

SPECIAL EDUCATION ADVISORY COUNCIL



MINUTES



Details

Date January 14, 2020

Time 1PM-4PM

Location Landon State Office Building
900 SW Jackson Street
Room 509
Topeka, KS 66612

Call to Order:

Roll Call

Members (x present, blank absent):

x	Rebekah Helget		Heath Peine	X	Mike Martin
X	Joan Macy	X	Stacie Clarkson	X	Heidi Cornell
X	Amy Dejmal	X	Tina Gibson	x	Chelle Kemper
x	Kathy Kersenbrock-Ostmeyer	X	Jennifer King		Megan Laurent
X	Rachel Marsh	X	Marvin Miller		Troy Pitsch
	Sarah Schaffer	X	Laura Thompson	X	Amy Wagoner
X	Kari Wallace	X	Becci Werner (Kristen Panos)	X	Deb Young
	Lesli Girard		Jim McNiece	X	Rocky Nichols OR Mike Burgess

KSDE Staff:

X	Bert Moore	X	Laura Jurgensen		Kerry Haag
X	Pat Bone	X	Trevor Huffman	X	Tiffany Hester

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Approvals

Agenda

Motion: Kathy -KO as presented

Second: Laura Thompson

Motion Passed

Minutes from November 5, 2019

Amendments:

Motion: Kathy K-o

Second: Stacey Clarkson

Motion Passed.

Emotional Disturbance Label (ED)

SEAC received a public comment at the September meeting. We discussion in November but were not yet confident in making a recommendation on change. We wanted to gather information from experts.

Panel Discussion

Panel Members

Lisa Collette, State Interagency Coordinating Council representing Early Childhood and Parent perspective

Holly Yager, Kansas School Mental Health Advisory Council Coordinator of School Psychologists

Alison Despard, School Social Worker and member of School Mental Health Advisory Council

Jonathan Smeeton, Kansas Association of School Psychologists

Kathy Mosher, Community Mental Health Center (Written response)

Question 1

What are the benefits to changing the term emotional disturbance?

- Disturbance carries a negative connotation. Changing the term could impact stigma following school.

What are the benefits for changing the term for children transitioning from Part C?

- Adding a label that may not be true. Adding services that may not be needed. Could be a mis-diagnosis label being added.
- The term is not seen as often in Early Childhood programs. It is more frequently called developmental delay.

What are the benefits for students transitioning to Post-secondary?

- Impact of military service.

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- Disturbance makes people want a definition of what the problem is for this person.

What are the benefits for children receiving services outside of the school

- Label carries negative connotations. Puts parents on defensive to explain why their child has this label
- Changing may increase a child's self-esteem.
- Have we made clarity between other health impairment and ED?

Question 2

What are protentional unintended consequences to changing the term emotional disturbance?

- Often these students have a lot of poor outcomes. This is a manifestation of the disability not the cause of it.
- Need to be careful about the language we use if it is changed.
- Condition or disorder terms adds unnecessary connotation
- It is the term used in federal regulation. Commonality of terms between states as children move may require repeating evaluation. Communicating the meaning of the need is critical in the IEP.
- Disorder implies a doctor's diagnosis.
- Mental Health Condition – might bring an assumption of requiring a diagnosis or having a diagnosis.
- Condition may imply short-term
- As a parent, potential consequence is needing to have labels to receive the services they need.
- Regardless of label, you must meet the needs of the child. Diligence in writing IEP and providing services is needed. Labels should not be needed to develop the special services in the educational program the child needs.

Question 3

What term(s) should SEAC consider recommending as a replacement for emotional disturbance?

- Emotional Disability – carries some empathy but implies it is a long-term situation requirement.
- Emotional Impairment or Disability -Tied with Social-Emotional may be confused with other conditions
- Disability impairs the ability to access and succeed in regular setting and making process.

Is there a difference between disability and impairment in the use of the term?

- Disability is a little stronger word than impairment.
- AS a parent, disability sounds a little better than impairment. In the world of deaf/blind they do not consider themselves impaired.
- Disability is a more accepted term in our culture.

Question 4

Questions from SEAC Members?

- Thoughts on adding the term behavior?

