

COUNCIL ON EDUCATIONAL SERVICES
FOR EXCEPTIONAL CHILDREN

Raleigh, North Carolina
March 13, 2019
9:45 a.m.

TRANSCRIPT OF QUARTERLY MEETING

The quarterly meeting of the Council on Educational Services for Exceptional Children was held on the 13th day of March, 2019, in the State Board of Education Boardroom, Education Building, 301 North Wilmington Street, Raleigh, North Carolina, commencing at 9:45 a.m.

APPEARANCES

COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN
BOARD MEMBERS PRESENT:

Leanna George, Chairperson

Anthony Baker
Kathryn Barnes
Anna Carter
Abby Childers
Diane Coffey
Cynthia Daniels-Hall
Jennifer Frey
Christy Grant
Kristen Hodges
Katie Holler (via Webinar)
Christy Hutchinson
Adam Johnson
Selene Johnson
Teresa Mebane
Virginia Moorefield
Jennifer Mullis (via Webinar)
Cache Owens
Lisa Phillips (via Webinar)
Kelli Terrell

STAFF:

Tish Bynum
Amanda Byrd
Carol Ann Hudgens
Matthew Martinez
Sherry Thomas

VISITORS:

Whitney Barnes
Erin Conner (via Webinar)
Carolina Farmer
Virginia Fogg
Eric Hall
Rebekah Richmond (via Webinar)
Geri Smith

COURT REPORTER:

Rebecca P. Scott

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TABLE OF CONTENTS

PAGE NO.

Call to Order and Introductions..... 4

Review of December Meeting Minutes..... 8

Followup - Council Statement to Governor's
 Crime Commission by Leanna George..... 9

Disability Rights - Year in Review presentation
 by Virginia Fogg..... 14

Progress Monitoring, Significant Cognitive
 Disabilities presentation by Matthew
 Martinez..... 76

Lunch Recess..... 107

Public Comment summary by Chairperson..... 108

Surrogate Parents presentation by Carol Ann
 Hudgens..... 124

Agency Updates by Sherry Thomas..... 156

Announcements..... 191

Meeting Adjournment..... 196

Certificate of Reporter..... 197

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1 Thereupon, the following proceeding was held:

2 THE CHAIRPERSON: Good morning,
3 everyone. Welcome to this meeting of the Council
4 on Educational Services for Exceptional Children.
5 I always get tongue twisted when I'm saying that.
6 We've had a very busy year, haven't we?

7 I know we have a few new members with
8 us today. I'm going to go ahead and introduce
9 myself and then maybe if we can go around. So my
10 name is Leanna George. I'm the Chair of this
11 Council. I have two children with
12 exceptionalities. My daughter is in a group home
13 in Marion, North Carolina. She has severe
14 intellectual disabilities, autism. She's a
15 teenager. Fun. And my son, who is right here,
16 who is actually homeschooled, and he's supposed to
17 be doing his schoolwork. He's probably not.

18 But it's a pleasure -- it's been a
19 pleasure working with you the last several years,
20 and I look forward to continue working on this
21 Council with you. Thank you very much for the
22 opportunity.

23 MS. BARNES: What do I need to say?

24 THE CHAIRPERSON: Just say who you
25 are, maybe where you're from, what is your

1 experience with disability, things like that.

2 Does that sound good?

3 MS. BARNES: Yeah. I'm Kathryn
4 Barnes. I am functioning autistic.

5 THE CHAIRPERSON: Awesome. Thank you
6 for coming.

7 MS. DANIELS-HALL: I'm Cynthia
8 Daniels-Hall. I'm a parent and an education
9 advocate. I have six children, three of them are
10 on the autism spectrum of disorders, and I'm from
11 Wake County.

12 MS. COFFEY: I'm Diane Coffey. I'm a
13 parent of two children with special needs, and I'm
14 from Watauga County.

15 MS. MEBANE: I'm Teresa Mebane. I'm
16 from the Wilmington area, New Hanover County. I
17 have three boys with autism. I work for the
18 Autism Society of North Carolina and Family
19 Support Network.

20 MR. BAKER: My name is Anthony Baker.
21 I'm an assistant principal in Elon, North
22 Carolina, at Western Alamance Middle School. I've
23 been an assistant principal now going on seven
24 years. I'm a former EC teacher, EC chair. I
25 worked in that capacity for ten years.

