

COUNCIL ON EDUCATIONAL SERVICES  
FOR EXCEPTIONAL CHILDREN

Via Webex  
September 8, 2021  
9:33 a.m.

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**TRANSCRIPT OF QUARTERLY MEETING**

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The quarterly meeting of the Council on Educational Services for Exceptional Children was held on the 8th day of September, 2021, via Webex, commencing at 9:33 a.m.

APPEARANCES

COUNCIL MEMBERS PRESENT:

Christy Hutchinson, Vice Chairperson

Anthony Baker  
Sara Bigley  
Joanne Caratelli  
Abby Childers  
Diane Coffey  
Aimee Combs  
Jennifer Degen  
Jack Denton (Representative Strickland)  
Jennifer Grady  
Christy Grant  
Kristen Hodges  
Lisa Phillips  
Matthew Potter  
Precious Smith-Scott  
Tameeka Williams-Burchette  
Maegen Wilson

STAFF:

Dan Auman  
Jaime Denny  
Lauren Holahan  
Matt Hoskins  
Carol Ann Hudgens  
Matthew Martinez  
Dreama McCoy  
Elizabeth Nash  
Danyelle Sanders  
Sherry Thomas  
Alexis Utz

COURT REPORTER:

Rebecca P. Scott

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1 Thereupon, the following proceeding was held:

2 MS. UTZ: I guess we'll go ahead and  
3 get started. So, like I said, Cynthia, our Chair,  
4 is not here, so Christy, our Vice Chair, will  
5 start, and I will put up--- Let me make this  
6 bigger for you guys, and then we can just go down  
7 the line of attendance. Unmute yourself, say  
8 hello, and welcome.

9 But, Christy, I'll let you take over.

10 VICE CHAIRPERSON: Excellent. Well,  
11 welcome, everybody, and glad to have everybody  
12 here. I want to make sure that we have our  
13 objectives straight. So our Council is to serve  
14 the exceptional children for the state of North  
15 Carolina both in school and postsecondary. We  
16 have some representatives from stakeholders from  
17 all capacities of serving individuals with  
18 disabilities, and we make recommendations to the  
19 State Board for any observations we have in data  
20 trends or policies and procedures that would  
21 benefit students -- individuals with disabilities.

22 And so if we want to start out and  
23 state your name and then which region you  
24 represent and the capacity that you serve  
25 individuals with disabilities. If anybody wants

1 to unmute themselves.

2 MS. DEGEN: I'm Jennifer Degen. I  
3 represent CMS. I'm a facilitator at one of the  
4 high schools here in Charlotte-Mecklenburg  
5 Schools. Good morning.

6 VICE CHAIRPERSON: Good morning.  
7 Thank you, Jennifer. And, Jennifer, your  
8 background is in OT, correct?

9 MS. DEGEN: No. I'm a facilitator.  
10 I'm over the department for behavior and all IEPs.  
11 I do all the meetings, behavior, things like that,  
12 at my high school.

13 VICE CHAIRPERSON: Awesome.

14 MR. BAKER: Good morning. My name is  
15 Anthony Baker. I'm an assistant principal  
16 representing Alamance County and Western Middle  
17 School. I'm a former EC teacher and chair, and I  
18 also, at my school, usually attend almost 90 to 95  
19 percent of our IEP meetings to make sure that our  
20 students are receiving the services and getting  
21 the instruction that they need.

22 VICE CHAIRPERSON: Thank you,  
23 Anthony.

24 MS. SMITH-SCOTT: I am Precious  
25 Smith-Scott. I currently just got newly promoted

1 to [inaudible] with the public schools of Robeson  
2 County. I am from the Sand Hills Region, and I am  
3 serving as a special education teacher.

4 VICE CHAIRPERSON: Thank you,  
5 Precious.

6 MS. CARATELLI: I'm Joanne Caratelli.  
7 I live in Carteret County, but I am a regular ed  
8 teacher in Onslow County Schools and involved with  
9 a couple of nonprofit advocacy foundations for  
10 people with disabilities.

11 VICE CHAIRPERSON: Thank you, Joanne.

12 MS. GRANT: Good morning. I'm  
13 Christy Grant. I am Executive Director for  
14 Student Services and Special Education with Nash  
15 County Schools, and I represent traditional LEAs,  
16 and I am in Region 3, the North Central Region.

17 VICE CHAIRPERSON: Thanks, Christy.

18 MR. POTTER: Hi, everybody. I'm Matt  
19 Potter or Matthew, if you prefer. It's pretty  
20 much 50-50 at this point. I am from the Piedmont  
21 Triad Region, Forsyth County specifically, and I  
22 am an individual with a disability, granted I did  
23 not grow up in a North Carolina school system and  
24 I'm approaching 35. So, you know, I don't have a  
25 huge deal of familiarity with the North Carolina

1 public school system, but I have a lot of  
2 familiarity with experience as a person with a  
3 disability and what effective special education  
4 looks like. Thanks.

5 VICE CHAIRPERSON: Thank you, Matt.

6 MS. COFFEY: Good morning. This is  
7 Diane Coffey, and I'm a parent in Watauga County  
8 and then also am a parent advocate and work with  
9 the Parent Family Support Network of the High  
10 Country.

11 VICE CHAIRPERSON: And Diane also  
12 serves on our Executive Committee to help set our  
13 agendas every month too. So thanks, Diane.

14 MS. COFFEY: Yes, ma'am.

15 MS. BIGLEY: Hey, good morning. This  
16 is Sara Bigley. I'm the State Education Agency  
17 Foster Care point of contact. So I work with all  
18 of our Public School Units and eight DSS agencies  
19 regarding all things ESSA, foster care, school  
20 stability. And many of our children are  
21 identified EC, so support that whole piece of it  
22 as well. So great to be here. Thank you so much.

23 VICE CHAIRPERSON: Thank you, Sara.  
24 Do we have Aimee Combs on the line? I'm making  
25 sure we get everybody.

1 MS. COMBS: Yes. I was just getting  
2 ready to unmute myself. Good morning, everyone.  
3 My name is Aimee Combs, and I am the PTI Manager  
4 at ECAC, the Exceptional Children's Assistance  
5 Center, which serves as North Carolina's parent  
6 training and information center, and so we serve  
7 all 100 counties. I am currently seated in  
8 Iredell County.

9 I have a son who received EC services  
10 from the time he was three till 18 through Iredell  
11 County, and I'm also the mom of a special  
12 education teacher. Her last gig was in Davie  
13 County Schools, and prior to that, she was in  
14 Rowan, and this year she's taken off in an RV for  
15 a year. Glad to be here.

16 VICE CHAIRPERSON: Thanks, Aimee.  
17 And I know we've got Becky Scott on the line.  
18 She's our court reporter. Becky, do you want to  
19 unmute yourself and introduce yourself real quick?

20 All right. Well, Becky is our court  
21 reporter, and she is taking account of today's  
22 minutes. So one thing she always reminds us is to  
23 make sure that you speak clearly and slowly into  
24 the mike so she can decode that.

25 Then we've got Lauren Holahan on the

1 call as well. Lauren, do you want to introduce  
2 yourself?

3 MS. HOLAHAN: Good morning. I'm  
4 Laura Holahan. I'm the coordinator for our State  
5 Systemic Improvement Project in the Exceptional  
6 Children Division at DPI, and really glad to be  
7 here this morning.

8 VICE CHAIRPERSON: Let me see if  
9 we're missing anybody else. We got Jennifer --  
10 Jennifer Degen. We did not get Jennifer Grady, I  
11 believe.

12 MS. GRADY: Yes. Hi, this is  
13 Jennifer Grady. I am in Wake County and I am the  
14 parent of two teens, one is autistic, and I am  
15 also a business rep on the Council. I work for  
16 Blue Cross and Blue Shield of North Carolina.

17 VICE CHAIRPERSON: Thank you for  
18 joining us, Jennifer. And I know we've got a  
19 representative on the line from Representative  
20 Strickland's office. Is it Jack Benton? Are you  
21 with us, Jack?

22 MS. UTZ: Yes. And I don't know if  
23 he will unmute. He did send me a message that he  
24 was present. I don't know if he can unmute. Yes,  
25 he said his mike doesn't work. We do have several

1 members from Testing and Accountability. They are  
2 the first presenters. So we'll let them introduce  
3 themselves when they get started with that, if  
4 that is okay with everyone.

5 VICE CHAIRPERSON: Yep. I just want  
6 to make sure I haven't missed anybody. I know  
7 Tammy Howard -- I see her on the call, but she's  
8 going to present probably. Make sure I didn't  
9 miss anybody else.

10 MS. HODGES: I'm Kristen Hodges. I'm  
11 a parent -- no, that's fine. I got in a little  
12 bit late. I'm sorry about that. But I'm a parent  
13 of three children, all have IEPs. My eldest son  
14 is 16 and my youngest daughter is ten. I'm in  
15 Rowan County as an elementary school counselor.  
16 So I'm happy to be here. Thank you.

17 MS. UTZ: And, Christy, if you have  
18 lost count, we do have a quorum, so we can go  
19 ahead and do approvals for the agenda and a motion  
20 for the minutes.

21 VICE CHAIRPERSON: Excellent. Did we  
22 get Tameeka? Oh, we did. We did.

23 MS. WILLIAMS-BURCHETTE: I had  
24 just -- I had just unmuted. Do you want me to go  
25 ahead or do I need to wait?

1 VICE CHAIRPERSON: Yes, ma'am. No,  
2 go right ahead. Go right ahead.

3 MS. WILLIAMS-BURCHETTE: Okay. Hi,  
4 everyone. I'm Tameeka Williams-Burchette. I'm  
5 from Vance County, the North Central Region. I'm  
6 in the parent capacity of a child with a  
7 disability. He is on the spectrum and he has  
8 ADHD. During the day, I am employed -- I'm a  
9 school counselor as well in an elementary setting  
10 in Vance County. And I'm happy to be here. I'm  
11 new to the Council.

12 VICE CHAIRPERSON: Welcome and what a  
13 great capacity to serve in. We need lots of  
14 counselors.

15 MS. WILLIAMS-BURCHETTE: Yes, ma'am.  
16 Thank you.

17 VICE CHAIRPERSON: We've got lots of  
18 counselors on our call today. Great.

19 So the first thing that I think we  
20 have on the agenda today is just to review the  
21 agenda and make sure we kind of all are on the  
22 same page with our expectations and approve the  
23 agenda.

24 So if you don't mind, Alexis, do you  
25 mind scrolling down. You've got a good little

1 screen here and just looking down through what  
2 we've got. So, first, we're going to start out  
3 with Tammy Howard, and her team and they are going  
4 to do a brief presentation on the Individual  
5 Student Reports. So those are the new Individual  
6 Student Reports from the state assessments this  
7 past spring which rolled into the summer, as many  
8 of us know.

9 And then flip over to Lauren Holahan,  
10 who is going to do a presentation for us on the  
11 SPP/APR. As many of you are familiar, last year  
12 we had Nancy Johnson presenting that, and she has  
13 gone on to full-time retirement, I understand. So  
14 Lauren is stepping in on her behalf and will  
15 update us on that.

16 We're going to jump over after Lauren  
17 to Dreama McCoy and Matthew Martinez, and they are  
18 going to speak about the Extended Content  
19 Standards specifically in social studies, and that  
20 has had a good bit of attention recently. So  
21 we're going to speak a little bit about Extended  
22 Content Standards for students on those standards.

23 And then Carol Ann is going to talk  
24 about dispute resolution and give us a little  
25 update on that and the reporting. She does that

1 annually to kind of give us a picture of what's  
2 been going on in the state of North Carolina and  
3 any trends we might need to pay -- focus on this  
4 year in our meetings.

5 Finally, Sherry and Matt are going to  
6 give us a quick agency update, and we've got a few  
7 things there that they are going to address,  
8 legislative things surrounding the word COVID,  
9 which is all new to us, contingency plans, the EC  
10 Conference that is set for in person. As a  
11 council member, we have the opportunity to attend  
12 that.

13 We'll work with Alexis to get a  
14 reimbursement code. Our enrollment in the  
15 conference -- our registration in the  
16 conference -- I'm sorry -- is covered by the  
17 Council. However, your travel and such is on your  
18 own.

19 And then we'll break into subgroups,  
20 and we decided, being a virtual meeting, we'll  
21 break into subgroups and work in those subgroups  
22 probably until lunch.

23 So are there any concerns or do we  
24 need to move any of those presenters around based  
25 on your personal schedules that you want to speak

1 about?

2 (No audible response.)

3 VICE CHAIRPERSON: Great. So if you  
4 guys are okay with that, if I could get a motion  
5 to approve the agenda.

6 MS. HODGES: I'd like to make a  
7 motion to approve the agenda.

8 MS. GRANT: Second.

9 VICE CHAIRPERSON: Do you mind --  
10 since we're online and it's being recorded, I'm  
11 thinking it might help Becky if you don't mind  
12 stating your name.

13 MS. HODGES: That was Kristen Hodges  
14 that made the motion.

15 VICE CHAIRPERSON: Great. Thank you.

16 MS. GRANT: And Christy Grant  
17 seconded.

18 VICE CHAIRPERSON: Instead of doing a  
19 roll call of each individual, I'm thinking let's  
20 go ahead and have anybody who's opposed state  
21 their name and all those in favor state aye.

22 MS. UTZ: Or they can put a thumbs  
23 up. Everybody should have that ability. That  
24 would be great.

25 VICE CHAIRPERSON: Okay. Excellent.

1 Okay. All those in favor, everybody that is on  
2 and a voting member. Thank you very much, Alexis,  
3 for copying and pasting that down.

4 And then, if you don't mind, we're  
5 going to jump in the old business. We had a 2021  
6 summary of actions, and since Cynthia is not here,  
7 Alexis, do you mind if we jump over that and then  
8 go to Tammy Howard and her team?

9 MS. UTZ: Sure.

10 VICE CHAIRPERSON: I really want --  
11 Cynthia is the one that presented that -- or  
12 prepared that summary, and it might beneficial---

13 MS. UTZ: No, no, no. This is just  
14 the summary of actions from the last meeting that  
15 Danyelle does.

16 VICE CHAIRPERSON: Oh. It's not our  
17 annual report?

18 MS. UTZ: No. No.

19 VICE CHAIRPERSON: Okay. Okay. I  
20 think we can go on to Tammy Howard and her team.  
21 We've got the link to that right there.

22 MS. UTZ: Yes. Give me one minute.  
23 So someone on Tammy's team -- I know you guys were  
24 going to control your thing. Can you tell me who  
25 it is and I can make you a presenter.

1 MS. NASH: Hi, good morning. If you  
2 could do it for Elizabeth Nash, please.

3 MS. UTZ: Sure thing. Give me one  
4 second. All right. There you go.

5 And, Council Members, you do have  
6 access in the Google folder to a copy of their  
7 presentation if you want to follow along, but they  
8 will also be presenting it.

