer Science
 - Robotics
 - Agriculture
 - And more
 - Currently require 1 credit of PE and 6 credits of electives
 - Change to 6 credits of Employability and Life Skills
 - 0.5 credit Physical Education
 - 0.5 credit Health
 - 0.5 credit Financial Literacy
 - 4.5 credits IPS choices (emphasis on CTE/Pathway courses)
- 21 credits are a state requirement, but it is local control. Most districts are at least 25 credits to graduate
 - There is law that students in the Foster Care system at any point during high school that only have to complete the minimum requirements
 - This does not include McKinney-Vento
 - Same for those in the juvenile system
- FAFSA
 - The Kansas Board of Regents recommended the mandatory completion of the FAFSA prior to graduation.
 - There is an opt-out for any student, family, or school
- Review Committee
 - Recommendation to form a review committee to gather input and provide recommendations to the SBOE on potential changes in the future
- The website has a New Graduation Requirement FAQ that is constantly being updated

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with more information

- For more information, please contact Dr. David Fernkopf (dfernkopf@ksde.org) or Dr. Robyn Kelso (rkelso@ksde.org)

Assessments

Beth Fultz

- We will just be discussing the English and Math assessments. These are given every year to all students in grades 3 through 8 and once in high school in 10th grade
- The NAEP is given every other year and that year changed during COVID. We went from odd years to even years in that change.
- English Language Arts
 - By grade level
 - Blue or the lowest level are the ones at level one
 - Grade 4 drops due to the changes of ELA
 - This level increases each year until they reach the high school scores, then they drop again
 - By Subgroup
 - Free and reduce lunch
 - Students with disabilities
 - English Language learners
 - 3rd grade
 - More students with disabilities test at a level 1 compared to All students
 - We are working on an English Assessment for 2nd graders to learn the areas for 3rd graders
- Math
 - By grade level
 - Some grades math is more difficult than other
 - By Subgroups from years 2018, 2019, 2021, and 2022
 - Free and reduce lunch
 - Mostly scoring in the Level 1 group, but rising throughout the years
 - Students with disabilities
 - Mostly scoring in the Level 1 group, staying steady over the years
 - English Language Learners
 - Mostly scoring in the Level 1 group, steadily rising throughout the years
 - 3rd grade
 - More students with disabilities score in Level 1 as compared to All Students
 - We do see better results in the ELA testing than we do Math
- We take the 4 levels and turn them into 8 levels, by breaking out by the middle of the scores in each level.
 - This creates a bottom and a top category for each level
- We like to look at the postsecondary effectiveness
 - This is 2 years after graduation
 - We looked at the 2017 10th graders

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- If we look at the graduation rate between top of level 1 and bottom of level 2, graduation rate jumps almost 10% and puts them at a 90% chance of graduating
 - And in a jump in postsecondary options by 15%
- We test about 35,000 2017 10th graders in both Math and ELA
 - Over 14,000 kids are at level 1 in Math
 - Meanwhile ELA has over 10,000 kids at level 1
 - There are more kids in Level 1 in 2022, than there were in 2017
- 2022 results
 - Math
 - We now have about 75,000 students in All Grades sitting at a high end of level 1, that we can push to a level 2
 - We have about 55% of the students with disabilities in a High Level 1
- If you have any questions, please contact Beth Fultz, bfultz@ksde.org

Alternative Monitoring of Correctional Facilities

Stacie Martin

- School districts are obligated to provide education services for juvenile detention centers, psychiatric residential treatment centers, and child in need of care facilities within that district's jurisdiction
 - Those in the Department of Corrections subcontracts with Smoky Hill Service Center to provide education services to those young adults in their programs
- School districts don't have IDEA obligations for youth with disabilities incarcerated in:
 - Federal Prison
 - Adult State Correctional Facility
 - State Juvenile Correctional Facility
- Exceptions that apply to ONLY youth with disabilities that are incarcerated in an adult correctional facility
 - State/Local Assessments and Transition services
 - FAPE for students over age 18 who were not identified prior to incarceration
 - Modify IEP or placement for bona fide security/penological interest that cannot otherwise be accommodated
- To learn about Title I Part D, please check out the fact sheet on the KSDE webpage
- We have integrated our monitoring with both IDEA and Title I Part D programs
 - This is a 3-year monitoring cycle
 - There are 34 facilities total
 - These are separated by Cohorts 1, 2, and 3
 - Currently in Cohort 1
 - We chose the facilities to monitor by the ones that receive Neglected and Delinquent funding through the local school districts
 - We notify the Superintendents, the Special Education Directors, Facility Directors, and the District Federal Programs about 6 months before we go onsite

