



Vermont Special Education Advisory Panel (VT-SEAP)

APPROVED MINUTES

Meeting Place: Virtual Meeting

Address: GoToMeeting platform

Date: Tuesday: September 24th, 2020 (4:30 pm - 7:30pm)

Present: Rachel Seelig, Susie Comerford, Jamie Crenshaw, Sara Kruk, Vickie Haskins, Mary Barton, Julie Regimbal, Robin Hood, Sarah Fabrizio, Sandra Chittenden, Jacqui Kelleher, Molly McFaun, Crista Yagjian, Karen Price, Susan Aranoff, John Spinney, Carrie Lutz, Philip Eller, Joy Wilcox, Mary Lundeen, Katy Langevin, Dina Atwood, Scarlett Duncan, Cassidy Canzani, Kristen Bigelow-Talbert

Agenda:

4:30-4:40 Welcome new members; Review and Approve June Minutes; SAP Training Update

4:40-4:50 Public Comment

4:50-5:00 Report and Recommendation from Membership & By-Laws Subcommittee

5:00-5:25 BREAK

5:25-5:50 Report and Recommendation from Unmet Needs Subcommittee

5:50-6:25 AOE Presentation on OSEP Determinations

6:25-6:55 AOE Presentation on Parent Survey

6:55-7:25 AOE Presentation on Admin Complaint

7:25-7:30 Vote on New Member Applicant Endorsement

7:30 Adjourn

Welcome new members; Review and Approve June Minutes; SAP Training Update:

Welcome to our newest members on the board. The newest members have received electronic confirmation, however, are still waiting for an ethics paper in the mail. This is most likely delayed due to COVID 19.

Susie Comerford motions to approve the June minutes. Robin Hood seconds the motion. No discussion. June 2020 minutes were approved.

SAP Training is going to occur for the executive board. The training will be provided by the National Center for Systemic Improvement (NCSI). The training will start in October and will end in December. The training will be provided for the executive board at first. The content of the training for the executive board will be how to get a board started, logistics, committee structures, working together as a board and as a panel, and how to work with other agencies.

Public Comment:

Phil Eller from the Autism Task Force is attending the SEAC meeting tonight. He is looking forward to connecting with other special needs families and working with the panel.

Dina Atwood made a comment: Dina was wondering if the changes in the By-Laws on the panel size being composed of 19 to no more than 37 members is aligned with Act 97. The Membership and By-Laws subcommittee is presenting tonight, and this question will be discussed at that time.

Report and Recommendation from Membership & By-Laws Subcommittee - Katie Ballard, Sara Kruk, Robin Hood, and Carrie Lutz are the current members of this subcommittee:

Katie Ballard, Sara Kruk, Robin Hood, and Rachel Seelig worked on the proposed changes to the By-Laws and members over the summer.

Proposed changes to Memberships and By-Laws.

Rachel reviewed the proposed changes to the by-laws:

- The council's name has changed.
- The panel membership numbers changed from 19 to 37.
- Two at large members were removed.
- One member of the Vermont House of Representatives and One member of the Vermont Senate were removed.
- One seat each was added for the Parent Training & Information Center and the Protection & Advocacy System.
- Terms switched from April to July.
- Subcommittee recommends applicants identify what seat they are applying to fill (membership type).

Discussion:

The group is set at a limit of 37 which is a larger number and concerning for some people. A large group is hard to keep people engaged, aligned, and that each member feels they have a voice.

Quorum is set at 7 members present - With this current quorum limit it is possible that only four people could make a decision for the panel. This is concerning with a quorum set this low it would be possible that not all voices are heard from the panel.

There was discussion on why the quorum number is currently set as seven, this was due to the attendance of the panel in the past, however attendance has greatly improved, and it could be beneficial to increase the quorum size.

A request for more teachers to be added to the panel was made.

The larger the group is harder it is to keep people engaged and on the same page.

The panel asked the subcommittee to look at the size of the quorum and the possible panel size 37.

A motion was made by Carrie Lutz, Scarlett Duncan seconds to return the proposed changes back to the By-Laws and membership subcommittee. The motion passed unanimously on voice vote.