9 DR. HOWARD: Well, thank you very  
10 much to everyone for allowing us to join you this  
11 morning. I'm Tammy Howard. I'm the Director of  
12 Accountability Services at the Department, and I'm  
13 joined by some of our colleagues this morning.  
14 Beth Nash and Dan Auman are with Test Development,  
15 and Beth works with mathematics assessments  
16 primarily and Dan works with English language  
17 arts/reading assessments.

18 And also joining us is Jaime Denny,  
19 who is in our Analysis and Reporting Section, and  
20 that is the group that oversees the -- what we  
21 call an Individual Student Report, which is what  
22 we're going to share with you in a few minutes.

23 Before we do that, what we'd like to  
24 do is give you just a little bit of context for  
25 the work that we're sharing this morning. So

1 North Carolina is one of five states that have  
2 received what we call a demonstration authority  
3 from the US Department of Education to develop a  
4 new assessment for North Carolina.

5 So, typically, of course, now we have  
6 grades three through eight reading and math and  
7 five and eight for -- and we refer to those  
8 assessments as end-of-grade, and then, of course,  
9 we have our end-of-course assessments. And so  
10 this pilot is for a new assessment system, if you  
11 will, grades three through eight reading and math,  
12 and the structure of it is to have, of course,  
13 that end-of-year assessment that we're all so very  
14 familiar with, but to come at that a little bit  
15 differently and to partner with that, if you will,  
16 what we're referring to as through-grade  
17 assessments.

18 So these are assessments that are  
19 administered throughout the school year, but  
20 they're not intended to be that summative  
21 assessment that our students take typically at the  
22 end of the year. They're intended to be utilized  
23 at the classroom level by the student to improve  
24 instruction for each students, and they're shorter  
25 assessments. They have more items per content

1 standard which allows us to then share information  
2 and the teacher to be able to see whether or not a  
3 student understands a specific content standard  
4 rather than just one score for the whole test,  
5 which is what we typically do at the end of the  
6 year. So that's an important distinction.

7 Also important on these interim  
8 assessments that will be administered throughout  
9 the year is to have information shared with our  
10 parents and so many of you are parents on the  
11 Council here. So to have that information shared  
12 with you so that you know, as you go throughout  
13 the school year, where your student's strengths  
14 and weaknesses are so that then additional  
15 instruction can be provided. So when the student  
16 gets to the end of the year for that summative  
17 assessment, that we're able to have, hopefully,  
18 the students be better prepared for that  
19 assessment experience.

20 Now I'm not going to go into a lot  
21 detail this morning, but just to know that there  
22 is a role of these interims and how they interact  
23 with that summative assessment, but we'll share  
24 more about that probably in future meetings, if  
25 we're welcome back as we go through this process,

1 because your input is very important.

2 But this morning what we really want  
3 to focus on is the reports for these  
4 through-grades, for the three assessments that are  
5 given throughout the school year, that the primary  
6 focus is classroom instruction, the primary focus  
7 is for the teacher, the primary focus is for the  
8 parent and the student. It is not that typical  
9 academic achievement level that you're used to  
10 your students receiving.

11 In fact, they will not get an  
12 academic achievement level on those three  
13 interims. The focus is really looking at each  
14 item on the test and saying whether or not the  
15 student has got it. And I will just share very  
16 quickly that one of the things that makes things  
17 so very different is the teachers will be able to  
18 see the actual items, which is something that  
19 teachers often ask us for.

20 And they'll be able to see, for  
21 example, for student -- like item number 5, the  
22 student selected B. B was incorrect. A was  
23 correct. And by being able to look at the actual  
24 item, they can see perhaps that the child chose B,  
25 what is the child thinking about not quite

1 correctly that led them to choose B as opposed to  
2 A. So we tried to build out these Individual  
3 Student Reports to support that goal so that the  
4 reports give parents richer, deeper information.

5 And what we really need from you is  
6 feedback because at this stage in this development  
7 of these new assessments, this is a research  
8 project. So this is research, this is a study,  
9 and as we go through this and we get input from  
10 groups such as yourself, then we can modify what  
11 we're doing so that we can better reach the needs  
12 of our teachers and our students and our parents  
13 across the state.

14 So with that, I'm going to turn it  
15 over to Beth, and just to say what Beth is going  
16 to show us, once more, are those Individual  
17 Student Reports that a parent would receive about  
18 their student's results on one of these three  
19 interims for reading or for math. So Beth.

20 MS. NASH: Thank you, Dr. Howard. As  
21 Dr. Howard mentioned, this is for grades 3 through  
22 8. Our first two grades are going to be grades 4  
23 and 7, and for both of those, we will have these  
24 interims for math and for reading. So what we  
25 decided to share with you today is we're going to

1 show you one sample interim for grade four math,  
2 one for grade four reading, one for grade seven  
3 math, and one for grade seven reading. So it will  
4 give you kind of an overview at different grade  
5 levels and also for different subjects what you  
6 would expect to see on these.

7 So the first thing I'd like to do is  
8 kind of walk you through where to find the  
9 information, and then we can talk more about the  
10 content that's going to be assessed on each of our  
11 interims. So here at the top, we have the date,  
12 what grade level and subject, and which of the  
13 three interims. As Dr. Howard said, there will be  
14 three math for each grade level and three reading  
15 for each grade level.

16 So this first sample that we're  
17 showing you is the first one for grade four math.  
18 It will have the student ID and the student name,  
19 the date, and the school name just sort of at the  
20 top as a header. Down below we have a little bit  
21 of context letting parents know that "Recently,  
22 your student took an NC Interim in Mathematics.  
23 This report provides information on your student's  
24 progress in learning grade four mathematics. At  
25 this time, your student's progress is indicating

1 as ranging from approaching to satisfactory. Your  
2 student's teacher will use this information to  
3 address learning needs for the remainder of the  
4 school year."

5 So there we're reminding parents that  
6 the focus here is on formative assessment. It is  
7 to help drive instruction in the classroom. We  
8 have defined approaching and satisfactory here.  
9 So we are saying that "Approaching is if the  
10 student is beginning to understand the process but  
11 more support is needed," and satisfactory, which  
12 is all, is that "The student has satisfactory  
13 understanding of the concepts."

14 Instead of providing a number or a  
15 percentage, we opted to go more with a visual  
16 approach. So if I can direct your attention here  
17 to the right part of the table, you'll notice that  
18 we have kind of a bar, and on the left we start  
19 with approaching and the right we have  
20 satisfactory. And we have this little blue circle  
21 in the middle, and that is sort of the progress  
22 point.

23 So what this is telling us is that  
24 when we look at this first set of items that  
25 appeared on the interim, this first set of items

1 came from operations and algebraic thinking, and  
2 in particular, on this assessment, students needed  
3 to multiply and divide using models and equations,  
4 and they needed to understand the difference  
5 between how many more and how many times more, so  
6 looking at whether we're subtracting or  
7 multiplying to find the difference. And so this  
8 blue circle here is going to show, on that range  
9 of approaching to satisfaction, where did the  
10 student score.

11 So for this first one, the blue  
12 circle is in the middle, so we would expect this  
13 student got about half of those items right, and  
14 we don't report out for one or two items. We try  
15 to have a minimum of five items for each row in  
16 our table. So we would expect that this student  
17 got two or three items correct, if there were five  
18 items.

19 If we look at the next one, we can  
20 see the blue circle is a little bit farther to the  
21 right, so we know that for these items about  
22 operations in base ten and numbers, so being able  
23 to read, write, and break apart multi-digit  
24 numbers, the student did a little bit better here.  
25 We see that that blue circle is a little bit

1 farther to the right. Still not quite to  
2 satisfactory, but for this set of items, this  
3 student got more than half of them correct.

4 And then we also do have -- I did  
5 skip over this link at the top. We have a link to  
6 the complete grade level standards for each --  
7 this like would take you to grade four math. So  
8 if parents wanted more than kind of this plain  
9 English couple of bullets that we provided, they  
10 could go here to get the full curriculum.

11 So I think I'm going to stop there and  
12 ask, first of all, if you have any questions kind  
13 of on the basics on where to -- where to find  
14 information, if you have any feedback on whether  
15 this is clear to understand, is this too much  
16 information for you, is it not enough information  
17 for you, is this something that is helpful, does  
18 it provide you with enough information that as a  
19 parent you would be able to understand how your  
20 child did.

21 And we're comfortable today. If you  
22 want to unmute and speak, that's fine. Also, I  
23 think I have the chat up. If you're more  
24 comfortable typing in the chat, I can read out  
25 your comments, but we would love any feedback you

1 have thus far on whether or not you like the look  
2 of this, is it easy to understand, does it have  
3 the kind of information you'd like to see.

4 VICE CHAIRPERSON: Elizabeth, this  
5 Christy Hutchinson, and I certainly don't want to  
6 maximize our time, but I had just two -- one  
7 question and then one comment for feedback on the  
8 format.

9 MS. NASH: Yes.

10 VICE CHAIRPERSON: The question is,  
11 if you could spend just a minute or two comparing  
12 these interims to the NC Check-Ins we currently  
13 have.

14 And then the comment for feedback, I  
15 love the way the standards are listed in parent  
16 language. I think that is incredibly easy for a  
17 parent to understand, but I wonder if there is any  
18 opportunity under those standards to put the link.  
19 You guys have some examples, be it release format  
20 items or whatever, online.

21 So where it says "Multiply and divide  
22 using models and equations," there's a million  
23 opportunities online on the Testing and  
24 Accountability website to see that -- an example  
25 of that multiple-step math problem that addresses

1 that standard, and I wonder if a link could be put  
2 there. And it probably won't be able to be a live  
3 link because I'm guessing we're going to print  
4 these off, but if a link could be put there so a  
5 parent who was trying to understand when their  
6 student wasn't doing well in a particular area, if  
7 they wanted to see what that actually looked like  
8 in practical terms because what they might have  
9 experienced many years ago might not be the way  
10 the test item is written.

11 MS. NASH: Okay. Thank you very much  
12 for that feedback. That is not something that we  
13 had considered before, but I think it's an  
14 excellent idea. And our colleague Jaime Denny  
15 today is kind of making our list of feedback so  
16 that we can go back and talk with others and use  
17 what you-all provide us with today to better this  
18 process.

19 To answer the question, Dr. Howard, I  
20 would be happy to address the comparison between  
21 this and Check-Ins, or would you prefer to do  
22 that?

23 DR. HOWARD: No, Beth, that's fine.  
24 You can address that. That'll be fine.

25 MS. NASH: First of all, it's a great

1 question. Currently, we have our NC Check-Ins  
2 which serve a similar purpose in that they are  
3 interim assessments. Check-Ins tend to be very --  
4 they've been very well received and teachers find  
5 them to be useful. These are a bit different, and  
6 part of it is that little bit that Dr. Howard  
7 spoke about where maybe if we come back for  
8 another session with you-all.

9 The Check-Ins right now are  
10 completely separate from the end-of-grade. We do  
11 use the same bank, it's the same process, the  
12 questions are vetted, but performance on the North  
13 Carolina Check-Ins does not in any way factor into  
14 the end-of-grade course -- sorry -- the  
15 end-of-grade assessments at the end of the year.

16 Part of what is going on with these  
17 NC Interims is we are -- again, it's a research  
18 study. It's a pilot. We are looking to see if we  
19 can have some student performance on these North  
20 Carolina Interims help to inform our decision  
21 looking at a different -- it wouldn't be called  
22 the end-of-grade any longer. I think we're  
23 calling it a flexible summative assessment.

24 So it's a different system. We're  
25 hoping, we're looking, we're researching, is it

1 possible that student performance on these interim  
2 assessments throughout the year can help to inform  
3 kind of a starting place for that flexible  
4 summative at the end of the year.

5 MR. AUMAN: And, Beth, I'll add that  
6 we're starting this year with just grades four and  
7 seven, and the goal is the following year to have  
8 grades three and six and the year after that to  
9 have grades five and eight.

10 MS. GRANT: This is Christy Grant. I  
11 do have a question. Will students on the Extended  
12 Content Standards have the same opportunity, or is  
13 it just for students on the traditional  
14 assessments?

15 MS. NASH: So for right now -- again,  
16 it is a pilot or a research study -- we're  
17 starting with the North Carolina Standard Course  
18 of Study.

19 MS. COFFEY: This is Diane Coffey,  
20 and I have two questions sort of together. One,  
21 you're saying pilot. So is it a pilot for all the  
22 state fourth through seventh grade or only certain  
23 areas in the state, is the first question.

24 And the second question is, are  
25 parents given any precursor that this is

1 happening, that we're switching to this interim  
2 pilot?

3 MS. NASH: Yes, ma'am. Thank you --  
4 thank you for the two questions. The first, we do  
5 have a list of pilot schools that will kind of  
6 start things off. We are kind of starting small,  
7 and then we're looking to, you know, scale up,  
8 depending on the success. So, no, this would not  
9 be for statewide. We have -- I don't know off the  
10 top of my head, but we do have a list of schools  
11 and districts who have opted into our pilot.

12 And, secondly, you know, I know with  
13 Check-Ins, we have kind of a parent letter that  
14 comes out. We did receive some feedback a couple  
15 of weeks ago from a different group that we spoke  
16 with that they would like to see, you know, some  
17 kind of a parent introduction letter as to what is  
18 going on. So I would anticipate that that would  
19 happened for these as well.

20 MS. HODGES: This is Kristen Hodges.  
21 As a parent of a fourth-grader and a seventh-  
22 grader, I just want to say I think this is  
23 fabulous. It feels like we're moving in a  
24 direction less of holding the teachers accountable  
25 for things that are sometimes beyond their control

1 to more of aiding a student and the parent also  
2 in, you know, wanting to help -- you know, wanting  
3 to know ways to help. So this provides that. So  
4 thank you for your work with that.

5 One thing that strikes me. I don't  
6 know that it's necessarily a question, but you  
7 know, I appreciate the words "approaching" and  
8 "satisfactory." I think sometimes students may  
9 not even be approaching. That's just if -- you  
10 know, if you have a fourth-grader who's unable to  
11 add, for example. I'm wondering how that would be  
12 addressed. Would they still be called approaching  
13 when really the area they need to work on is  
14 addition and/or subtraction? But thank you for  
15 your work on this. I feel like we're going in the  
16 right direction.

17 MS. NASH: Thank you. We very much  
18 appreciate your comments, and to address your  
19 question, we tried to choose language -- we looked  
20 at lots of different words for approaching and  
21 satisfactory, but we tried to choose language that  
22 we felt had more of a positive connotation to it.

23 And so as we -- with our current  
24 plan, a student who had the abilities you  
25 described a moment ago, they would still -- their

1 little blue dot would be all the way to the left.  
2 It would be sitting over there near approaching.