1 MS. MOOREFIELD: I'm Virginia
2 Moorefield. I'm a parent of a child with severe
3 traumatic brain injury. I'm also an interpreter
4 for the deaf, a regular Ed teacher, that mom kind
5 of across the board, from the Raleigh area.

6 MS. FREY: Jennifer Frey. I'm a
7 parent of a son with autism, and I'm from the
8 Mecklenburg County area.

9 MR. JOHNSON: My name is Adam
10 Johnson. I'm the Director of Education Services
11 for Juvenile Justice.

12 MS. TERRELL: Kelli Terrell. I'm the
13 Exceptional Students Director with the Department
14 of Public Safety, Adult Prisons.

15 MS. THOMAS: Good morning. I'm
16 Sherry Thomas, and I'm the Director of the
17 Exceptional Children Division, and I'm delighted
18 to be with you today.

19 MS. HUDGENS: All right. I'm going
20 to nod to our virtual attendees. Jennifer DeGen
21 is going to be typing in her responses. Her audio
22 is a challenge. So, Katie, I'm going to unmute
23 your line, and if you will introduce yourself.

24 MS. HOLLER: My name is Katie Holler.
25 I'm the parent of five daughters, four of which

1 have autism. I just started as a Research or a
2 Resource and Referral Specialist for the
3 Greenville TEACCH Center. Thank you.

4 MS. HUDGENS: Thank you, Katie. All
5 right, Lisa.

6 MS. PHILLIPS: Good morning. My name
7 is Lisa Phillips. I'm the State Coordinator for
8 the North Carolina Homeless Education Program, and
9 that's through the Department Public Instruction
10 under Federal Program Monitoring and Support, and
11 I'm just thrilled that I could call in today
12 because I'm heading out of state for business. So
13 thank you for setting this up---

14 MS. HUDGENS: Thank you, Lisa.

15 MS. PHILLIPS: ---and for everyone's
16 support. Thank you.

17 COURT REPORTER: Good morning,
18 everybody. I'm Becky Scott. I'm the court
19 reporter. I'm going to make a record of
20 everything that everybody says today.

21 MS. BYNUM: I'm Tish Bynum. I'm a
22 Special Assistant for the North Carolina
23 Governor's School as well as Administrative
24 Assistant to this Council.

25 MS. CARTER: Good morning. My name

1 is Anna Carter. I'm the Director of the Division
2 of Child Development and Early Education, part of
3 DHHS. We have oversight for child care programs,
4 for child care subsidy, and for the state pre-k
5 program.

6 MS. HUTCHINSON: Christy Hutchinson,
7 EC Director at Lincoln Charter School, and for
8 this Council, I'm the charter school
9 representative.

10 MS. JOHNSON: I am Selene Johnson. I
11 represent private schools. I'm in Winston-Salem,
12 North Carolina. I work with ABC of North
13 Carolina. We are a comprehensive campus providing
14 diagnostic, therapeutic, and education services
15 for children preschool through high school.

16 MS. GRANT: Good morning. I'm
17 Christy Grant, the Exceptional Children's Director
18 with Nash-Rocky Mount Schools, and I represent
19 traditional LEAs.

20 MS. HUDGENS: And I'd like to
21 introduce Jennifer online. She is a facilitator
22 of Exceptional Children in Charlotte-Mecklenburg
23 Schools. So thank you, Jennifer, for
24 participating.

25 THE CHAIRPERSON: All right. Has

1 everyone had a chance to review the minutes from
2 the last meeting? If everyone is -- unless
3 there's any issues with them, ready to make a
4 motion.

5 MS. HUTCHINSON: I'll make a motion
6 to accept the minutes as they're written.

7 THE CHAIRPERSON: Okay. Do I hear a
8 second?

9 MR. BAKER: Second.

10 THE CHAIRPERSON: All right. All in
11 favor?

12 **(All Council Members responded aye.)**

13 THE CHAIRPERSON: Okay. Moving on
14 down, I had written up the letter for the
15 Council's statement to the Governor's Crime
16 Commission. I got distracted and did not get it
17 actually mailed, but I got it written. However, I
18 was going to email it this morning from here
19 because it was on my mind, and I cannot connect to
20 the Wi-Fi right now. So as soon as I can connect
21 to the Wi-Fi, I will have it in their inbox.