Report and Recommendation from Rules & Regulations Subcommittee - Jamie Crenshaw, Robin Hood, Crista Yagjian, Rachel Seelig, and Sandra Chittenden:

Comments were drafted and recommended for the panel to adopt on placement, parent consent, adverse effect, parent participation, re-evaluation timeline, transition age, data sharing, and monitoring enforcement activities.

Discussion:

Placement - The current comments on placements contain a lot of concerns that may be appropriate for the unmet needs committee but are not related to the proposed rule change that is offered.

Concern about the language that was written, e.g. “many parents said...” and it is generalized language. The language around placement doesn’t necessarily align with how everyone on the panel feels. The language is negative and puts a lot of work back on the AOE.

The group decided that the subcommittee didn’t have enough members and asked if more members could join. More members can have a larger representation for this subcommittee.

Public Comment: The VT Autism Task Force agrees with the proposed changes on parent consent.

Regarding parent consent, concern that 14 days would be inadequate for parents who aren’t English speakers, and whether a timeline would have an unintended consequence. In some districts with high populations of parents from whom English is not the primary language, or English is not spoken, parents have asked not to have all documents translated; instead the time in meeting is increased to allow for interpretation, and more meetings are scheduled if needed. Parents need to be a part of the process, not what they are reading.

Another concern is whether needing a signature annually will delay services, but the proposal addresses the ability to begin service changes when there is no response, versus an affirmative refusal to consent.

Adverse Effect:

Language was very general, and an addition of specifics is needed. One subcommittee member has drafted some additional language comparing the IDEA regulations to the Vermont regulations, and this is not yet in the draft. More details and data need to be added to this section.

Statement in strong support of the Adverse Effect proposal to match the Federal Rules. It will be important to change practice to focus more on disability and what the need for special education really is, especially in a robust MTSS system.

Prior Written Notice: There are no comments currently on Prior Written Notice, and the subcommittee should review this rule and determine if tightening the requirements for this process could solve some of the problems other rule proposals are identified to be attempting to fix. (For example, a Prior Written Notice is not “prior” if it is issued after a change has been made).

Additional discussion on the need not just to change the rules but for special educators to have training. Training varies by district and in some districts is only provided on state-mandated topics - concern that if the rules don’t change, there won’t be training on these issues.

Request for the subcommittee to consider whether the proposals would have unintended consequences that would hurt students in the process.

Julie Regimbal made the motion to send the work back to the subcommittee for revision. Scarlett Duncan seconds. Motion passes on voice vote.

Report and Recommendation from Unmet Needs Subcommittee:

Meet twice in August some guidance has come out that has addressed some of these areas. There has been guidance given by the AOE under COVID 19 resources link. A significant amount of variations happen amongst districts which has been a common theme. The Unmet needs list included AOE activities that should happen, Communication Needs from the AOE to Families, AOE Direction to LEAs on Communication, Best Practices for IEP Teams and Meetings, Equal Access to Options, Service Delivery, and School Health, Safety, and Emergency Preparation.

Discussion:

Sentiment shared by several panelists that the list is too long, and too negative, not fostering change.

Agreement that communication is a major area of need, but request that the subcommittee prioritize and phase the list prior to endorsing recommendations on areas of unmet need to the AOE.

One subcommittee member explained, at the time the group met, many parents were being asked to make a decision about in-person or remote, with no information provided about what these options would look like or how students' needs would be met. Now that school has begun, the list can be revised.

Extensive discussion of VTVLC, and the lack of availability of modification for students with disabilities or VTVLC access to/by special educators. Special education remains the responsibility of the district, but this does not solve the problem of inability to modify curriculum making access to general education a major problem. Parents are dropping out of remote and asking to go back to in person as a result. Special Education Directors need help from AOE to resolve this problem. Especially concerning because of AOE endorsement of VTVLC, which is now the general education environment for many special education students.

AOE Liaison John Spinney shared that VTVLC has seen a 5000% increase in enrollment this school year and the AOE is meeting and working on solutions.