3 MS. WILSON: This is Maegen Wilson.  
4 I just wanted to piggyback off of what Kristen  
5 said, and as a parent of a child that has severe  
6 dyslexia, I think this is great. Being able to  
7 break it down like that would help me know -- so,  
8 for example, my child now with the Check-Ins, when  
9 he gets a low score, I don't know if it is, even  
10 in math, reading-related, is it a word problem  
11 issue or is it an arithmetic -- basic arithmetic  
12 issue. So I think breaking it down like that  
13 would really help that community a lot.

14 MS. NASH: Thank you very much.  
15 That's why we're here. We are committed to having  
16 parent feedback and to making this as useful as we  
17 can for everyone across the board. If it would be  
18 all right with the group--- Oh. I'm sorry.

19 MS. COMBS: I'm sorry. This is Aimee  
20 Combs. I was just going to add something real  
21 quick. I love this pilot idea. I think it's  
22 great. I do think it would be helpful in that  
23 first paragraph, "Recently your student took an NC  
24 Interim in mathematics." I think that a lot of  
25 parents are going to need more information. They

1 won't know what an interim is. They won't know  
2 what -- what exactly it does.

3 So maybe adding some additional  
4 sentences, maybe, you know, an interim -- this is  
5 an assessment that's going to be given--- Did you  
6 say they were going to give them three times?

7 MS. NASH: Uh-huh. Yes.

8 MS. COMBS: There will be three  
9 interims, and this is an assessment that's, you  
10 know, used to gauge your student's learning  
11 progress, but something a little bit more because  
12 that -- that word will be unfamiliar to some folks  
13 and they won't know what -- what does this even  
14 mean, what does this interim -- how often is it  
15 done and what does it show me. So I think maybe a  
16 little bit more explanation after that could be  
17 helpful for a lot of parents.

18 MS. NASH: Wonderful. Thank you for  
19 that. If it's all right with the larger group,  
20 I'd like you to -- I'm trying to be conscious of  
21 our time. I'd like to show you a reading one so  
22 that you get -- you can see a little bit more. We  
23 did attach to your agenda -- we did attach the  
24 four samples that we discussed today, grade four  
25 math, grade seven math, grade four reading, grade

1 seven reading, but I'd like to show you a reading  
2 one just so that you get a broader picture.

3 So, Dan, would you like to add  
4 anything?

5 MR. AUMAN: Well, it's really similar  
6 to math. I mean you start with your date, your  
7 grade level, which of the three interims, student  
8 ID and name, and then some context for the  
9 parents, and then the link, if you want to delve a  
10 little deeper and see all of the curriculum, you  
11 can do so. Then we have all our concepts, and we  
12 have the same little blue dot as to how the  
13 student's doing.

14 So, for example, in the first, key  
15 ideas and evidence, the student's probably getting  
16 about half of the items right. Craft and  
17 structure, they're doing a little better as well  
18 as integration of ideas and analysis. And they  
19 need a little bit more work in vocabulary  
20 acquisition and use.

21 Any questions about the reading?

22 DR. HOWARD: And specific to the  
23 reading one that we see on the screen, is there  
24 any feedback on the wording of the reading  
25 learning concepts? You know, this language, we

1 struggled a little bit more with trying to get  
2 it -- I think one of the pieces of feedback we've  
3 already had is on the math, the wording of what we  
4 were actually measuring was much appreciated.

5 How does this language -- you know,  
6 like vocabulary acquisition and use, does that  
7 seem that language for a parent is user-friendly?

8 VICE CHAIRPERSON: Tammy, I  
9 appreciate your question, and I'm looking at it  
10 from the lens of like a teacher-administrator kind  
11 of person, probably not as much a parent. But one  
12 of the things that I don't see here different than  
13 what I've seen in other Individual Student Reports  
14 is the breakdown of literary versus information  
15 text.

16 And I understand right here you're  
17 trying to break out the standards, not necessarily  
18 the literature used, but as a teacher, that's  
19 always really a nice comparison to see a student's  
20 performance when they're doing these skills in  
21 informational text. It just can speak to how you  
22 want to intervene and remediate.

23 And I don't know how much a parent  
24 would dive into that. So it would be good to hear  
25 somebody else's thoughts, but I always love the

1 breakdown of literary text versus informational  
2 text.

3 MS. HODGES: Hi. It's Kristen  
4 Hodges. For me as a parent, I think an example --  
5 as they spoke about with the math, a link to an  
6 example would be really helpful. Whatever terms  
7 are used to see it a bit more concrete would make  
8 it easier for me to help apply it while I'm trying  
9 to teach my child.

10 MS. COFFEY: This is Diane Coffey,  
11 and I would just sort back what Christy was  
12 talking about, is I think it could be useful,  
13 especially thinking like children on the spectrum  
14 and that sometimes that pragmatic language versus  
15 just -- so understanding, you know, literature,  
16 yes, but do they understand the pragmatic side of  
17 that.

18 Like, you know, okay, if the story is  
19 talking about it's raining cats and dogs, that  
20 it's not really truly raining cats and dogs, that  
21 type of piece. And I don't know how that would  
22 fit in there, but I think that's a key component  
23 for our kids on the spectrum that we have to think  
24 about when we're thinking about reading.

25 DR. HOWARD: I see we have two

1 minutes, and all of this feedback has been very,  
2 very helpful. We want to be respectful of your  
3 time and your generosity in giving us an  
4 opportunity to share this with you, but are there  
5 any other comments that anyone has about either  
6 one, math or reading, or just in knowing that  
7 we're developing this new assessment and we're  
8 trying to make sure that we do this in a way that  
9 is very useful throughout the school year by  
10 teachers and parents and students? Are there any  
11 last thoughts that anyone would like to leave with  
12 us?

13 MS. HOLAHAN: Tammy, this is Lauren  
14 Holahan. I'm just curious. Who are the other  
15 four states that are doing this work?

16 DR. HOWARD: So Louisiana, Georgia,  
17 New Hampshire, and which one am I missing? I'm  
18 missing one. So at least those three and I'll try  
19 to remember the fourth one. And each of those  
20 states have a different project, okay? Each one  
21 of the states -- we're the only one doing what  
22 we're doing in North Carolina.

23 So the states had to propose to the  
24 US Department of Education, and we really based  
25 our on model on the foundation of NC Check-Ins,

1 and we're trying to move NC Check-Ins to the next  
2 level, and as we've already mentioned, we're  
3 trying to have -- using the information for NC  
4 Interims to give the students a better experience  
5 at the end of the year and we're designing a  
6 flexible -- a flexible adaptive summative  
7 assessment. So that's a bigger picture, but we're  
8 the only ones doing that.

9           Each state's project is unique, and  
10 it's allowed to have seven states do this, and  
11 five have been approved so far. And the real  
12 availability here or opportunity here is to do  
13 this work, and not this school year, not the 2021-  
14 22 school year, but with the 2022-23 school year,  
15 not only are we adding grades that will have this  
16 through grade model, we're also going to be  
17 developing our summative assessment -- the  
18 flexible summative. And the students that are in  
19 the pilot schools, they will take that instead of  
20 the end-of-grade assessment, and so then we'll  
21 have that data -- that information to continue  
22 building that out as well.

23           MS. HOLAHAN: Thank you. That's  
24 super helpful.

25           DR. HOWARD: Thank you. This has

1           been very helpful. We all thank you so very, very  
2           much. If there is additional information that you  
3           need -- and I know you have access to all of these  
4           documents that we shared and to the PowerPoint.  
5           So as you're looking at that, if there's something  
6           you want to add to the input or the feedback,  
7           please reach out to us or Alexis, and we will be  
8           more than -- happily receive any comments that you  
9           have. So thank you so very much and thank you to  
10          Alexis and our colleagues in Exceptional Children.

11                       MS. UTZ: All right. Thank you. So,  
12          Lauren, it looks like you're up next. Do you want  
13          me to make you presenter, or do you want me to  
14          navigate for you?

15                       MS. HOLAHAN: Either way. Whatever  
16          is easiest for you to do, I am happy with  
17          whatever.

18                       MS. UTZ: Then I'll---

19                       VICE CHAIRPERSON: Alexis, can I just  
20          put a thank you in to Tammy and her team. I was  
21          just a second late in hitting the unmute button.  
22          I just wanted to say thank you to Tammy and her  
23          team in always being so open to feedback as well  
24          because I feel like we have such a diverse group  
25          of stakeholders here, that we have -- we have

1 counselors, we've got teachers, we've got  
2 administrators and, you know, private providers,  
3 and such a wealth of information, and thank you  
4 for being open to that feedback. And moving on to  
5 Lauren.

6 MS. UTZ: Lauren, I did go ahead and  
7 make you presenter.

8 MS. HOLAHAN: All right. Let me see  
9 if I can share the right screen then.

10 MS. UTZ: And, Council Members, you  
11 do have a link to the SPP/APR web page in the  
12 agenda as well as a link for this presentation.

13 MS. HOLAHAN: Thanks so much. Good  
14 morning, everyone, again. I am really excited to  
15 give you a brief update on where we -- some of the  
16 work we've been doing. I forget when I was with  
17 you-all last, but I gave you an overview of how  
18 we're approaching target -- baseline target  
19 setting for all 17 of the indicators in our State  
20 Performance Plan, which is how we report progress  
21 on our implementation of IDEA to the Office of  
22 Special Education Programs.

23 And we are in the very thick of  
24 writing a new six-year plan which we will submit  
25 on February 1st, 2022, which will take us -- we've

1 set targets, baselines for many, many of those  
2 indicators where we have a choice. Some of them,  
3 we don't. OSEP sets them for us, but the specific  
4 one I want to catch you up on this morning is our  
5 State Systemic Improvement Plan, which is  
6 Indicator 17, and we've been doing this work  
7 concurrently with the target setting for all of  
8 the other 16 indicators.

9 And I think it's important to keep  
10 this in context that this is just one of 17  
11 indicators, and it's the one where OSEP gave  
12 states some flexibility to think about really  
13 focused improvement. We're still responsible for  
14 all of the other indicators, and I will say that  
15 the State Performance Plan is just one part of our  
16 general supervision mandate. We have lots of  
17 other ways that we see to the compliance and  
18 effective implementation of IDEA. The State  
19 Performance Plan is just one, and we're just  
20 looking now at one-seventeenth of a part of that  
21 plan.

22 So while we sometimes give a lot of  
23 attention to Indicator 17 because it's a little  
24 bit different than some of the other indicators, I  
25 just want to place it in context of our whole

1 general supervision project. And I don't know if  
2 Carol Ann is on and wants to add anything to that  
3 before I launch into the specifics of our  
4 State-identified Measurable Result.

5 MS. HUDGENS: That sounds good,  
6 Lauren. Go forward. Thank you.

7 MS. HOLAHAN: All right. So part of  
8 Indicator of 17 is we, like I said, have a little  
9 bit more flexibility with this indicator than some  
10 of the others, and we get to sort of pick, based  
11 on a very thorough analysis of our data and  
12 analysis of our system at DPI, a result that we  
13 really want to see changed, that we really want to  
14 focus on, and it can be -- that thing is called a  
15 State-identified Measurable Result, which I'm  
16 going to call the SiMR for the rest of the morning  
17 to save time.

18 So that SiMR can be -- it can be a  
19 single result. It has to be connected to one of  
20 these other student outcome indicators. So it has  
21 to be connected to Indicator 1, graduation rate  
22 for students with disabilities; Indicator 3, which  
23 is participation and proficiency on statewide  
24 assessments, which has some connection to what  
25 Tammy and her group just shared with us; Indicator

1 7 is preschool outcomes; or then 14, which is  
2 postsecondary transition.

3 And we can include all students with  
4 disabilities all over the state or some subset of  
5 students with disabilities in our SiMR. So as we  
6 approach this new six-year State Performance Plan,  
7 we had -- we had a choice: Do we want to keep our  
8 current State-identified Measurable Result, which  
9 is the five-year cohort graduation rate for  
10 students with disabilities, and if we keep that,  
11 then we'll need to set new targets because we have  
12 new baseline information to work from; or we can  
13 change our SiMR by focusing on one of the other  
14 indicators or some subgroup of students.

15 Either of those choices, we had to do  
16 a very thorough analysis of our data to provide a  
17 rationale for either why we would stay focused on  
18 graduation or move our focus. And if we make a  
19 change, then, like I said, we'll have to conduct a  
20 very thorough data and infrastructure analysis,  
21 which is kind of like a self-assessment, and we  
22 have been doing that. Really, we've been working  
23 on that within the EC Division since April.

24 And so sort of the questions around  
25 like, okay, if you're going to change, what would

1 be some of the drivers for considering a change,  
2 and I just want to spend a little bit of time on  
3 this because I think it will provide some context  
4 for what you see in just a moment as where we've  
5 gotten with our proposal for a new SiMR.

6 So the first is our data, and a  
7 couple of data points that have really gotten our  
8 attention over the last, I would say, two years  
9 especially, one is as part of our LEA self-  
10 assessment for special education programs over the  
11 last two to three years, we've had some discomfort  
12 with some of the components of that assessment  
13 indicating pretty strongly statewide that at the  
14 district level students with disabilities were  
15 meeting their IEP goals, but not meeting  
16 proficiency standards. And we weren't super  
17 excited about that sort of dissidence between  
18 meeting IEP goals and, yet, not making gains in  
19 statewide assessment proficiency.

20 And in response to that, back in the  
21 '19-20 school year, we launched a pretty intensive  
22 standards aligned IEP development capacity  
23 building statewide, and then in March of 2020, of  
24 course, COVID happened. The other data that we  
25 are particularly concerned about is that we have

1 students -- we are improving slowly the graduation  
2 rate for students with disabilities. We're seeing  
3 that creep up and, in fact, close the gap between  
4 students with disabilities and all students. The  
5 improvement is happening a little bit faster over  
6 time for students with disabilities, but again, we  
7 aren't seeing similar gains and, in fact, in some  
8 cases, widening gaps in terms of proficiency,  
9 particularly as we move into middle and high  
10 school and some of our -- well, both for reading  
11 and math.

12 So, again, some discomfort with  
13 students with disabilities graduating but not  
14 demonstrating improved proficiency on statewide  
15 assessments. A couple of other things that were  
16 driving this consideration to change, shifts at  
17 DPI. We have a State Board that has adopted a  
18 strategic plan around the frameworks of equity and  
19 whole child to really focus on closing some of our  
20 opportunity gaps by 2025, and we have a new  
21 superintendent who came into her role very, very  
22 focused on literacy and has worked with the  
23 legislature to enact capacity building around  
24 reading outcomes for all students, particularly in  
25 early elementary grades.