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- Prior to Onsite visits
 - A few months prior to the visit, the facility receives a letter to schedule a meeting with them a few weeks prior to the onsite
 - This is a zoom meeting
 - We discuss the restriction we need to note
 - The agenda for that day
 - Who needs to be involved
- Onsite Monitoring Protocol
 - Usually scheduled for a half day between 9am and Noon, we leave it up to the facility though.
 - We take a facility tour while there
 - Interviews of the Facility Director, Education Director/Principal, and General and Special Education Teacher
 - These are all conducted separately, except the teachers
 - Classroom observations
 - Using the classroom checklist
 - We try to spend about 10-15 minutes in the room
 - We review 2 students file reviews
 - Usually have 2 reviewers
 - They use the IDEA/Gifted Self-Assessment and the Indicator 13 (Secondary transition) Checklist
 - We try to get different aged kids, younger and 16 and older
 - Visit for a summary report
 - Answer any further questions there may be
 - Write a summary of the overall visit and interviews conducted
 - Write a summary of the student IEP file reviews
- Interview questions
 - We ask the same questions of the Facility Director, the Education Director or Principal and the Teachers with a little varying difference
 - Topics looked at
 - Child Find
 - Student records
 - Credits/transcripts
 - Access to special education services/related services
 - Student progress
 - Secondary transition
 - Student discipline
 - Restraint or seclusion
 - Transition plans

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- Summary of experiences
 - They have certified teachers employed
 - But do struggle with staffing issues still
 - Online curriculum programs
 - Edgenuity or Odysseyware
 - There are longer stays in detention centers
 - Now could be a year or more, rather than 30 days
 - Mental Health Services
 - Transition related activities
 - Memorandum of Understandings
 - Policies and Procedures
- Once a youth turns 18, that same day they are shipped to the adult detention center
- We are now ready to start monitoring adult jails
 - We have had several revisions getting ready for this, but it is ready to launch
 - LEAs will complete a self-assessment on their policies and procedures
- We would like to extend the invitation to any of the SEAC council members to join us on one of our visits, please reach out to Stacie Martin if ever interested
- There are 12 detention centers around Kansas
 - That is down from when monitoring started, since some centers have closed
- Any questions please contact Stacie Martin, smartin@ksde.org or Heather Gould, hgould@ksde.org

ESI and SIG DIS Report

Shanna Hailey and Kelly Steele/Bert Moore

- We see the data from the past 5 years (2017-2022)
 - Total incidents from all accredited schools in Kansas
 - We don't monitor reservation programs any longer
 - They are back on the rise, since the drop in COVID years, since students were remote
 - While we had approximately 2,400 incidents, that took place with about 1,400 students
 - Most students with incidents have an IEP, then those without IEPs or 504s, and lastly those with 504 plans
- Has been clarified if you can put ESI in an IEP plan
 - ESI includes the word Emergency
 - Emergencies cannot be predicted. If it is in the IEP, then it shows intent to use, which is inappropriate. So DO NOT include it in the IEP
- Average age representation hardly changes, its usually always the 3rd graders between 8 and 9 years old

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- This is when all the changes are happening and the transitions from Early Childhood start
- ESI by ethnic and racial populations
 - This is compared to the population overall in the state
 - There are about 3 times the amount of African American students on average receiving Emergency Safety Interventions and compared to the White and Hispanic/Latino populations
- ESI by Gender
 - Boys significantly receive more ESI than females in both Restraint and Seclusion
- ESI by Free/Reduced lunch status
 - This doesn't help since we stopped doing applications during COVID years
 - Does show that those that received Free/Reduced lunch prior to COVID has more ESI
 - In 2017, 72% of all incidents had the student receiving Free/Reduced lunches
 - This has dropped since we have stopped applications during COVID
 - The applications have returned for this school year, so numbers should reflect this change.
- 13 schools were identified and flagged based on their use of ESI
 - A few schools misinterpreted how they needed to report
 - 2 schools were the PRTFs in the state
 - Have staff there working on other strategies
 - Several that the students were really struggling
 - Some weren't on IEPs yet and haven't been in school at all, and entering into the 2nd grade without experience
 - Lots of trauma response
 - None stuck out as misusing ESI
- Hoping to provide some clarity on ESI Train
 - The law requires that every school employee be trained in ESI law
- Foster Care students was another area that had a high trend; however, we did not collect the data trend to show you that
- ESI does not count against Timely and Accurate data
- For any ESI questions please reach out to Shanna Hailey, shailey@ksde.org or Trisha Backman, tbackman@ksde.org
- Sig Dis Update
 - We don't want to unnecessarily identify students and we don't want to over discipline students and we want students in the least restrictive environments We are currently working with a few districts on their Sig Dis
 - That includes data collection, stakeholder, root cause analysis and an action plan moving forward

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- For any questions, please reach out to Kelly Steele, ksteele@ksde.org

Member Reports

Membership

- **Lindsey Graf:** we have trainings in the district on Mandating Reporting, but it does feel like more of a checkbox. The trainings are great, but everything in one training just seems like a giant check box to go through.