22 So would anyone like to hear what was
23 the final letter to them?

24 **(Multiple Council Members responded**
25 **affirmatively.)**

1 THE CHAIRPERSON: You would. Okay.
2 All right. I started off, "My apologies for not
3 submitting this letter sooner. The Council on
4 Educational Services for Exceptional Children
5 worked on this back in December, and I had it
6 ready to send but realized that I forgot a
7 component, and then I forgot to submit it.

8 "Please take into consideration these
9 concerns and suggestions as the Commission
10 continues to address concerns involving schools
11 and students. On December 12th, 2018, the Council
12 on Educational Services for Exceptional Children
13 discussed the request for comments made by the
14 Governor's Crime Commission regarding school
15 shootings.

16 "As a group made up of parents,
17 teachers, and school administrators that focuses
18 on students with disabilities, we acknowledge the
19 challenge that some of our students present in a
20 schoolwide crisis. We feel these students can be
21 successful during these stressful times with
22 appropriate planning on the local district,
23 school, and classroom levels.

24 "Together we compiled the following
25 list of thoughts, comments, and recommendations.

1 This list is not exclusive to school shooting
2 emergencies, but encompass recommendations for
3 other emergency situations as well.

4 "(1) The Special Committee on School
5 Shootings include parents or special education
6 teachers. We recommend that the committee on
7 school safety include at least two special
8 education teachers, one with an adapted curriculum
9 licensure and one with a general curriculum
10 license. These teachers with experience will be a
11 vital asset to the committee as they consider how
12 recommendations made impact these students and how
13 to improve implementation recommendations.

14 "(2) We recommend that local district
15 and school level crisis planning teams include at
16 least two special education teachers, one with an
17 adapted curriculum licensure and one with a
18 general curriculum license. Utilizing teachers
19 with both licenses will mean a broad range of
20 concerns and challenges that students may present
21 can be discussed as a crisis plan is made.

22 "We recommend that a list of students
23 with high support needs who require additional
24 planning and consideration during a crisis be
25 included in the school crisis plan and that the

1 teachers, parents, and others familiar with the
2 students engage in individualized planning of how
3 to implement the schoolwide plan with the student.
4 Examples could include functional goals on the IEP
5 to promote cooperation during traumatic events,
6 planning for staff coverage to ensure proper
7 supervision for students who are prone to elope or
8 need assistance to egress the building, and the
9 creation of emergency bags that contain items that
10 students with sensory needs may require to
11 self-regulate in a stressful environment.

12 "We recommend open communication
13 between school district and state level
14 professionals in crisis and emergency management
15 to share experiences and results with the aim of
16 improving plans. We recommend training for
17 emergency responders, teachers, and students to
18 better understand the needs of individuals with
19 disabilities during a crisis and to prepare
20 students for emergency situations.

21 "Finally, we recommend that students
22 consistently practice their crisis plans -- that
23 schools consistently practice their crisis plans.
24 We recognize that fire drills happen on a regular
25 basis, but other drills are much less common.

1 Drills help students know what to do during a
2 crisis and help the school identify potential
3 challenges they may face. We believe all students
4 benefit from practice and confidence that is
5 gained during drills by knowing their part of the
6 school's crisis plan.

7 "I'm also attaching a report from the
8 Council for Exceptional Children, a national
9 professional organization for educators of
10 students with exceptionalities, regarding this
11 issue as well.

12 "Thank you for considering our
13 recommendations and for your service to our
14 communities and schools.

15 "Sincerely, Leanna George."

16 Okay. And, as I said, as soon as I
17 get Wi-Fi, I'll be sending it.

18 MS. MOOREFIELD: And, Leanna, I have
19 a hot spot, if you want that.

20 THE CHAIRPERSON: Okay.

21 MS. MOOREFIELD: And, also, the IEP
22 that I did the advocacy for, we did add that into
23 her IEP.

24 THE CHAIRPERSON: Awesome.

25 MS. MOOREFIELD: She is -- she's not

1 diagnosed on the autism spectrum, but she has
2 autistic tendencies, and unexpected alarms is a
3 big time trigger.