1                   And so given that sort of  
2                   organizational context, the time seemed right to  
3                   potentially be thinking about a SiMR, a State-  
4                   identified Measurable Result, that was connected  
5                   to reading or math outcomes for students with  
6                   disabilities.

7                   And then, finally, the regulatory  
8                   opportunities are that were we to have a State-  
9                   identified Measurable Result that was connected to  
10                  reading and math for students with disabilities,  
11                  we just saw several more opportunities to align  
12                  the work that we're doing in the EC Division with  
13                  what the rest of the agency is doing on our Every  
14                  Student Succeeds Act consolidated plan.

15                  And, finally, I will add we have  
16                  ongoing opportunities to meet the conditions of  
17                  the *Leandro* case, and thinking about educational  
18                  equity in the context of proficiency outcomes for  
19                  students with disabilities really seemed like a  
20                  good opportunity to be supporting the mandates of  
21                  the *Leandro* case. So this is how we've been  
22                  working at thinking about a new measurable result,  
23                  and we really started with the question earlier in  
24                  the summer, what outcome for students with  
25                  disabilities most needs systemic improvement,

1 right? In what places are we most at risk?

2 And then like which students are most  
3 at risk; are there LEAs that are most at risk; and  
4 are there students -- subgroups of students or  
5 districts that we think maybe need more help, are  
6 at greater risk for meeting targets.

7 And so where we are right now is kind  
8 of -- we have been working very slowly and  
9 methodically, and I think the time well spent, on  
10 identifying what is the problem, looking at our  
11 data in so many different ways just to figure out  
12 where exactly is the issue. And then we'll spend  
13 the fall investigating why do we have this  
14 particular issue and how do we solve it, right?  
15 What's the root cause and what are our improvement  
16 strategies going to be.

17 And so this is just a summary, again,  
18 of those indicators I mentioned earlier. We  
19 conducted a very thorough analysis of our  
20 Indicator 3 data, participation and proficiency,  
21 right, specifically 3b, proficiency rate for  
22 students with disabilities on statewide  
23 assessments. I am not going to -- you have these  
24 graphs. In fact, we showed these to you before  
25 just demonstrating the gaps in fourth grade

1 reading.

2 A reminder that these data are the  
3 2018-19 data. We just recently got an update --  
4 the State Board got an update with the '20-21  
5 data. So we will probably be going back and using  
6 the most updated version because it is more stable  
7 than the '19-20 data, but in terms of our initial  
8 work with stakeholders, we had to use the '18-19  
9 data because '19-20, we didn't do assessments.

10 And so I'm going to just show you  
11 some breakdown of fourth grade reading which  
12 is -- in multiple conversations with our  
13 stakeholders, both internal and external, and  
14 looking at our data, it was fourth grade reading  
15 where we began to think our next State-identified  
16 Measurable Result may be most impactful, given all  
17 of those drivers that I mentioned earlier.

18 And so, again, I don't want to get  
19 too far into the weeds of all of these data. I am  
20 so happy to talk with you later, but our time is  
21 short this morning. If you have any questions or  
22 want to kind of process any of these data with us.  
23 We did subgroup analysis by disability category,  
24 by race, comparing students with disabilities to  
25 nondisabled students.

1                   And then we began looking at  
2 low performing districts and seeing if -- if you  
3 were a student with a disability in a low  
4 performing district, were you more at risk, and in  
5 fact, that's what these data revealed to us and to  
6 our stakeholders.

7                   The other thing that we could not  
8 avoid in our data is that if you were a student --  
9 a black, indigenous, or student of color and a  
10 student with a disability in a low performing  
11 district, you were at significant risk of not  
12 being career and college ready on the fourth grade  
13 reading exam.

14                   And with that, one of the things that  
15 we know is we need to have a big enough collection  
16 of students who are part of our measurement group,  
17 that their improvement will impact our overall  
18 improvement on Indicator 3, and that's kind of  
19 what this is showing, that if we get too focused  
20 and too small, while we may be able to improve  
21 outcomes for a small group of students, that  
22 doesn't necessarily mean we have been good  
23 stewards of our resources because we haven't  
24 impacted enough of the state for us to say yes,  
25 that was -- that was both effective and efficient.

1           And so this kind of puts that in a  
2 different language. In 2018-19, we had just over  
3 2100 students with disabilities who were career  
4 and college ready. And, again, fourth grade  
5 reading, and that was our last stable year of  
6 data. In order to meet our '25-26 target, which  
7 is almost 30 percent of students career and  
8 college ready, we would need to add a little over  
9 2500 students to reach this 4671 students who are  
10 career and college ready in order to meet the  
11 target.

12           And, again, those will shift just a  
13 little bit because we did just get the updated  
14 '20-21 data, but not very much, and this kind of  
15 gives you a sense of like unique students who we,  
16 at the minimum, right -- we want way more than 30  
17 percent of students with disabilities to be career  
18 and college ready, but this is sort of our minimum  
19 standard that we've set for ourselves.

20           And so with that, I'm going to bring  
21 you to this. This is kind of where we've landed.  
22 So we have two options here. They are very, very  
23 similar. The first one is that we will reduce the  
24 almost 16-point percentage gap between black,  
25 indigenous, and students of color, BIPOC, students

1 with disabilities. In 2018-19, just 6.03 were  
2 career and college ready compared to---

3 (Interruption.)

4 MS. HOLAHAN: Are we okay? Can  
5 you-all still hear me?

6 MS. UTZ: Yeah, go ahead, Lauren.

7 MS. HOLAHAN: Okay. So the  
8 comparison being BIPOC students with disabilities  
9 compared to non-BIPOC students with disabilities,  
10 and you can see -- so non-BIPOC students, almost  
11 22 percent of them were career and college ready.  
12 So we want to close that gap, that opportunity gap  
13 by 90 percent in Public School Units or LEAs that  
14 have 25 percent or more low performing schools.  
15 That's the first option, and I know that's a  
16 mouthful.

17 The only real difference between  
18 Option A and Option B is that rather than focusing  
19 on those schools with 25 percent or more low  
20 performing schools -- those districts, I mean --  
21 Option B would just be the whole state, the  
22 statewide approach rather than a more focused  
23 implementation and measurement on specific public  
24 school units.

25 And I'm going to show those to you

1 here, and this is not the best map of that. This  
2 map right here is going to show you. If we were  
3 to focus rather than do a statewide  
4 implementation, the dark blue counties or LEAs are  
5 those that have 50 percent or more low performing  
6 schools. The light blue is 25 percent or more of  
7 low performing school, and then the yellow kind of  
8 pin drop is where we have consistently low  
9 performing charter schools, and they would also be  
10 included in the State-identified Measurable  
11 Result. So that's sort of the spread of where  
12 this more focused effort would occur, just so you  
13 can see kind of the breakdown between traditional  
14 and charter schools.

15 So I am going to -- this is similar  
16 to what I walked you through earlier, kind of our  
17 process. I'm going to pause there. I know we're  
18 a little bit over time, but what we want to hear  
19 from you -- and you can do it in the chat now, you  
20 can come off mute, or you can send me an email  
21 anytime. I love--- I'm going to stop sharing as  
22 well.

23 VICE CHAIRPERSON: Lauren, before you  
24 stop sharing, is it possible to go back to the  
25 very last map you had with the light, the dark,

1 and the polka dots.

2 MS. HOLAHAN: Yes. This one?

3 VICE CHAIRPERSON: Yes, ma'am.

4 MS. HOLAHAN: Uh-huh.

5 VICE CHAIRPERSON: So is this a time  
6 we could have a quick like open discussion or -- I  
7 know we're kind of running behind.

8 MS. HOLAHAN: I'm going to leave it  
9 to you and Alexis in terms of time management.

10 VICE CHAIRPERSON: Just one thing I  
11 wanted to -- kind of an observation between Goal A  
12 and Goal B, if we only went with those LEAs that  
13 had 25 percent low performing districts, so  
14 basically like throwing a net over the light blues  
15 and the dark blues---

16 MS. HOLAHAN: And we would also  
17 include those [inaudible].

18 VICE CHAIRPERSON: Uh-huh, the polka  
19 dots. I'm just curious. A couple of things that  
20 have come up this year, like we've had a higher  
21 percentage of transient students specifically in  
22 our EC population. I've heard that from numerous  
23 directors. And so if a student who would be  
24 caught by that fishnet of, you know, very  
25 intentional efforts, you know, moves from one

1 district to another, they're kind of missing  
2 whatever, you know, intentional support you put in  
3 place.

4 The second thing, I think we would be  
5 a little bit missing if we only targeted those  
6 districts with 25 percent of their low performing  
7 schools, is that whatever interventions you put in  
8 place could potentially benefit all of our  
9 districts that have that same population of BIPOC  
10 students that are EC students that are not making,  
11 we'll just say, adequate progress.

12 And so it feels like the medicine  
13 you're giving them could be beneficial to all of  
14 us, and we kind of have to have systemic change  
15 about our intentionalness of interventions or our  
16 instruction. We're all doing something not great,  
17 so I feel like we all need to improve because when  
18 our kids move from district to district, it's not  
19 just those districts that have low performing  
20 schools that are not making adequate progress with  
21 that population of students. I don't know if  
22 that's helpful.

23 MS. HOLAHAN: Yes, it's really  
24 helpful, particularly the point about transient  
25 students, and I hear you and we, you know, have

1 had lots of risk-benefit conversations with our  
2 stakeholders on this notion of a more focused  
3 implementation and measurement strategy for the  
4 SiMR itself.

5 A couple of things that sort of  
6 relieve my anxiety about that risk of like what  
7 happens with all of the rest of the light gray  
8 counties is two things. One is that there are 16  
9 other indicators that we are still 100 percent  
10 responsible for meeting our targets, and that  
11 includes Indicator 3, right?

12 So we are not going to stop  
13 improvement strategies on the other 16 indicators,  
14 including Indicator 3 which is about proficiency  
15 in reading and math for students with  
16 disabilities, and we will continue -- like that  
17 system of support for all of those indicators from  
18 universal to more tailored to customized support  
19 if we see that any LEA is really just struggling  
20 with one of those other indicators and/or on  
21 Indicator 17. So that's one thing that kind of  
22 settles me down about the thought of a more  
23 focused implementation.

24 The other is -- and this may be the  
25 one that is -- kind of has gotten my attention

1 kind of in a bigger way and in a more  
2 uncomfortable way, I think, Christy, is we've been  
3 doing statewide implementation for the last -- I  
4 think we started our State Performance Plan in  
5 2004 or 2006 -- 15 years at least and all  
6 statewide focus, and our last SiMR was a statewide  
7 focus, and what we've seen is those opportunity  
8 gaps grow.

9 Our system has supported the  
10 expansion of these opportunity gaps, and that  
11 feels very concerning to me that we have a system  
12 where those opportunity gaps have continued to  
13 grow, and is this an opportunity to do something  
14 more focused for what our data is telling us are  
15 our students who are at much higher risk of not  
16 being career and college ready, just to see like  
17 maybe we really can close some of those gaps with  
18 a more focused effort.

19 And I also want to just ask Carol  
20 Ann. Do you want to add anything to this, I  
21 think, very real concern about like would a  
22 focused implementation be at the risk of, say -- I  
23 don't agree with the word, but I can hear -- at  
24 the exclusion of some LEAs?

25 MS. HUDGENS: So the other thing that

1 I would just add, I totally agree with the notion  
2 of a general supervision system, and we leverage  
3 different pieces of it to focus on unique needs at  
4 different times. But if we could think about  
5 another analogy with regard to a multi-tiered  
6 system of support in a district or a school, if  
7 we're looking at a multi-tiered system of support  
8 across the state, what we have to do is that the  
9 data that we are presented causes us to reflect on  
10 the interventions that have been provided, or in  
11 our case as the EC Division, the technical  
12 assistance, professional learning, and coaching  
13 that we provide across the state.

14 And so if we're thinking about the  
15 multi-tiered system of support model and our data  
16 that Lauren just shared, what we know now is that  
17 we have some districts and some schools who are  
18 not responding to those interventions and require  
19 a different approach from the EC Division.

20 So with this one particular area of  
21 our State Performance Plan and this indicator, we  
22 have elected to consider how best to leverage our  
23 focused attention of the EC Division for the areas  
24 that our data shows are not responding to current  
25 interventions. That doesn't mean that the rest of

1 the state doesn't receive the supports and  
2 interventions that they need, but this group needs  
3 things done a little bit differently for them. So  
4 that would just be one example.

5 And then I just want to go ahead and  
6 highlight, again, that it is one piece of our  
7 overall general supervision requirement.  
8 Monitoring -- fiscal monitoring, targeted  
9 technical assistance, all of those components are  
10 still being leveraged across the state, as Lauren  
11 mentioned, either through universal, tailored, or  
12 customized support.

13 And in my mind, when we're thinking  
14 about leveraging Indicator 17, or our SSIP, this  
15 is where we're getting to that customized support  
16 based on the data that we're looking at statewide.

17 MS. HOLAHAN: That's really helpful,  
18 and I love the analogy, Carol Ann, of what we're  
19 thinking about or this option being a reflection  
20 of what we do at the school level with MTSS.  
21 Brilliant.

22 What other thoughts or--- And let me  
23 just go back to those two -- kind of where we are  
24 in our consideration. Again, let me put in the  
25 chat -- I meant to do that earlier -- my email

1 address and I'll put my phone number as well. If  
2 you kind of go back to this PowerPoint, you have  
3 the link, and are -- have a thought or something's  
4 not like making sense or sitting right, please be  
5 in contact with me for further thoughts about  
6 that. Also, I haven't been watching the chat, so  
7 if there's somebody who wants to---

8 MS. UTZ: The only comment that was  
9 made was from Sherry when Carol Ann was talking,  
10 that Indicator 3 still requires the reporting of  
11 all EC student assessment performance. So we're  
12 not stepping away, but just a special focus on our  
13 low performing schools, which is a requirement  
14 under *Leandro*.

15 MS. HOLAHAN: Right. Right. Any  
16 other reflections?

17 VICE CHAIRPERSON: Thank you, Lauren,  
18 for that update and your email, and if folks have  
19 any more thoughts, I think, particularly around  
20 the distinction between the two goals and which  
21 way we're going to go as a state.

22 And I appreciate your second point,  
23 Lauren, when you said, to sum it up, what we've  
24 been doing for the last 15 years hasn't worked,  
25 and actually, it's gone downhill. So that kind of

1 put my mind straight. So thank you very much for  
2 that feedback, and so we probably shouldn't  
3 continue to do the statewide support if it hasn't  
4 been working effectively. So good feedback.