Council Ex-Officio Member Updates

- **Families Together** – Lesli Girard
 - Families Together is the Federally designated parent training and information Center for Kansas
 - We have held this for 40 years, it is a competitive grant cycle
 - All staff members have a family member with a disability or special health care needs
 - Data from Families Together for past 6 months (July-December 2022)
 - 2,296 individualized consultations and training
 - Most are the Tier 1 PA questions (the easy to answer questions)
 - Most assistance is provided to the parents
 - The primary disabilities we help are:
 - Autism
 - Other Health Impairment
 - Emotional Disturbance
 - And those without IDEA Disabilities
 - We primarily help those who are Caucasian at 52% of all ethnicity groups
 - We primarily help youth aged 6-13 at 43%, closely followed by 14-18 at 32%
 - The main content areas people focus on are:
 - IEPs
 - Family Support
 - Parent Rights
 - Accommodations/Modifications
 - Behavior/BIP/FBA
 - And more!
 - Other topics of interest are:
 - MTSS
 - Formal Complaints
 - Bullying
 - Mental Health
 - And more!
 - Education Advocate
 - In December there were 38 appointments made

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- 13 of which were new
 - We received 49 cancellations
 - 31 of which were final
 - Final means they graduated, or they no longer need services
 - We had 87 processed and 5 early childhood appointments
- Went over the lifecourse portfolio for IEP meetings
- We need more Education Advocates in the Wichita Area
- **Kansas Association of Special Education Administrators (KASEA) – Ashley Enz**
 - Advocacy Day at the Capitol that was in November
 - FAQ document on the Interagency Collaboration
 - With KASEA, USA-KS, And KASB
 - KASEA Winter Conference
 - February 21-22, 2023
 - Bishop Professional Development Center in Topeka
 - Keynote: David Bateman. Ph.D.
- **Disability Rights Center – Mike Burgess**
 - Working on a supportive decision-making resource website
 - Will provide videos on what is supportive decision making
 - Will provide specific Kansas resources
 - Hopeful to have the website up and running in about a week
 - Would love to speak on supportive decision making and alternatives to guardianship
 - If you have a group or a meeting, please reach out to Mike Burgess
 - Legislative Updates
 - Advocating for Fully Funding Special Education
 - Advocation for increasing waiver slots and increasing the waitlist
 - Hopefully will create more waivers in the future to eliminate the waiting list
 - Supporting a supportive decision-making agreement bill
 - Kathy's Bill
 - Creates a disability hiring preference within the State employment system
- **Kansas State Board of Education (KSBOE) Update – Jim McNiece**
- **Kansas State School for the Blind/Visually Impaired- Jon Harding**
 - Been around since 1867
 - Not apart of the K-12 funding formula, we are funded separately through the Legislature
 - We do have the State Board as our local board
 - We serve kids Birth through Age 21 across the state

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- 1,500 kids we believe are blind or low vision to impact their education
- We impact 800 of those kids
- On campus we serve about 50 kids with our programs
- Visit KSSB.net for data and other information
- We have 2 TASN projects
 - Instructional research Center provides documents to those in need
- Teacher Training program
- Deaf/Blind project that is federally funded
 - About 165 on the registry
 - We also have a Deaf/Blind Fund from KSDE
 - They apply for funds for Technical Assistance and Equipment
- We focus on STEM and hands on materials
 - Also bought a large van to travel around with STEM equipment for kids
- Kid ran Podcast
 - 32 episodes student ran
 - <https://discover-podcasting.simplecast.com/>
- Blind Sports Camp in May this year
- Field Services
 - We have 15 people to help those out in the field so they don't have to attend the school in person and can stay in the hometown
- The Braille Bean
 - Project life program
 - Kids built business
 - "The best coffee you've never seen"
 - Roast beans, package them, and market them, sell and deliver
 - Productions down and sales through the roof
 - Kid ran coffee bean business
 - <https://kssb-makes.square.site/>
- **Kansas State School for the Deaf/Hard of Hearing- Luanne Barron**

Other Updates:

If there are conferences you wish to attend, please reach out to Kayla Love

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Special Education Advisory Council Meeting Dates 2022-2023

April 13 2023

9 AM – 3 PM

TBD

Closing Comments

Items for Next meeting

- Contact Tobias or Bert or Kayla with any new items

Action:

Motion to Adjourn: Marvin Miller

Motion seconded: Lindsey Graf

Meeting adjourned: at 2:50 pm

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

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