4 THE CHAIRPERSON: Yeah.

5 MS. MOOREFIELD: So we did write that
6 into her IEP. I think we had to put it in the
7 other category, but we were able to set up that
8 each therapist that she goes to, each special
9 classroom that she goes to, and her regular ed
10 classroom have her necessary equipment in their go
11 bag, their red bag. So I'm excited about this.

12 THE CHAIRPERSON: Good.

13 MS. MOOREFIELD: And I'll turn it on
14 for you.

15 THE CHAIRPERSON: At lunch. We'll do
16 that at lunch. That sounds good. Any other
17 comments on this?

18 **(No audible response.)**

19 THE CHAIRPERSON: All right. Thank
20 you very much. So we're ready to move on
21 Disability Rights, a year in review. Miss Ginny?

22 MS. FOGG: Good morning. I am
23 Virginia Fogg. I go by Ginny. And I'm an
24 attorney at Disability Rights North Carolina. I
25 am the supervising attorney on the special

1 education team, and we're here today to give you
2 some background information about what we've been
3 working on in the past year, and we appreciate the
4 invitation to talk with you today, and also to
5 answer any questions that you may have about our
6 recent work or upcoming work. I'm very happy to
7 answer those questions.

8 And I have with me today Carolina
9 Farmer, who is the intake supervisor on our team.
10 So she is sort of our first line of response when
11 we get a call from a parent or an advocate in the
12 community who has a question about a special
13 education matter and is looking for our advice.

14 So we -- if you're not familiar with
15 Disability Rights, we are the State's protection
16 and advocacy organization, and every state is
17 federally mandated to have a protection and
18 advocacy organization for citizens with
19 disabilities in the state. And our mandate
20 includes protecting the rights of individuals with
21 disabilities throughout their entire life span, so
22 from birth to death.

23 So while my team focuses on students
24 who are in pre-k through twelfth grade, there are
25 other teams in our office that focus on lots of

1 other issues that effect people with disabilities
2 throughout their lives. Such as there's a whole
3 group that works on community inclusion and
4 working out issues with funding and services with
5 the LMEs and MCOs. We have advocates. We have
6 attorneys. We have community organizers and
7 communications folks. And our executive director
8 sits on several different legislative councils and
9 study groups. But our overall goal is to protect
10 the rights of individuals with disabilities in the
11 state.

12 Now for the past several years, our
13 target work on the special education team has been
14 to keep students with disabilities in school. And
15 that may sound rather basic, but we do have quite
16 a few situations that keep us pretty busy where
17 students with disabilities appear to be being
18 excluded from school for reasons related to their
19 disability.

20 So a few years ago, this work mainly
21 involved students who were long-term suspended and
22 who perhaps the incident appeared to be related to
23 their disability. So perhaps it was a student
24 with autism who had had a meltdown and ended up
25 striking a staff member, which is a violation of

1 the code of conduct, but that process should
2 involve going through a manifestation
3 determination review by the IEP team and should
4 likely involve a functional behavior assessment
5 and a behavior intervention plan. And we
6 recognize that there are many, many school
7 districts and individual schools that are
8 following the procedures correctly, but then there
9 are also quite a few that aren't.

10 And so when a parent calls us with
11 that type of scenario, that is the type of case
12 that we generally will take for direct individual
13 representation. So we'll assign an attorney
14 and/or advocate to the case, and we'll go to an
15 IEP meeting. We'll get the school records. We
16 will sometimes file a state complaint with DPI.
17 We very, very rarely file due process at the
18 Office of Administrative Hearings, but we do have
19 the ability to do that if we determine that's
20 necessary.

21 A few years ago, we started seeing a
22 trend where there were fewer and fewer long-term
23 suspensions, which we were extremely happy about,
24 but then we also started seeing a trend toward
25 homebound placements instead of long-term

1 suspensions. And so the student for the same
2 behavior would not actually get suspended, but
3 there would be a very short-term suspension, say,
4 maybe three to five days. In that time period,
5 there would be an IEP team meeting, and the IEP
6 team, usually over the parents' objection, would
7 decide to place the student on homebound.

8 And we recognize that homebound is an
9 appropriate placement for some period of time for
10 some students, but in the cases that we were
11 seeing, fairly often, a lot of steps had been
12 skipped over on the continuum of placements before
13 that homebound placement should have been
14 considered the least restrictive environment for
15 the student.