5 The presentation is attached in the  
6 agenda too. I saw the web page. I see that is  
7 there. Thank you, Alexis.

8 MS. UTZ: Uh-huh.

9 VICE CHAIRPERSON: I think we're  
10 going to flip over. We are a tiny bit behind.  
11 Dreama, I know you---

12 MS. UTZ: I actually believe it's  
13 Matthew that's going to be presenting.

14 VICE CHAIRPERSON: Oh, is it going to  
15 be Matthew? Okay. We have about ten minutes  
16 allotted, and then I wonder if we could take a  
17 quick break before Carol Ann jumps in? Would that  
18 set anybody back too much?

19 MS. UTZ: That is fine with me.

20 VICE CHAIRPERSON: Make Matthew the  
21 presenter, and then, Carol Ann, you're on deck.

22 MS. UTZ: Matthew, we see your  
23 screen, but we do not hear you, just to let you  
24 know.

25 MR. MARTINEZ: All right. Hello,

1 everyone. Thank you for having me today. I  
2 appreciate your time. This is a quick  
3 presentation just about the Social Studies  
4 Extended Content Standards going out for public  
5 comment through the Exceptional Children  
6 Division. This is a short slide show. There's  
7 actually only three slides.

8 Here's your first one that says what  
9 it is. Here's our EC Division logo or the North  
10 Carolina Public Instruction, and then here is the  
11 link that I can also share in the chat. This is a  
12 view-only link for the proposed Extended Content  
13 Standards for the area of social studies.

14 There was a process that this went  
15 through. We gathered all the interested  
16 stakeholders or shareholders for an initial  
17 meeting. We trained them on the revised Bloom's  
18 Taxonomy and how to create the Extended Content  
19 Standards, the process that it's going to go  
20 through.

21 A little back story, the way the  
22 Extended Content Standards are created for our  
23 students with significant cognitive disabilities  
24 are, first, the standard course of study standards  
25 are created through shareholder involvement. They

1 go out for public comment. The shareholders  
2 reconvene. It goes back out for public comment.  
3 Then it's presented to the State Board of  
4 Education. The State Board of Education then  
5 reviews them and votes on them.

6 This year with the social studies  
7 standards, they were approved, and so that's where  
8 the work for these students with significant  
9 cognitive disabilities comes in, in extending  
10 those standards to meet the needs of our diverse  
11 learners.

12 So a little bit of back story about  
13 the law. So alternate academic achievement  
14 standards do set an expectation of performance  
15 that differs in complexity from a grade level  
16 achievement standard. And the Every Student  
17 Succeeds Act does permit states to develop  
18 alternate academic achievement standards for  
19 students with significant cognitive disabilities.  
20 In North Carolina, those standards are called the  
21 Extended Content Standards.

22 We did convene the initial large  
23 stakeholder group where those participants --  
24 those willing participants were trained on revised  
25 Bloom's, once again, and then we did have separate

1 stakeholder meetings in the area of K-2, three  
2 through five, middle school, and each of the three  
3 high school courses that are presented here:  
4 American History, World History, and Founding  
5 Principles of America and North Carolina.

6 So this presentation is one of a few that  
7 are going to go out. Thank you for putting that  
8 in the chat, Alexis. So now it is for the public  
9 comment period. We will be advertising this in  
10 the paper, we will be placing this on our website,  
11 and we'll be sending this out to the Exceptional  
12 Children directors within our weekly messaging for  
13 people to provide public comment on those proposed  
14 first draft Extended Content Standards in the area  
15 of social studies.

16 The shareholder groups that were  
17 developed, there was three to five for each band  
18 that I just discussed. They chose to include  
19 each -- have a one-to-one comparison for the  
20 standards, meaning for each social studies  
21 standard that they saw, they felt it was prudent  
22 for our learners with significant needs to have a  
23 standard that closely aligned, although differed  
24 in the complexity, for each of those standards.

25 So that is the conversation, and

1 that's the presentation for today. Are there any  
2 questions, comments that I can help address?

3 MS. UTZ: All right. I don't see any  
4 in the chat box.

5 MR. MARTINEZ: Wonderful. Thank you  
6 for your time today. If you have any comments or  
7 questions about the draft for the Extended Content  
8 Standards, please submit those to this email  
9 address found here. If you have any other just  
10 general questions about students with significant  
11 cognitive disabilities, please feel free to email  
12 me at matthew.martinez@dpi.nc.gov, and thank you  
13 for your time today.

14 VICE CHAIRPERSON: Thank you,  
15 Matthew. And, Alexis, I have about five minutes  
16 to 11:00. If anybody wants to unmute and give me  
17 any feedback, I thought we would take a quick  
18 ten-minute restroom and beverage break and come  
19 back about five after.

20 Would that work in your schedule,  
21 Carol Ann, or is that going to put you too far  
22 behind?

23 MS. HUDGENS: That works for me,  
24 Christy. Thank you.

25 VICE CHAIRPERSON: All right. We'll

1 go on mute, and we will come back at five after.

2 Thanks, guys.

3 MS. UTZ: Thank you.

4 (A brief recess was taken from 10:54  
5 a.m. to 11:05 a.m.)

6 MS. UTZ: So we'll come back and get  
7 started. I just want to let you know the stuff  
8 that Carol Ann is going to be talking about is on  
9 the PowerPoint under Agency Updates. So look at  
10 the section below, and you'll find the link for  
11 that.

12 And then, Carol Ann, you can take it  
13 away.

14 VICE CHAIRPERSON: Alexis, I just  
15 wanted to mention one thing to Carol Ann, and this  
16 might be a better question for Sherry. At the  
17 very end of your Council updates, is it possible  
18 to give us a little preview into what the state of  
19 the Division is as far as returning to in person  
20 as we get ready to plan for like our early winter  
21 meeting, if we should anticipate -- and I know  
22 we've learned how to turn on a dime, but should we  
23 anticipated an in-person meeting, that might  
24 change people's travel arrangements and just  
25 planning out their schedules or remote or a

1 combination. Just curious.

2 MS. THOMAS: Hey, Christy.

3 MS. HUDGENS: Christy--- Go ahead,  
4 Sherry.

5 MS. THOMAS: Hey, Christy. It's  
6 Sherry. We will be happy to add that at the end.

7 VICE CHAIRPERSON: And I know you  
8 guys can only predict the future as well as we all  
9 can, but maybe just a little insight.

10 MS. THOMAS: You know I have that  
11 crystal ball.

12 VICE CHAIRPERSON: Yeah, if we all  
13 had that for this next year, it would be good.

14 MS. THOMAS: Yes.

15 MS. HUDGENS: Good morning, everyone.  
16 I'm Carol Ann Hudgens, and I have the opportunity  
17 to work in the Exceptional Children Division in  
18 the Policy, Monitoring, and Audit Section as its  
19 section chief. And I look forward to the day  
20 where I can meet some of our new members in  
21 person, and I appreciate the opportunity to share  
22 some information with the Council this morning.

23 One of the things that I have been  
24 tasked to do in this bit of the agenda is to share  
25 our dispute resolution data from 2020-21, and

1 Alexis, you can go ahead and advance two slides  
2 for me.

3 So our dispute resolution is our  
4 mechanisms that are in place to help support  
5 families and districts when disagreements occur  
6 around the provision of services for children with  
7 disabilities, and there are four main strategies  
8 that are available.

9 There is the state complaint process  
10 in which an individual can send in a written  
11 complaint that includes any allegations that the  
12 district failed to implement the requirements  
13 under the IDEA.

14 The second is our mediation program.  
15 And before that, I'd like to step back and do the  
16 facilitation program, and it is a program in which  
17 a facilitated IEP meeting can be scheduled.  
18 What's different about a facilitated IEP meeting  
19 is that an impartial individual provided by NC DPI  
20 can come and assist the parties with creating a  
21 mutually agreeable agenda and facilitate the  
22 problem-solving that occurs with an IEP team  
23 around the dispute.

24 Then we have mediation. Mediation is  
25 a little bit different from the facilitated IEP

1 team in that mediation typically involves key  
2 individuals from the school district and key  
3 individuals for the parent, and there is an  
4 impartial mediator that helps to guide the parties  
5 to agreement and consensus and resolution, and  
6 it's an important part of our dispute resolution  
7 system when the opportunity for the IEP team to  
8 intervene is not assisting in resolving the  
9 dispute.

10 And then, of course, a due process  
11 petition can be filed, and that is a concern or  
12 dispute has escalated beyond resolution, and it is  
13 an opportunity for the petition to be heard in a  
14 hearing by an administrative law judge to  
15 determine whether there has been a denial of FAPE  
16 with the dispute at hand.

17 So I will run through these data with  
18 you. I will share that these data are in its  
19 draft form right now. Typically, in September is  
20 when we finalize our data for the previous year.  
21 The reason for that is, a state complaint can be  
22 filed on June 30th, 2021, and because a state  
23 complaint can take no longer than 60 days, we have  
24 to make sure that that complaint has been resolved  
25 to be included in the count period or the

1 report -- end-of-the-year report.

2 So what you have before you is a  
3 slide with the breakdown of the number of written  
4 complaints received during 2020-21, and you'll see  
5 that there were 152 that were filed and we issued  
6 111 reports. The next couple of rows show you how  
7 many had noncompliance and how many had compliance  
8 findings.

9 We also are required to provide  
10 information to the Office of Special Education  
11 Programs regarding our timeliness with completing  
12 the investigations and issuing a report within  
13 that 60-day timeline, and you'll see that for  
14 2020-21, 97 percent of our complaints were  
15 completed within timelines, and so I feel like  
16 that's a pretty important piece of information  
17 because during this time period, staff were  
18 teleworking. We had to switch from how we  
19 received documents, conducted investigations,  
20 communicated with parties.

21 Typically, before this time, it had  
22 been a mix of mail, fax, and just other ways that  
23 we conducted investigations and received  
24 documents, and we had to go to a total virtual  
25 format for conducting these activities. So while

1 we always strive for a hundred percent, I think,  
2 given the challenging circumstances of that  
3 reporting year, 97 percent is not too shabby.

4 Then the further breakdown is whether  
5 we had complaints that were withdrawn or they were  
6 insufficient for investigation. When we talk  
7 about insufficient for investigation, the dispute  
8 that the individual raised may not have been  
9 related to an IDEA regulation, and therefore, it  
10 does not meet the complaint requirements for  
11 investigation by the EC Division. So that's  
12 typically what is meant here by insufficient.

13 If a parent or other party submits an  
14 investigation that's insufficient, our office does  
15 provide information to the complainant about what  
16 made the complaint insufficient so that individual  
17 has the opportunity to either provide more  
18 information to remedy those pieces that were  
19 insufficient and/or refile.

20 We also report out on whether  
21 complaints were pending a due process hearing.  
22 What this means is that if a complaint and a due  
23 process has the very same issues in dispute, we  
24 have to set aside the state complaint process on  
25 that issue until the due process has run its

1 course because that is, again, the higher level of  
2 dispute resolution, and so we wouldn't want to get  
3 a state complaint finding and a due process  
4 finding out of sync. So if the issue is the same  
5 between both mechanisms, we have to set aside the  
6 state complaint until the due process either  
7 addresses it or is concluded.

8 If the issue has not been addressed  
9 or remains active after the due process hearing,  
10 then the State continues on with its investigation  
11 of those issues not covered in due process. So  
12 you'll see we didn't set aside any, and we don't  
13 have any pending complaints for this end-of-year  
14 report.

15 I'll stop here for just a second to  
16 see if there's questions about the state complaint  
17 process before I go on to the facilitated program.

18 (No audible response.)

19 MS. HUDGENS: Okay. And I'll provide  
20 the opportunity again at the end. So we'll go on  
21 to the facilitated IEP program, and so during this  
22 data year, we had 96 requests that were submitted  
23 on behalf of children with disabilities. You  
24 heard me talk a little bit about how we had to  
25 change up some of our process with regard to the

1 state complaint investigation. So too with  
2 facilitation and mediation, we had to switch to  
3 accommodate districts and whether or not IEP  
4 meetings were happening virtually. So we had to  
5 support our facilitators and mediators in the  
6 opportunity to conduct those meetings virtually so  
7 that our dispute resolution processes could  
8 continue.

9 So during this data year, we had 96  
10 requests. 90 of those meetings were held. We had  
11 one that took four session to discuss the issues  
12 at hand. Sometimes that occurs when there are  
13 multiple issues. Sometimes that occurs when the  
14 parties feel as though they are very, very close  
15 to achieving a resolution. And so we want to  
16 support effective dispute resolution, and so in  
17 this matter, the parties were getting very, very  
18 close, and we continued to support their  
19 problem-solving.

20 When "no response" is listed here,  
21 that typically means that one party requested  
22 a facilitated IEP meeting and the other party did  
23 not choose to respond. Because facilitation is a  
24 mutually-agreeable process, both parties are  
25 required to indicate agreement with participation

1 before we will support that with a facilitator.  
2 Again, just the breakdown that you will see here,  
3 those that were withdrawn or canceled or declined.

4 If you'll go to the next slide,  
5 Alexis. On this slide, this tells you, out of all  
6 of those meetings, how many of them were  
7 successful, and we measure success by whether or  
8 not parties reach a full consensus on all of the  
9 issues or consensus on some of the issues. So for  
10 the meetings that were actually held, 97 percent  
11 of the time, there was consensus is reached.

12 And so we like to see those data that  
13 helps support that those who wish to participate  
14 in facilitated IEP meetings generally have a  
15 positive outcome, and this is how we see if that  
16 option is working. The last table you'll see on  
17 the slide is just a breakdown whether or not  
18 parents or LEAs, individually or together,  
19 submitted those requests for a facilitated IEP  
20 meeting.

21 All right. Next slide. And with the  
22 facilitated program, we did choose to break down  
23 the data again this year and look at for whom the  
24 requests were submitted, and so you'll see the  
25 disability categories listed here and the

1 breakdown of the individuals for whom facilitated  
2 was requested and disability type.

3 All right. Alexis, if you'll just  
4 step back one second to the previous slide for the  
5 facilitated program, if that's okay, because I'm  
6 also pausing to here just to see if we have a  
7 question.

8 VICE CHAIRPERSON: Carol Ann, I'm a  
9 little bit curious, and this slide is super  
10 helpful to kind of see our blind spots. I'm kind  
11 of curious. When you do percentages of  
12 individuals -- students in our state that are  
13 identified, obviously, we have pretty chunky  
14 populations in autism and specific learning  
15 disabilities and speech-language impairment, and  
16 then we have those disabilities that are not  
17 high incidence disabilities.

18 I wonder if the remoteness of last  
19 year impacted some of those lower significant high  
20 needs population. Like I see multiple  
21 disabilities is almost half of what that is in  
22 specific learning disabilities and autism, but  
23 multiple disabilities can tend to be a category  
24 where there's complex students involved. Did you  
25 guys get to glean any information from that?

1 MS. HUDGENS: Unfortunately, we --  
2 it's very difficult to try to capture data on  
3 nonparticipants in the program and about the why  
4 that they don't participate. There's not really a  
5 tool that we can -- or that comes to mind -- to  
6 kind of tease that down unless we did a statewide  
7 survey of just parent engagement as a whole.

