

COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN

June 10, 2020

Summary of Actions

Welcome, Call to Order, Introductions, Review of Agenda, Review of Meeting Minutes – March

Chairperson Cynthia Daniels-Hall called the virtual meeting to order. Council members provided self-introductions and reviewed the day's agenda.

The December Summary of Actions was reviewed. The Council approved the December Summary of Actions with one edit of the date. It was decided at that time to forego committee work, since it was a virtual meeting and it would be difficult to break into groups.

OSEP Visit Debrief

Carol Ann Hudgens started the conversation acknowledging that there were many Council members present during the Office of Special Ed Programs visit the last week of January 2020. Their last visit was in 2011. A couple of things constitute a visit from OSEP. In our situation, we have a new director, and another element is that in North Carolina, we have a large IDEA grant. OSEP wants to be certain that we are allocating the grant and monitoring the funds appropriately.

OSEP conducted three days of interviews here at NCDPI, and the other days, they visited schools. They visited Charlotte-Mecklenburg, Wake, and Wilson Counties. They spoke with teachers, school leadership, and district leadership.

Council members who were in attendance expressed how impressed they were in the process and how well NCDPI handled the interviews.

A formal report from OSEP is expected 120 days after the visit.

AU Policy Changes

Carol Ann Hudgens provided details around the AU policy. She offered clarification to be certain that our council and families and anyone who is participating understands the requirements and when the requirements go into effect for individuals who are suspected of having autism as a disability or individuals that may be entering into the reevaluation process since the new policies went into effect.

-There are new NC required screenings/evaluations; motor screening and sensory processing evaluation. Due to this change, the reevaluation meetings (or triennial) should be scheduled well in advance to obtain these evaluations, if necessary.

-Reevaluation to obtain these new screenings/evaluations only need to occur during the triennial cycle or if the IEP team determines additional testing is needed. It will not cause automatic statewide retesting of children identified under the Autism category.

-The policy went into effect on January 1st, 2020. Any child referred for the first time, where autism was the suspected disability, must adhere to this policy. This includes reviewing all existing data which may already include motor and sensory processing information. These screenings/evaluations need only be requested if this information is not present.

-There are several reasons a reevaluation could be conducted. 1- programming and 2- eligibility

1- Data needed for programming does not require teams to discuss if the child remains eligible for special education. It is data collected for the purposes of addressing the child's unique learning needs.

2- When eligibility is discussed by IEP teams, they must ensure all required evaluations and screenings have been conducted to ensure adequate information is present to make the determination.

-An IEP team, in consultation with the parents, can determine that additional evaluations are not needed at the time of the triennial. This is acceptable if there is extensive data present to develop a good IEP for the student.

-Timeline for conducting evaluations when requested: The regulations state they must be conducted in a reasonable time but there is no specific timeline mentioned. Each situation requesting a reevaluation is unique as to what is considered reasonable.

-The new requirement for a motor screening and sensory processing evaluation should not render previously eligible students with a history of well-documented results under autism to no longer be eligible for services.

Public Comments

One person signed in for public comments.

Public Speaker: Parent of a child with dyslexia and dysgraphia. The child was removed from the school system after he was refused an evaluation for testing for a suspected learning difference.

Speaker wanted to give feedback from a growing number of parents who are stating that their children are being placed on an IEP under categories that they feel are inappropriate. Parents feel that this is a disturbing trend and feel that they should be at the forefront of the decision-makers on the IEP team.

Agency Updates

Director Sherry Thomas gave updates via a slide presentation.

Updates: EC Division has several new staff. PMA has new consultant Libby Loring. SPD has new IDEA fiscal monitor, Adam Parent. STARS has a new occupational therapy consultant, Bridgette LeCompte. There have been two shifts in roles. Jennifer Sims and Khaliliah O'Farrow-Boulware, who were previously in CECAS delivery team, are now on the SPD team as User Support Specialists.

Director Thomas acknowledged the Council members who attended the OSEP visit. She gave brief summary of the OSEP visit. The visit consisted of five days. Three of those days were in the NCDPI building, and two were out in districts. With the visits in the building, the focus was our SLD policy and the Multi-Tiered System of Support framework that we have in place across the state. They also looked at how we do our program monitoring, and how we look at compliance. They monitored the state complaint process. Especially complaints around Child Find, due process, corrective actions and how we follow up. During the district visits, OSEP was looking at learning disabilities to see if there has been a delay of referral or eligibility determination due to a Multi-Tiered System of Support or an intervention process that was delaying those referrals to happen as well as looking at private psychiatric residential treatment facility placement, if schools have been engaged in that process, if they've had any interaction with those areas. As a result of a debrief with OSEP, Director Thomas happily reported that there were no red flags in the conversations with the districts. There should be a report within 120 days of the visit.

Read to Achieve: There have been some heavy traffic around the Read to Achieve requirements and ensuring that all students with disabilities are participating. A memo was sent out on January 29, 2020 that stated all students with disabilities shall participate in Istation.

Reading Camps: Third grade students who meet the good cause exemption will become a low priority for Reading Camp because the goal is to increase the student's knowledge so that they can meet their target and not be retained.

State Budget: We have a continuation of last year's budget. Everything allotted for the from a state level has been the same amounts in the '18-'19 fiscal year.

Good news: A contract was approved to work with the Council for Exceptional Children's national office to develop a program for new teachers in special education. This is for certified teachers with first year in the classroom experience. It will pay for them to be a member of the Council.

More good news: A new grant system where the districts can apply for the subrecipient IDEA grant. The preschool grant has merged with the K-12 grant, so they will complete one grant with both components in place which will save time for the directors.

SLD Policy update: The policy that was approved in 2016 by the State Board that goes into effect July 1, 2020. There was a stakeholder meeting held in November to look at the language that was problematic. The things that came out of the meeting were

- To define research intervention or evidence-based research intervention.
- To remove language that is related to group comparisons among culturally similar peers.
- Defining SLD as a disorder instead of disability

Announcements

There was a question around current membership and making sure all vacancies were filled. The priority in filling vacancies are parents or individuals with disabilities. Sherry Thomas has been working on legislative appointments with a liaison on both sides to encourage them to fill that position or renew a term.

Chairperson Cynthia Daniels-Hall suggested Alexis Utz, Parent Liaison, would be a good point person to speak with the various special education advisory committee in the areas that the council doesn't have representation.

After the break, there were no additional public comments and no other business to discuss, so a motion was carried that the meeting be adjourned.

The meeting adjourned at 12:33 pm.