Discussion returned to the need for communication - acknowledging the problem, sharing process and timeline for resolution with LEAs and families so that families and districts can plan and make sure students are able to access their education in the modality they have chosen. UDL is an unmet need within virtual and remote learning.

There is fear that there will be a lost year for students, and students will need an extra year to meet their educational goals, and other out-of-the box solutions.

Request for the list to be prioritized, phased, and solutions oriented.

Sarah Fabrizio makes a motion, Sara Kruk seconds it to sending the VTVLC part to the AOE and sending the rest of the document back to the unmet needs group. Carrie and Susan joined the group.

The AOE will receive this in writing and will share it with all of the parties involved. The VTVLC comments will be circulated to the right people. This will be sent in an email follow up to Jacqui written by Carrie and Rachel.

AOE Presentation on OSEP Determinations:

Jacqui presented about Vermont's States Performance Plan/ Annual Performance Report (SPP/APR).

OSEP incorporates factors for compliance and results indicators as reported by the AOE to OSEP in the SPP/APR. It is a progress report for the federal government and to Vermont Stakeholders.

There are 17 different indicators on the State Performance Plan. Jacqui presented on these in February. Vermont's current status with OSEP is an overarching score of 54.86% which places us in the needs intervention category.

Jacqui explained why we are in this category. One reason is that Indicator 13 - transition - is very low. In part, this came from a change practice on data collection, the AOE now needs to report the first data that is submitted. In the old model IEPs were able to be given feedback and then become compliant in time for a later data submission. This has changed which lowered the rate. A second area was timely administrative complaint decisions. The state lost points for this, and a small N size (not very many of them) was also a factor. A third reason Vermont lost points was absence of complete data from LEA's on state assessments and diploma. The fourth area where Vermont lost points was on NAEP scores.

The federal government has not provided any corrective action. It is a clear, sharp, warning from the federal government to get our act together. The AOE started working on improving the systems for retrieving valuable and reliable data. Some of the changes the AOE has made after this report is:

Each indicator has a staff member working on it, professional training for AOE staff, training for LEAs, focusing hard on indicator 13, training on how to build robust training plans, monitoring is more robust, and the written state complaint process is being improved.

School districts are monitored at the indicator level as well, the school districts need to understand how the AOE is scored.

The goal is to move VT to a higher status. In order to do this, AOE is drilling down to identify patterns and trends. This information is being present now because our input on how to improve these areas will be important. It is part of the context of how we monitor and improve our special education system.

One question was asked: There was a stakeholders group that met 3 or more times 2 years ago to develop a plan to improve reading scores. Whatever came from the recommendations?

Stakeholder group was created to improve student reading scores, Mary L. was on this group and they worked with an outside agency which talked about the importance of strengthening reading. There was a report that came out later in the spring to inform professional development that would have happened at

the state level last school year. Mary L. will see if she has the final report and share it with Jacqui, to be sure that Jacqui has it.

AOE Presentation on Parent Survey - Cassidy Canzani (IDEA Data Instructor for the AOE) Betty Roy (Inclusion systems coordinator):

Cassidy shared the current practice with the parent survey. Vermont uses a 38-question survey, which is a statistically sound national tool. It serves as a question bank and a measurement and scoring tool. Questions are based on this question bank. A vendor is contracted and sends two letters and a paper version of this survey. A letter is sent to special needs parents with a code and a link to the survey. A second letter is sent out to parents as a reminder to parents that haven't filled out the form. The survey is in scantron form. The vendor collects the forms, then analyzes the information, and sends the information to the AOE.

The contract is currently expiring, and it is a good opportunity for changes to be made to the survey and to the process.

Discussion: Panel provided the following feedback which some of these items have already been shared to the AOE team and also with the panel.

- There is a lack of clarity on completion date in the letter.
- There is a barrier to access to the survey in other languages.
- Families with multiple children on IEPs receiving only one survey though they may have very different experiences to share for each child.
- Parents not receiving the survey.
- Need for directions on where to find the "ID" to complete the survey online.
- The return address being a New York address which is confusing to parents as to why the survey is going out of state.
- Lack of understanding of what the data shows and how it is used.
- Parents often feel it is not a good use of time or that their voice won't be valued even if they do find the time, and so don't complete the survey.