8 And so our data can only tell us  
9 about those who have either participated in the  
10 program or had wanted to participate in a  
11 facilitated IEP, but it may not have actually  
12 met -- based on the data you saw on the preceding  
13 slide.

14 The only kind of assumption that we  
15 can draw here, which may not be a good one, is  
16 that those individuals that are not represented  
17 here in the disability categories had two kind of  
18 scenarios. One is that if they had a dispute,  
19 they were able to reconcile those differences  
20 locally through local dispute resolution and it  
21 didn't rise to the state level; or, two, those  
22 individuals did not have disputes during that last  
23 year. So somewhere in between there is where the  
24 disability categories rest.

25 Okay. I will go ahead and move on to

1 the next slide. Thank you, Alexis. All right.  
2 Our mediation program. And so when we have  
3 mediation, we had a total of 77 that were  
4 requested, and mediation can come about in two  
5 ways. One way is that it is related to a due  
6 process hearing. When a due process petition is  
7 filed, as part of that process, the parties can  
8 engage in what we call a resolution meeting. That  
9 resolution meeting is just typically with the  
10 district and the parent, and it's a pretty quick  
11 turnaround, within 15 days of when that due  
12 process petition was filed.

13 Typically, those resolution meetings  
14 are waived by both parties -- it has to be  
15 agreement on both parties -- to go ahead in favor  
16 of doing mediation. The reason for that is, is  
17 that in mediation you have an impartial mediator  
18 that is provided by the State, and it provides the  
19 opportunity for an impartial to help navigate the  
20 dispute and to get the parties talking to each  
21 other to problem-solve.

22 And so we could have mediations, as I  
23 just described, related to due process, or the  
24 second type is that you can have a mediation that  
25 is not related to due process. Maybe you have a

1 set of folks who have -- they don't want to  
2 necessarily file a state complaint. Maybe they  
3 tried a facilitated IEP meeting, and it's still  
4 not resolved. Maybe they got close, but couldn't  
5 come to a consensus.

6 And maybe the parties just decided to  
7 go on to mediation where the true decision-makers,  
8 meaning district representatives and the parent,  
9 are mediating the issue outside of the IEP team.  
10 Now that doesn't mean the IEP team doesn't get  
11 involved later because if there is a mediation  
12 agreement that requires the IEP team to implement  
13 certain things, then the IEP team would reconvene.  
14 This is simple just meant in terms of resolving a  
15 dispute.

16 And so what you'll see here is the  
17 breakdown between those mediations that were  
18 specific to due process and those not specific to  
19 due process. You'll also see that when mediations  
20 are held around due process, there are fewer than  
21 we would like to see agreements reached. Now that  
22 can be explained a lot of different ways.

23 Some families and school districts  
24 have disputes that escalate to the point of having  
25 extreme difficulty to communicate, or

1 communication has been so damaged that it is  
2 difficult to achieve agreement, and therefore, the  
3 parties are headed on to the formal hearing to try  
4 to resolve the dispute.

5 We'd like to see more agreements  
6 reached there. However, we understand that this  
7 is disputes and the parties have unique feelings  
8 around what is trying to be problem-solved and  
9 unique options for resolving those mediations. We  
10 do have almost -- a little over or double, rather,  
11 the agreement percentage reached when they're not  
12 related to due process hearings. So mediation has  
13 been successful when it has escalated. Again,  
14 we'd like to see a lot higher rate, but again,  
15 understanding how things have escalated to this  
16 point, that's a factor in how successful mediation  
17 can potentially be.

18 So overall less than half of the  
19 mediations held during the reporting period  
20 reached agreement. Now that's a concern in  
21 general because, as I previously mentioned, we  
22 would like to see parties come to more agreement.  
23 However, there is the opportunity to go further  
24 beyond mediation as dispute resolution and get  
25 right on into the due process hearing.

1                   And so by way of our data, it does  
2 look like that might be some of the direction that  
3 folks are going in, or they didn't resolve as a  
4 result of mediation, but maybe the parties  
5 resolved things outside of court and other venues,  
6 but not necessarily through our mediation program.

7                   I'll hold there because I feel like I  
8 shared a bunch of information right there that may  
9 prompt some questions.

10                   **(No audible response.)**

11                   MS. HUDGENS: All right. We'll go  
12 ahead to the next slide. So this is our due  
13 process program, and so you see how we've  
14 escalated through the dispute resolution  
15 mechanisms. And we've had 68 complaints filed or  
16 due process petitions filed during this reporting  
17 year.

18                   You heard me mention resolution  
19 meetings. 16 of those parties went to resolution  
20 meetings. Only two of those resulted in a written  
21 settlement agreement, and what that means is, is  
22 that the parties did not have to go on to hearing,  
23 but the written settlement resolved the dispute  
24 that led to the due process petition being filed.

25                   Hearings fully adjudicated, that

1 means how many of those 68 cases actually went to  
2 a hearing before a judge, and so nine of them went  
3 to a judge. How many decisions within the  
4 timeline? All of these are data that we have to  
5 report federally. So the eight decisions that  
6 were rendered were within the timeline. One was  
7 with an extended timeline.

8 Now I just want to describe the  
9 extended timeline just a minute. Because the  
10 administrative law judge has jurisdiction over the  
11 hearing, the hearing can take a little bit longer.  
12 What is important to us is, when that hearing  
13 ends, is the timeliness of when that final  
14 decision is rendered. So this data with the  
15 extended timeline, I don't want folks to receive  
16 that as a negative as much as it is a piece of  
17 information where a hearing had to go longer for a  
18 variety of reasons.

19 So you'll notice here that there are  
20 ten complaints pending, and that could also be for  
21 a variety of reasons. It could be related to when  
22 the date has been settled for having the hearing.  
23 It could also be that they're mid hearing, and  
24 it's just taking that long to either establish the  
25 necessary time to go before the judge. As you can

1        imagine, there are lots of exhibits that have to  
2        be exchanged. There's requests for extensions by  
3        both parties. So any of that could contribute to  
4        why that due process complaint is still active.  
5        It could be waiting on decisions, et cetera.

6                    And then 40 of those complaints were  
7        withdrawn or dismissed. Dismissed means that the  
8        administrative law judge did not see that the  
9        issues raised met the requirement for a due  
10       process petition and dismissed it. The withdrawal  
11       could be attributed to either a successful  
12       resolution meeting or a successful mediation or  
13       some other dispute resolution that might have  
14       occurred locally that we did not host or  
15       facilitate led to a complaint being withdrawn.

16                    And so I think that is the last slide  
17        in the dispute resolution data. I'll just remind  
18        you that these data are draft data at this point  
19        in time only because we are just double-checking  
20        our numbers and our data to make sure that this is  
21        correct, but this is our draft overview of the  
22        last year.

23                    The expedited due process hearings,  
24        we did not have any of those. Expedited due  
25        process is specifically with regard to

1 disciplinary matters when children have had a  
2 change in placement because of discipline. That's  
3 why it's expedited. Because if that removal has  
4 been conducted improperly, you want to get the  
5 child back into the proper place as soon as  
6 possible.

7 We typically have very few of these.  
8 My prediction or my assumption around this data,  
9 why there were zero is, if you'll remember, most  
10 school districts were in a virtual setting or  
11 remote learning setting, and so discipline, I'm  
12 sure, was different. And so you may not have had  
13 the traditional change in placements that would  
14 have created the need for an expedited due  
15 process.

16 All right. I'll pause here while  
17 we're transitioning to Sherry and agency updates  
18 and see if there are any questions, and I'll be  
19 back with some of the information in the agency  
20 updates, but thank you for the opportunity to  
21 share some of our dispute resolution data.

22 MS. THOMAS: Good afternoon,  
23 everyone. It's great to be with you virtually at  
24 least. Hope you are doing well and that you and  
25 your families are safe. So we have tried to

1 address the requested topics that we were given  
2 for updates today.

3 So, Alexis, we can go on to the next  
4 slide. Per reporting period has been sort of our  
5 hot potato that we've been talking about for a  
6 while, and you can go on to the next one, if you  
7 don't mind. There we go. So since we last met or  
8 talked with you about this, we have given a  
9 greater grace period for per reporting period to  
10 maintain as accessible within ECATS for several  
11 reasons.

12 We did pull a lot of data to look at  
13 the incidence of per reporting period being used.  
14 While we understand that that is or may be an  
15 appropriate continuum of service for some  
16 students, when we were finding things like  
17 students in the same district getting speech  
18 services seven times a reporting period flat, no  
19 alterations, no variety, that starts to feel like  
20 a cookie-cutter service delivery.

21 When we're finding special direct  
22 services being listed as per reporting period with  
23 gaps for holidays and potential student absences  
24 being included, so they weren't being served every  
25 day, in other words, where it's an intensive need

1 or service, that causes us pause.

2 We went through ECATS. We looked at  
3 current IEPs. We looked at monitoring data. We  
4 looked at state complaints around this issue. We  
5 then met with several groups of stakeholders. The  
6 NC CASE, the Council for Administrators of Special  
7 Ed, which is our professional arm out of CEC for  
8 our local directors and administrators, met with  
9 their board of directors, talked through the data,  
10 talked through the reasoning.

11 We also talked with, listened to  
12 related service providers and our own related  
13 service consultants, that being consultants for  
14 speech, for occupational therapy, for physical  
15 therapy, orientation and mobility. I think we  
16 even maybe tapped into the interpreters as well,  
17 just looking at what those services looked like,  
18 sharing their concerns, but also sharing the  
19 concerns that from a high level, there is clearly  
20 not an understanding of when services need to be  
21 made up, when services have to be adjusted because  
22 of things going on in school.

23 We also talked with our EC directors  
24 and charter coordinators. We spoke -- I don't  
25 think I put it here, but we also talked with our

1 Directors Advisory Council members. That's our  
2 DAC, which is represented by both charters and  
3 traditional directors/coordinators in all eight  
4 regions.

5 So after gathering all that  
6 additional information, what we did was to add  
7 monthly, as an option in ECATS, as a service  
8 delivery. So not just daily or weekly, but now  
9 there is monthly, and we retained per reporting  
10 period. We then communicated out to the field  
11 that as of February 1, per reporting period will  
12 go away. That gets us to the end of the first  
13 semester of school.

14 That gives districts and us time to  
15 do some training that we are going to be requiring  
16 for all districts to participate in around the  
17 things I just discussed, when services must be  
18 made up, when services should not or do not have  
19 to be made up, and looking at the needs of the  
20 students because we heard a lot of comments of  
21 you're taking away the focus on the needs for  
22 students, but then we see a pattern of the same  
23 therapist including the same therapy on IEP after  
24 IEP after IEP.

25 That, to me, is not individualization

1 that is a customized way of delivering the  
2 service. So we will be doing training, and we  
3 will also include the continuum or the settings on  
4 our program monitoring to just look at the  
5 students who may have per reporting period and  
6 what those services really look like.

7 So that's updates for today. We will  
8 keep you posted as we move forward and as we get  
9 the training ready. We haven't finalized that  
10 yet, but we will make sure we share that with you  
11 as well.

12 All right. Next slide. Also, a  
13 question about any legislation to address COVID  
14 concerns, and Senate Bill 654 is kind of hot off  
15 the press. It was just signed, I believe, by  
16 Cooper late last week. So I tried to put just  
17 some bullet points in these next few slides of  
18 what is included in this Senate Bill. As you  
19 know, there's never just one thing in there.

20 But this talks about using of the  
21 ESSER funds and some provisions that -- some  
22 flexibility that districts may have. The  
23 provisions around virtual instructions. The  
24 biggie was that each public school must adopt a  
25 policy regarding the use of face coverings and

1 review it at least monthly. It removed what had  
2 previously been a provision in another bill that  
3 delayed the implementation of the social studies  
4 changes.

5 So, in other words, you heard from  
6 Matthew about the Extended Content Standards that  
7 will align with the social studies Standard Course  
8 of Study standards that were approved several  
9 months ago by the State Board, and there was a  
10 bill to delay that. That has been removed. They  
11 also removed the provision for delaying the  
12 implementation of class-size requirements for  
13 kindergarten classes.

14 Next slide. They granted grace with  
15 licensure extensions for teachers through December  
16 of this year. Driver's ed certificates has  
17 been -- that's been a very difficult area to  
18 continue with COVID. So they've done some waiving  
19 of requirements there. This was presented, as I  
20 said, to the Governor late last week, and I  
21 believe he did sign that already.

22 So this appears to be now an  
23 effective law, and there still are some items  
24 within the budgets, but since we don't even have a  
25 combined budget from the Senate and House yet,

1 we're not really sure what's going to wind up in  
2 there and what's going to stay there. So kind of  
3 more to come on that.

4 There was also an ask around our  
5 corrective action with OSEP. If you'll go to the  
6 next slide, Alexis. We did provide a response to  
7 OSEP by our required timeline. I think it was due  
8 August 16th, and I believe we actually submitted  
9 it around the 14th, somewhere in there, because we  
10 had the weekend following.

11 We had one item that we asked for an  
12 additional six months -- I mean -- 60 days --  
13 excuse me -- 60 days to respond because we're  
14 waiting on School Business and Finance to work on  
15 some policy changes that they are in the process  
16 of that will affect the requirements that OSEP was  
17 asking us to do.

18 So it was around the distribution of  
19 carryover funds, which has to be from School  
20 Business and Finance. We're not the only  
21 federally-funded program in the agency that has to  
22 adhere to those requirements. And so they had  
23 given us, I believe, that grace, and we'll be  
24 continuing to work with School Business to follow  
25 up on that.

1 My apologies. Something has gotten  
2 to me in my office. I'm going to take two seconds  
3 to get some water. Excuse me.

4 **(Brief pause.)**

5 MS. THOMAS: My sincere apologies. I  
6 hope I've gotten a mint now that will help control  
7 that. I do apologize. When I shut my door so I  
8 don't disturb people talking, it just stifles the  
9 air, and my asthma does not like that. So I  
10 apologize.

11 The items around our SLD, specific  
12 learning disabilities, and MTSS that was in the  
13 corrective action from the monitoring report were  
14 items we were already addressing through our --  
15 through the SEA state complaint where we had to  
16 provide the corrective actions. And so we just  
17 confirmed, verified, sent to them again our  
18 evidences, but it really was all based around that  
19 SEA corrective action.

20 We are awaiting feedback from OSEP.  
21 We have a meeting -- I think our monthly meeting  
22 is scheduled for next week, and so we should have  
23 our follow-up to see if they have any concerns,  
24 any questions about the items that we presented to  
25 them as our corrective action. Once they have

1 approved all of that, we will share that with the  
2 Council and our timelines for any other movement  
3 that we need to do around corrective action or  
4 policy changes. So we will continue to update  
5 you.