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- Gives some administrators an out for removing kids from regular ed settings.
- Need more use of trauma informed care and this may set us back in development of the change.
- Behavior implies what you see instead of identifying the cause of the problem.
- Do we use Serious Emotional Disturbance (SED) in Kansas – No, it is not in the law.
- Is there value of using a term used in other states?
 - We tend to define a child by their behaviors. This is not a good practice and should not be encouraged which use of this label may do.
- Who is going to care the most about the perceptions about changing this label?
 - The adults are most effected. Children won't care or use it.
 - Kids, especially older students, will appreciate the change.
 - Parents will have a hard time with change. They will need information about not needing the label to receive the services the child needs.

Thank you, panelists, for being here and sharing your thoughts with us today. SEAC will be having further discussion this afternoon and this really helped us move forward in our thinking.

State Board Presentation of Annual Report

Bert Moore

State Board has asked that we change our presentation to more of what we have done and will be doing.

Mike Martin, past chair, will review past accomplishments.

Rebekah Helget, chair, will talk about the future endeavors of the council.

Follow up to presentation: Great conversation took place with board today and members are looking forward to continuing conversations at breakfast tomorrow.

Emotional Disturbance (ED) Label Discussion and Action

SEAC members and KSDE staff all have an interest and an opinion on the work of considering change with this label. Change must be driven by student needs. Labels carry stigma and our work is really important. The focus must include specially designed instruction.

Communication with parents must improve.

Appreciated the panelists discussion today and the information they provided. Three of four panelists preferred the term disability.

Discussion:

- Labels make people think they are better understood, especially with children. Older students may use the labels as excuses for not being able to do things. The need of the student is what needs to be understood as the determination of what services are required. A label doesn't determine the need. How can this be messaged consistently? How can common language be used for ALL kids?

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- General education teachers thought the term was emotional disability when asked. They didn't realize it was disturbance. Strengthen MTSS in schools to reduce labeling.
- Disturbance has always been a perception problem.
- Specially designed instruction, needs to be more consistently communicated. We need to focus on this second prong that goes beyond the label.
- As a parent, labels can be very hard for the student to understand and work through. It was a limiting factor for the student. Moving away from the labels is a good thing to reduce stigma. It needs to be more in the background information for providing services. Suggestion: Use of disability. A disability isn't something to be feared or pitied in our society any longer.
- There are 13 categories, but other than in reporting, they are not required. Eligibility requires a label but services do not require a label to be used.
- Do we want to continue conversations on other labels at a future meeting?
- How many districts/coops actually put labels in the IEP? This is data members would like to see.
 - Kathy K-O provided some information on what she found in her coop. Could we have a document that uses the labels needed for SPED pro reporting but another document is provided to the family doesn't need to contain all the labels? This would be workable from the state's reporting perspective.

Motion:

Marvin Miller moved to change the term used from Emotional Disturbance to Emotional Disability.

Second: Stacie Clarkson

Discussion:

- We must not get away from observable behaviors so we can measure progress.
- Recommendations for KSDE or TASN to provide guidance to educators on the need to focus on the needs of the student.

Motion passed.

In case testimony is needed on the ED label change Rebekah or her designee would need the authority to provide written or oral testimony on behalf of SEAC to the State Board or Legislature in 2020.

Motion to grant authority: Mike Martin

Second: Laura Thompson

Discussion:

- Have we done this in the past? Yes, we used conference calls to authorize representation in a testimony.
- Should we make this a standing policy that the chair or their designee represents this body on any recommendations that have been discussed by the council?

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- Keeping it specific to particular items seems to make the most sense.

Motion passed.

Comments from Mike Martin.

Redesign and reducing labels. One part is Social Emotional growth. Having a school psych on staff has been great. IPS is a part of the foundation as is KR,

If we consider moving away from labels then more input is needed from special education to the redesign process.

Bert has provided discussion questions for the Apollo districts on special populations and the work they need to consider. This was formally left out of the conversations with the Gemini, and Mercury projects. Design must include accommodations for ALL students to be successful.

There is a huge concern over the 180 districts that will come up for accreditation review in the next two years. We must continue to be certain that needs for title and special education students needs are being met as directed in federal law for continued funding. SEAC will be asked to provide input as this process continues.

Breakfast Reminders:

Please arrive at 7:15 and be prepared to enjoy some informal conversations with the State Board members on the topics important to the needs of moving students needs forward.

Adjournment

Motion: Kathy Kersenbrock-Ostmeyer

Second: Chelle Kemper

Motion Passed

For more information, contact:



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