The panel provided some recommendations to consider:

- Using a focus group format.
- Sending surveys more frequently, such as after an annual IEP meeting.
- Clear communication that survey information won't be shared in an identifiable way with the district so that it could be used against or be the basis for reprisal against the child.
- Seeing how the data is used, how it will change practice and improve their child's education and school experience would incentivize completing the survey. One way to show that the data is valued is to include it in the Annual School Report.

Support expressed for an electronic option to give quicker information, so long as it is secure.

Discussion that the response rate has been so low that it is hard to share data with districts because students would be identifiable. As a result, it is hard for the data to be helpful to districts or drive a change in practice - all they get is their response rate, not the ratings on the different questions.

Agreement that relationship building between school personnel and families is really important to positive family engagement.

Additional ideas discussed included: using fewer and more targeted questions, providing more resources to SUs and SDs, providing incentives to use and train on the Family Engagement Toolkit, enlisting the Vermont Family Network to help get the word out about the usefulness of the survey, using a one-pager or short podcasts in multiple languages to get the message out.

Robin Hood makes a motion that Crista Yagjian seconds to bring these recommendations back to the Evaluations and Reports subcommittee to work on diving into existing data and working on how to make the data work.

Presentation on Admin Complaint System and Form Revisions - Katy Langevin, AOE:

Using feedback provided to the AOE there have been changes made to the Admin complaint form. The Admin complaint form has been changed to be more user friendly for parents.

The form breaks down when you file a complaint and when and why you should file a complaint.

The first step is an optional AOE consultation: This answers questions parents have about the complaint process via a phone call. The second step is optional AOE facilitation: Talks are created to facilitate a conversation between the AOE, the LEA, and the parent. Having a conversation and providing communication on what the problem is and trying to get the issue resolved faster. This part of the process would be optional for parents.

The reason for these proposed changes is to make the AOE administration complaint process more accessible to parents.

Feedback provided to the AOE:

It takes a long time to fill out the complaint form, and it would be easier to click on options and then have a phone call to explain in more detail, with the call recorded so it can be reduced to writing. Katy shared that the form had been amended to just have three substantive questions. However, this, too, can be difficult, because it is sometimes hard to articulate all the problems, or what the problem is precisely, and the agency will only investigate problems that you identify.

Parents have given up too because they had no idea how to really write the complaint - and the process was overwhelming. They were not sure what, or how much, to include.

It is also intimidating to file a complaint, it is very official, and it can feel like you will do permanent damage to your relationship with the school / district. The new proposals for consultation and facilitation provide a way just to ask a question to the AOE or just get some help without having to take that official step. Many parents feel intimidated about the idea of calling the Special Ed director, or they don't want to be seen as getting someone in trouble.

Parents know their kids the best, having the option to talk to the AOE being able to consult ahead of time will be helpful. This would give parents another option without having to hire a lawyer, which many people can't afford.

A request for a facilitated IEP meeting by an AOE consultant or mediator would be a nice first step before a complaint is filed.

There is now a lot of text on the first pages of the complaint form, and for auditory learners or people who struggle with written English, the admin complaint process could be made more accessible if the information were also shared in a podcast, a walkthrough, a visual, or a YouTube video.

Another idea to promote these options would be a webinar with the AOE, VFN, Special Educators for what to do when you're unhappy? Bridge the gap of learning for parents to strengthen partnerships.

This is part of a bigger project, the AOE is really looking to this panel for advice over the next several months.

Vote on New Member Applicant Endorsement

Molly McFaun was voted on as a parent added to the panel. A motion was made by Crista to approve Molly to the panel. Seconded by Susan. Motion passed.

7:38 pm: Meeting was adjourned

Meeting Schedule (Hold the Dates):

October 19, 2020 (4:30pm – 7:30pm) Virtual

November 19, 2020 (4:30pm – 7:30pm) Virtual

December 14, 2020 (4:30pm – 7:30pm) Virtual