6 And I'm going to turn it over to  
7 Matt. I think he's still here. He's going to  
8 talk about conference a little bit.

9 MR. HOSKINS: I am. Good morning,  
10 everyone, and I've been the one that's been  
11 blessed to have a happy item related to conference  
12 in that right now it is currently scheduled  
13 face-to-face. You can see that this is the  
14 seventieth annual conference, and we're really  
15 excited about some of the topics that are going to  
16 be shared and, in a particular as well, the  
17 plenary which is going to cover the history of  
18 special education in North Carolina.

19 We're very fortunate to have past  
20 directors come to speak to us about what  
21 transpired over their -- as they were leading the  
22 Division and the work that was done during their  
23 tenure. So we're really excited to see all the  
24 progress that's been made over the last -- the  
25 last 70 years.

1                   We're also excited that we have  
2 organized our sessions around our EC Division  
3 strategic plan. So we're ensuring that we are  
4 providing content that will help us -- will be  
5 aligned to and help us achieve those objectives  
6 and also, we hope, help PSUs make some connections  
7 to those particular goals and objectives as well.

8                   We're also planning, as we have in  
9 the past, to have a school-based enterprise where  
10 we have students with disabilities create products  
11 and sell those over the course of the conference.  
12 We're also going to be able to celebrate our  
13 educators of excellence as we do every year at  
14 conference.

15                   And we're also excited this year that  
16 as part of a program that we are going to be doing  
17 with the National CEC, in terms of retention of  
18 early career of EC teachers, first and second year  
19 EC teachers and related service providers are  
20 going to be provided free registration to the  
21 conference. So we're excited about being able to  
22 offer that this year as well.

23                   We're also -- the registration is  
24 going to open on September 15th, so just right  
25 around the corner. We would more than welcome

1 you-all to register and attend. We'd love to have  
2 you join some of our sessions and have  
3 conversation over the course of that conference.

4 I will say that we are watching the  
5 situation with COVID very carefully, and we will  
6 make some decisions in the very near future if we  
7 don't feel like we would be able to do this  
8 face-to-face, but for the time being, we feel like  
9 if we have some good safety protocols in place --  
10 and we're speaking with the hotel about that right  
11 now -- that we can do this in a way that will be  
12 safe and allow us to come together for this  
13 conference. So we're really excited about it.  
14 Everything's coming together, and I think it's --  
15 I'm really hopeful that we're going to be able to  
16 pull it off this year face-to-face.

17 And, Amy, great question. Yeah,  
18 we'll certainly share registration information  
19 with ECAC, and parents can certainly register for  
20 the conference. Oh, free registration. Let's  
21 have some conversation about that, Amy.

22 MS. HUDGENS: Okay. This is Carol  
23 Ann. I'm going to share some updates around  
24 contingency plans. Alexis, if you'll go to the  
25 next one. Thank you.

1                   What you'll see on your screen is  
2 actually a question and answer directly from  
3 guidance provided by the Office of Special Ed  
4 Programs in March of 2020, and this particular  
5 guidance document was specific to providing  
6 services to children with disabilities during the  
7 COVID-19 outbreak.

8                   And so one of the responses you'll  
9 see here is that IEP teams can certainly include  
10 distant learning plans in a child's IEP if there  
11 were events that triggered a closure. Now this  
12 was the most common experience that we had last  
13 year. What we're looking at this year in terms of  
14 COVID conditions could be some closures of  
15 classrooms, of schools, but mostly what we're  
16 dealing with at the present are quarantine and  
17 isolation and those kind of measures when clusters  
18 are occurring.

19                   So this guidance, it remains current.  
20 It is always a possibility that an IEP team may  
21 consider a contingency plan to ensure that  
22 services are not interrupted if there are  
23 occasions for quarantine or, worst-case scenario,  
24 a school closure given a COVID breakout.

25                   If you'll go to the next slide. One

1 of the things that I wanted to kind of reiterate  
2 is that a contingency plan is a plan for the  
3 worst-case scenario if you look at it by  
4 definition. The contingency plan is how services  
5 are going to continue in the worst-case scenario.  
6 It isn't a replacement for the IEP. It isn't a  
7 replacement for the offer of FAPE. It is an  
8 emergency plan in unforeseen circumstances that  
9 may occur.

10 And so I think that's a really  
11 important reminder here to think about as IEP  
12 teams consider whether including contingency plans  
13 as part of the IEP may be appropriate, given that  
14 our circumstances are still uncertain and could be  
15 very uncertain in some districts that are trying  
16 to manage local conditions with COVID.

17 If you'll go on for a moment, that's  
18 a transition into remote learning options. And  
19 when we look at remote learning plans, one of the  
20 things that I kind of want to provide a reminder  
21 for is that the legislation and the State Board  
22 policy that required districts to submit a remote  
23 learning plan, that requirement ended at the close  
24 of the 2020-2021 school year. And what that means  
25 is there isn't a state requirement to provide a

1 choice for virtual learning as it was established  
2 by the legislation in 2020-2021.

3 Now the difference here that you'll  
4 see is that LEAs may establish optional virtual  
5 schools, and those are -- those would be  
6 consistent with optional programs, magnet schools,  
7 those type of school situations that already  
8 existed in school districts.

9 So I just want to make a distinction  
10 here that the State has not required that a  
11 virtual platform or virtual school is required in  
12 every district. Now you've heard Sherry mention  
13 in some of the legislation that remote learning,  
14 distance learning, those kind of opportunities are  
15 swirling legislatively.

16 If you'll go to my next slide,  
17 Alexis. I wanted to point out what Sherry also  
18 alluded to was the budget bill or Senate Bill 105.  
19 Now I did see some legislative updates come in  
20 late yesterday, and unfortunately, I didn't have  
21 time to consume those changes and update our  
22 slides in the event there were some changes.

23 However, for our purposes today, I  
24 just wanted to further illustrate that in this  
25 particular budget bill, there were some line items

1 related to whether or not making remote learning  
2 an option for calendar flexibility, meaning if  
3 they were a natural disaster, a hurricane,  
4 earthquake, inclement weather, et cetera, would  
5 remote learning be an option that could be used in  
6 a school district when school districts have to be  
7 closed because of those unusual circumstances that  
8 may close certain school buildings or an entire  
9 school district as a result of weather.

10 Also pending in that same Senate Bill  
11 is more defined language around the COVID-19  
12 emergencies, and so why I bring that to your  
13 attention is that our guidance regarding  
14 contingency plans -- particularly contingency  
15 plans that are not related to COVID-19 -- that  
16 guidance is actually going to be evolving  
17 depending upon where our legislative and State  
18 Board policy rests on that topic.

19 So then if we go to the next slide.  
20 It's an opportunity for folks to ask any questions  
21 that you might have now of any of the content in  
22 particular here regarding remote learning plans,  
23 contingency plans, or any of the other topics  
24 shared by Sherry or Matt.

25 **(No audible response.)**

1 MS. HUDGENS: All right. Alexis,  
2 I've checked in the chat box. I'm not seeing any  
3 further questions. I do think I might hear an  
4 open mike, so I'm going to wait for a moment.

5 MR. HOSKINS: Carol Ann--- Go ahead,  
6 Sherry.

7 MS. THOMAS: Go ahead. Go ahead.

8 MR. HOSKINS: I did just want to  
9 mention that we do grant free registration to all  
10 council members. So we will send you details  
11 around that. We're going to be doing registration  
12 a little bit differently, but we'll make sure that  
13 we get those details directly to you.

14 One other additional thing that I  
15 wanted to mention in the update is, we heard from  
16 the Substance Abuse and Mental Health agency that  
17 we were awarded a second project AWARE grant. So  
18 that's going to be \$8.9 million over the next five  
19 years. The LEAs that we're going to be working  
20 with are Jackson County, Nash-Rocky Mount, and  
21 Sampson, and the work that's been done there has  
22 just been extremely rewarding.

23 It's influenced at the policy level a  
24 lot of the work that's been done around the  
25 school-based mental health plans and the training

1 plans that are being developed, and we're really  
2 excited about being able to continue to scale this  
3 work, get it to more districts, but also learn  
4 from these districts [inaudible] very different  
5 LEAs in context and the best approaches to meeting  
6 the mental health needs of students within the  
7 context of the schools there.

8 So I wanted to share that because we  
9 were really excited about that announcement as  
10 well that we recently received. And, Sherry,  
11 sorry if I interrupted.

12 MS. THOMAS: No, no. You were fine.  
13 You were fine. I was just going to circle back to  
14 Christy's question, which was kind of what the lay  
15 of the land is here. All staff were asked to come  
16 in on a staggered schedule through the month of  
17 August, with all staff being in the building every  
18 day as of last week.

19 At the same time, DPI has launched  
20 what they've called a pilot telework program where  
21 staff who can continue to do their work remotely  
22 with the approval from their supervisor will be  
23 allowed to do so as well as what we're calling a  
24 hybrid model, which would be, you know, a couple  
25 of days in the building and the remaining days of

1 the week out doing telework. So we're in the  
2 process of putting that together right now for our  
3 staff and going through the approval process.

4 All that to say, there have still  
5 been some meetings held in the building. There  
6 have also been, over the last four weeks, COVID  
7 outbreaks, individuals within the building. And  
8 so we are as a Division trying to monitor that  
9 closely and trying to keep our staff safe and  
10 everyone else safe.

11 We do have some guidelines in the  
12 building that must be adhered to. If you are  
13 vaccinated, you may wear a mask, but it is not  
14 required. If you're not vaccinated, you are  
15 required to wear a mask. We have sanitizer. We  
16 have wipes. There's a protocol in place.

17 What I will say is that I don't know  
18 what it's going to look like. I believe the next  
19 meeting, Christy, is in December, and I just don't  
20 really know what it's going to look like.

21 VICE CHAIRPERSON: Yes, ma'am.

22 MS. THOMAS: Right now I can't tell.  
23 We might be in a better space, a better spot in  
24 December, but we could be in another shutdown. So  
25 I think what we need to do is kind of plan for

1 both and then see what happens. I don't know how  
2 else to answer that. It's the same thing with the  
3 conference. We're hoping, but we also know that  
4 we may have to switch on a dime and create a  
5 virtual platform and deliver conference that way.

6 VICE CHAIRPERSON: All right. We  
7 will plan for both, and then I guess, all of our  
8 council members, that's good to hear because that  
9 means that we could be headed to Raleigh for that  
10 day in December, which is already on the calendar,  
11 or we could be virtual again and putting it up on  
12 a virtual platform so participants could join in  
13 if they want.

14 MS. UTZ: Yeah, there will always be  
15 a virtual option for anyone that needs it.

16 MS. CHILDERS: I have a question.

17 MS. UTZ: Uh-huh.

18 MS. CHILDERS: I am going back just a  
19 little bit further. I had a question a few  
20 minutes ago when we were talking about---

21 MS. UTZ: Oh, sorry.

22 MS. CHILDERS: Can you hear me?

23 MS. UTZ: Yeah, go ahead.

24 MS. CHILDERS: Okay. Sorry. I'm  
25 going back a little further because I had a

1 question a minute ago as far as when you were  
2 talking about the senate bill and all of the  
3 different plans as far as COVID or anything else  
4 goes, I guess, in the future.

5 Is there anything that specifies in  
6 that bill for children that are on the Extended --  
7 that are in the Extended Content Standards?

8 MS. HUDGENS: Hi, Abby. This is  
9 Carol Ann. It's good to see your face.

10 MS. CHILDERS: Hey.

11 MS. HUDGENS: And so---

12 MS. CHILDERS: Did I get my question  
13 out right?

14 MS. HUDGENS: Yes, you sure did. So,  
15 unfortunately, the bill is actually silent  
16 regarding specific groups of students. It's more  
17 of a collective student type of designation in how  
18 the bill language is constructed. In other words,  
19 it doesn't tier out any kind of relationship to  
20 the standard course of study or not. The language  
21 is just really generic in terms of students.

22 MS. CHILDERS: Okay. Is there -- I  
23 mean I guess this is kind of a big broad question,  
24 but is there or should there be something? I know  
25 that there were so many obvious issues with kids

1 doing virtual learning and trying to do it in  
2 different ways for kids with the Extended Content  
3 Standards and IEPs, and following those was  
4 extremely difficult.

5 So I guess my big question is, is  
6 should there not be something for these kids that  
7 is in writing so that each district is following  
8 it -- following guidelines? I feel like that was  
9 a big issue.

10 MS. HUDGENS: Yeah. It's always or,  
11 generally speaking, much more helpful if the  
12 legislation can give us some specifics to operate  
13 within. What I can remember from the bill  
14 language at the present -- I don't have it in  
15 front of me, and what typically happens is that  
16 the bill constructs its expectation around remote  
17 learning, but then it leaves it up to the  
18 districts to implement that.

19 Now in between that, there could be  
20 legislative direction given to the State Board of  
21 Education in terms of criteria that the State  
22 Board of Education might have to implement in  
23 order to operationalize that legislation, and then  
24 if that occurs, then that would be one scenario  
25 that could help LEAs navigate how to construct

1 that locally.

2 Absent any kind of directive for the  
3 State Board to establish criteria, then it really  
4 comes down to the LEA and how they evaluate the  
5 effectiveness of their virtual programs and remote  
6 learning and the students that they serve locally.  
7 I know a lot of districts had challenges with  
8 connectivity, with Internet, with devices, and so  
9 forth.

10 And so because of those  
11 characteristics, in addition to how services were  
12 delivered to different groups of students and  
13 their unique learning styles, then it kind of  
14 trickles down to the LEA to make some  
15 determination on the data around their own  
16 experiences with providing services and then,  
17 within that, construct what flexibility is in the  
18 bill to make those unique decisions district by  
19 district.

20 MS. CHILDERS: Okay. All right. So,  
21 basically, it still comes down to it all having to  
22 be done at the very last minute? There's nothing  
23 that can be put into writing so that if this were  
24 to happen again that these kids are taken care of  
25 from the get-go?

1 MS. HUDGENS: I think there's always  
2 the opportunity for the council members to address  
3 their concerns in writing to our legislative  
4 liaison here at NC DPI. I think that would be an  
5 excellent function actually of the Council if  
6 there are concerns, that those concerns can be  
7 sent directly to the legislative liaison here.

8 The legislative liaison is actually  
9 how the process works for even those of us here at  
10 DPI to advocate and comment on bills and so forth  
11 that may not attend or create some kind of  
12 difference in access for the different children  
13 that we work with here at the State.

14 I know a number of times and, in  
15 fact, on senate bill -- Sherry, myself, and Matt,  
16 we constructed a number of concerns that we had  
17 with either the language that was unclear or the  
18 fact that students with disabilities were not  
19 contemplated in the language at all. And we  
20 provided that to our legislative liaison, who then  
21 goes through their process of taking it across the  
22 street.

23 So within the context of the Council,  
24 there's always that opportunity as part of your  
25 advocacy and your role in informing or providing

1 recommendations to the State Board of Education to  
2 comment and/or provide suggestions about things  
3 that have to be considered at a legislative level,  
4 and if not there or in addition to there, anything  
5 that the State Board might have to operationalize  
6 as a result of the legislation.

7 MS. CHILDERS: Okay. All right.  
8 That makes more sense. So is there any way that I  
9 can get the information of who -- who the contacts  
10 are for those people to contact?

11 MS. HUDGENS: Sure thing. I know  
12 Matt and Sherry are with me, and they probably  
13 have it on the tips of their fingers to drop it in  
14 the chat, but while responding to other questions,  
15 I'll look it up and make sure I give you the right  
16 contacts so that you can reach out as you need.

17 MS. CHILDERS: Okay. Great. Thank  
18 you.

19 MS. HUDGENS: All right. Sherry just  
20 put it in. Freebird McKinney, and the address is  
21 going to be pretty intuitive. Jamie Falkenberry,  
22 those folks. I'll look up the email addresses and  
23 drop them in for you as well, Abby, and for others  
24 that might have an interest.

25 MS. CHILDERS: Okay. Thank you so

1 much.

2 MS. HUDGENS: Sure.

3 MS. THOMAS: Abby, I will add one  
4 thing, and that is that when they are making  
5 legislation like that, they have to be very  
6 careful not to also discriminate against a student  
7 with a disability because if it's not safe for all  
8 kids to be in school and they say it's safe for  
9 students on the Extended Content Standards to be  
10 in school, they create a discriminatory issue  
11 there because we want everybody to be safe, and  
12 those may be our kids with the highest medical or  
13 health risk already established. So they have to  
14 be very careful when they delineate one group goes  
15 and one group does not go.

16 MS. CHILDERS: Yeah, I totally agree.

17 MS. THOMAS: That's why we don't see  
18 a lot of detailed legislation right now.

19 MS. CHILDERS: Okay. All right.  
20 That, I definitely understand, and I would agree  
21 with that. All right. Thank you.

22 MS. THOMAS: Sure. Any other  
23 questions for us? Thank you, Alexis. I was just  
24 trying to get names up. Alexis put the link where  
25 you should find all the staff -- legislative

1 staff.

2 Thanks for letting us be here today.  
3 If you don't have any other questions -- I  
4 appreciate your service on this Council and all  
5 that you do on behalf of our students, and I hope  
6 you all stay well and have a great day.

7 VICE CHAIRPERSON: All right. Thank  
8 you very much, Carol Ann and Matt and Sherry, who  
9 all kind of provided some insight and feedback on  
10 the challenging times we're living through as they  
11 lead our Division at DPI.

12 Next we have up our subcommittees.

13 MS. UTZ: Christy, before we do that,  
14 could we go back to the old business and approve  
15 the 2021 summary of actions, and I'll put that up  
16 here.

17 VICE CHAIRPERSON: Sure. Not the  
18 annual report?

19 MS. UTZ: No, it's not the annual  
20 report. That's already done. It's just the---

21 VICE CHAIRPERSON: Summary of  
22 actions.

23 MS. UTZ: ---what we talked about in  
24 September [sic].

25 VICE CHAIRPERSON: So in the agenda,

1 it's under review of the agenda, and so if you  
2 guys would look at that. And we need a person to  
3 make a motion to approve that, and if you don't  
4 mind saying your name too so we can just capture  
5 that in the minutes. I think we still have Becky  
6 on.

7 MS. UTZ: I'll add the link to the  
8 chat box if you guys want to pull it up.

9 VICE CHAIRPERSON: All right.

10 **(Review of June 2021 Summary of**  
11 **Actions.)**

12 VICE CHAIRPERSON: Does anybody see  
13 any errors or changes? Hearing none, would  
14 anybody like to make a motion to approve the  
15 summary of actions from June's meeting that was  
16 held virtually? Anybody?

17 MR. POTTER: So moved.

18 MS. COMBS: This is Aimee Combs. I  
19 can do that. Motion to approve.

20 VICE CHAIRPERSON: Do we have a  
21 second?

22 MR. BAKER: I'll second.

23 VICE CHAIRPERSON: All right. And I  
24 think for purpose of ease, if you guys will all  
25 just put in the chat your name, make sure it's

1 going to Alexis at the very least or everyone  
2 and -- your name and approve, and then she can  
3 capture that and make sure that Becky's able to  
4 see that as well.

5 MS. UTZ: All right. I'll pull the  
6 agenda back up here. I appreciate that.

7 VICE CHAIRPERSON: So I know our  
8 bylaws say that if somebody was to be -- wanting  
9 to give a public comment, they have to be signed  
10 in by 12:30. We are not quite to 12:30 yet. We  
11 had actually scheduled a lunch break at 12:30,  
12 wanting to come back after. So my thought is, we  
13 go into subgroups---

14 MS. UTZ: Well, this first part here  
15 is just for subcommittees to like determine any  
16 goals that they want to accomplish or should be  
17 doing during their session today.

18 VICE CHAIRPERSON: Okay.

19 MS. UTZ: And I will say---

20 VICE CHAIRPERSON: Because we're  
21 going to have to go into different links.

22 MS. UTZ: Well, yes. I will say one  
23 of the things is the Annual Report for 2021, which  
24 is linked here in the agenda. If you guys when  
25 you go to subcommittees -- and, obviously, new

1 members, you'll just go and kind of listen for now  
2 because you weren't part of the last one, but if  
3 you'll summarize what you guys have done and  
4 either---

5 Well, let me do this. Let me show  
6 you the folder. Give me one second to pull it up,  
7 and you should all have access to this. So if you  
8 do not, please let me know. Within the Council  
9 information of Google Drive, you will see a  
10 subcommittee folder, and there I've created the  
11 2021-22 school years for each subcommittee --  
12 thank you -- having issue with some words.

13 So when you go in, if you will just  
14 type who was present for the meeting, and then the  
15 bottom of this is just where you guys capture  
16 notes. This form was created previously. So the  
17 formatting is not -- is not mine. I don't know  
18 who created it. It was before my time. But if  
19 you guys will -- so if fill out the task,  
20 deliverable, members, that's completely up to you.  
21 I do ask that in your notes if you will capture  
22 kind of a general sense of what you guys are  
23 talking about and working on.

24 So for today if in this note section  
25 you will actually capture the summary of what you

1 guys did over the past year, then Cynthia will be  
2 able to gather this information to input into the  
3 '20-21 annual report because she's the one that  
4 kind of finalizes all that. Does that make sense?  
5 Any questions?

6 VICE CHAIRPERSON: Alexis, for this  
7 next 15 minutes or so until we go into a quick  
8 break, you want each of the committee --  
9 subcommittee leads to just kind of give a brief  
10 overview of what they've accomplished this past  
11 year?

12 MS. UTZ: Sure.

13 VICE CHAIRPERSON: Okay. So Cynthia  
14 is not with us, so I can just quickly chime in or  
15 whomever.

16 MS. UTZ: Well, I can start the -- I  
17 can start the breakout rooms, and you guys can all  
18 go and chat, and then I can bring you guys back at  
19 12:30.

20 MS. CHILDERS: Alexis?

21 MS. UTZ: I just saw your chat, Abby.

22 MS. CHILDERS: Okay. Great. Thanks.

23 MS. UTZ: And Abby is in -- she was  
24 the chair for Policies and Procedures, and she  
25 would like to step down as chair. So if a member

1 within that committee would like to step up for  
2 that, we would really appreciate that, but you  
3 guys can also decide that if I push you guys into  
4 meetings.

5 Do you guys want to just go to  
6 meetings?

7 MS. CHILDERS: Alexis, can you just  
8 fill me in with who has been taking over that  
9 while I've been gone?

10 MS. UTZ: That would be a good  
11 question.

12 VICE CHAIRPERSON: I did that  
13 subcommittee once, and I believe -- I don't  
14 remember who else stepped in one other time, but  
15 that was kind of just like nobody was here for  
16 that particular team at that time, I think, in --  
17 not June, but March maybe.

18 MS. UTZ: And I just pulled up who  
19 was in that. So if you are a new member and you  
20 have not gotten with me of which subcommittee you  
21 would like to join, you can speak up now, you can  
22 tell me later.

23 VICE CHAIRPERSON: So, Alexis, do you  
24 have scheduled to go to breakout rooms based on  
25 those committees, or are you just going to drop us

1 into that as we go?

2 MS. UTZ: I should be able to  
3 start -- let me start it. Somewhere on your  
4 screen, you should be able to join a group now.

5 MS. COMBS: Alexis, this is Aimee  
6 Combs. You can put me with the Unmet Needs group.  
7 That's where I hung out at the last meeting.

8 MS. UTZ: Okay. I couldn't remember.  
9 I knew that you had picked one. I just couldn't  
10 remember what it was.

11 MS. COMBS: Yeah. I said no to  
12 Reports and Data, but yes to Unmet Needs.

13 MS. UTZ: Thank you.

14 MS. WILLIAMS-BURCHETTE: Alexis, this  
15 is Tameeka. Where did you say we can click on  
16 that? Because I don't see anything popping up.

17 VICE CHAIRPERSON: I don't either.

18 MS. WILLIAMS-BURCHETTE: Because  
19 normally it would be like a little -- you can kind  
20 of see it in the center of your screen, and you  
21 can kind of click in, but I don't see anything.

22 MS. UTZ: Okay. Did anything change  
23 when I stopped sharing my screen?

24 MS. WILLIAMS-BURCHETTE: No. We can  
25 just see everybody that's at the meeting.

1 MR. POTTER: I'm not getting  
2 anything.

3 MS. COMBS: It's tell us that you're  
4 going to assign us to a session to join. It says,  
5 "Breakout sessions have started. The host will  
6 assign you to a session to join."

7 MS. UTZ: How about now?

8 MS. WILLIAMS-BURCHETTE: I don't have  
9 that either? Where did you see that at, Aimee?

10 MS. COMBS: If you go under -- if you  
11 click on participants, now it says, "You can join  
12 any session," and then there's a blue bar that  
13 says, "Show all breakout sessions."

14 MS. WILLIAMS-BURCHETTE: Oh, okay.  
15 Got you.

16 MS. CHILDERS: Okay. Got it.

17 MS. WILLIAMS-BURCHETTE: Yay, Aimee.

18 MS. UTZ: And, like I said, I will  
19 check in with you guys about 12:30 to see if  
20 anyone has signed up for public comment.

21 VICE CHAIRPERSON: And, Alexis, are  
22 you good if I hang back and we'll just do our  
23 executive meeting in the same -- we'll stay right  
24 here.

25 MS. UTZ: Yeah. Executive doesn't

1 have a committee.

2 VICE CHAIRPERSON: Got it.

3 MS. UTZ: We just stay here.

4 VICE CHAIRPERSON: Got it.

5 (A brief recess was taken from 12:18  
6 p.m. to 12:33 p.m.)

7 VICE CHAIRPERSON: All right. So we  
8 have -- on our agenda, we have lunch -- a  
9 30-minute break for lunch. We currently have no  
10 public comment that's been submitted, and so we  
11 will not use that 30-minute time to read those out  
12 or go over those public comments.

13 And so then the only thing we have  
14 left is subcommittee work -- going into  
15 subcommittee, and as Alexis went over the  
16 procedure for filling out your notes pages when  
17 you guys are in subcommittee, I know you just have  
18 come out of subcommittee, but considering we don't  
19 have any public comments, we have a choice to  
20 either go to lunch and take that 30-minute break,  
21 come back, close out the public session, and go  
22 into subcommittee time, or we can go into  
23 subcommittee time right now and end the public  
24 portion of the meeting.

25 So anybody want to speak up and say

1 what you'd prefer? Because being virtual, we can  
2 kind of eat while we're doing our subcommittee  
3 work as well.

4 MS. CHILDERS: I think -- can we just  
5 go ahead and do subcommittees so that we can break  
6 off after that?

7 VICE CHAIRPERSON: Anybody opposed to  
8 that?

9 MS. WILLIAMS-BURCHETTE: Sounds good  
10 to me.

11 VICE CHAIRPERSON: All right. So  
12 then Alexis will put back up the subcommittee  
13 links---

14 MS. UTZ: Before we do that, let's  
15 officially---

16 VICE CHAIRPERSON: Oh. We've got to  
17 adjourn.

18 MS. UTZ: ---adjourn this meeting so  
19 that Becky doesn't have to sit around and wait for  
20 that.

21 VICE CHAIRPERSON: Correct. So  
22 anybody want to make a motion to adjourn the  
23 public portion of the meeting?

24 MR. POTTER: So moved. It's---

25 MS. UTZ: All right. Thank you,

1 Matthew.

2 MR. POTTER: It's Matt Potter, by the  
3 way, in case anybody needed that.

4 VICE CHAIRPERSON: Thank you, Matt.

5 MR. POTTER: No problem.

6 VICE CHAIRPERSON: Appreciate that.

7 And then a second?

8 MS. HODGES: Kristin Hodges. I  
9 second.

10 VICE CHAIRPERSON: Thank you,  
11 Kristen.

12 MS. UTZ: All right. I will get  
13 working on that. And so what I'm going to do is  
14 I'm going to start the breakout rooms again, and  
15 hopefully, you'll be able to see the join thing.  
16 When you and your committee are done, you can just  
17 log off. You don't have to do anything for me,  
18 but I will be here if you---

19 VICE CHAIRPERSON: Alexis, do you  
20 have their -- you have the ability to see their  
21 notes so they don't need to re-share them with  
22 you---

23 MS. UTZ: Yes.

24 VICE CHAIRPERSON: ---correct? Okay.  
25 And then I'll be able to view those, and then you

1 and I and Cynthia get back together in another  
2 week or so, and we'll be looking towards December.  
3 If you guys have any concerns or topics you want  
4 to be on the agenda for December, please just send  
5 one us a message and let us know, and we will get  
6 working on it.

7 All right. So we're going to adjourn  
8 and your breakout sessions should be in the same  
9 place under the word "Participants," and I see  
10 folks falling off. So that's good.

11 (At 12:35 p.m., the meeting  
12 adjourned.)

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CERTIFICATE OF REPORTER

I, REBECCA P. SCOTT, Verbatim Reporter, do hereby certify:

That said proceeding was reported by me and the foregoing pages, numbered 4 through 117, are a true record of the proceeding to the best of my knowledge and belief;

That I am neither related to nor employed by any of the parties or counsel employed by the parties hereto, nor interested directly or indirectly in the matter in controversy, and am not financially or otherwise interested in the outcome of the action.

Certified this 8th day of October, 2021.



Rebecca P. Scott