16 As part of that work, we approached
17 DPI a couple years ago and said -- specifically, I
18 met with Carol Ann, and I said, "You know, we
19 think this is an issue," and they readily agreed
20 to look into it. And we formed a stakeholder
21 group with representatives of LEAs across the
22 state and parents and advocates to look at the
23 problem and to see if what we were seeing was just
24 sort of, you know, blips on the screen or if it
25 was actually, you know, a statewide issue.

1 And the stakeholder group met quite a
2 few times, and part of the work they did was to --
3 we did was to create a survey to send to all LEAs,
4 which obviously includes charter schools because
5 they're public schools as well and they are
6 subject to IDEA. And we got a really good
7 response from the survey thanks, in part, to Carol
8 Ann's nudging, I think, of a few LEAs, but we got
9 about 80 LEAs responding to give us some idea of
10 how they were using homebound.

11 And part of our homebound work
12 included asking about modified day schedules
13 because that's another thing that we see that
14 sometimes is not as apparent on the IEP documents
15 or in the student's school record. So a modified
16 day would be where somebody has made a decision --
17 maybe the IEP team, maybe the principal -- that
18 the student could not come to school for a full
19 day. So, therefore they're not getting the full
20 six and a half hours a day.

21 And, again, we recognize that this
22 might be a good solution for a temporary period of
23 time while you're trying to work something else
24 out, but we were seeing cases where students had
25 been on modified day for anywhere from one to

1 three years. It just became the thing, and
2 students were not able to graduate from high
3 school because they hadn't been able to accumulate
4 the credits.

5 And so our survey showed some
6 interesting statistics. The most common -- the
7 most common number of hours of service while on
8 homebound was zero to three hours per week, which
9 is, you know, really, really low, and that was
10 very concerning to us, and it was -- over 40
11 percent of the students, I think, were on
12 homebound for over 75 days during the school year,
13 which is over a third of the school year if you
14 look at the number of school days.

15 And so we felt like, okay, we're not
16 imagining this. This is an issue. So the group
17 decided to create some guidance, the homebound
18 guidance, that includes steps for LEAs and
19 particularly IEP teams to consider when they have
20 a situation where the student is having
21 significant behavioral challenges, and you know,
22 there are folks in the school setting that feel
23 like this is not working. We might need to, you
24 know, have this student not at school or at least
25 not in the placement that they're in. So there's

1 a whole number of steps, which the steps really
2 are compliant with IDEA and the procedures that
3 are supposed to be followed.

4 And then the back part of the
5 document includes a whole lot of resources for --
6 for IEP teams and families and advocates to inform
7 them of and, hopefully, allow them to access, and
8 they really involve a lot of mental health
9 services and educational services.

10 One of the things we kind of found
11 particularly interesting is that some IEP teams
12 are really unfamiliar with what a functional
13 behavior assessment is, and there are resources
14 out there for that, but for some reason, they're
15 not connecting or it's just -- somebody doesn't
16 feel quite qualified to do that in the way that --
17 in our experience, when we see it done correctly,
18 it can be quite illuminating and really help
19 resolve some of the issues.

20 So that's the focus of our work. We
21 also have taken some cases recently where students
22 have been excluded from school because of a lack
23 of, say, nursing services, and there may be some
24 nursing services, but it just may not be -- you
25 know, we don't have backup nurses when one nurse

1 is absent and so the student can't come to school,
2 or it takes a really long time to get the nursing
3 services in place. So we've taken a few of those
4 cases, and we're resolving those primarily by
5 going to IEP meetings and trying to negotiate that
6 work.

7 And we also -- part of what we do is
8 we're required by federal law to do information
9 and referral. So if somebody calls in -- a parent
10 or an advocate calls in and the situation they're
11 describing is not within our target of students
12 being excluded from school for reasons related to
13 their disability, we still provide information
14 about the student's rights and how to access those
15 rights.

16 And so we have quite a few fact
17 sheets that we've developed on things such as IEP
18 implementation, IEP dispute resolution, bullying.
19 We have a couple of really good bullying fact
20 sheets that explain both the federal law which
21 applies to students with disabilities and the
22 state law which applies to students -- all
23 students, with or without a disability. We have
24 found -- we think that those have been really
25 effective. If you have any feedback on that, we'd

1 like to know because we want our information and
2 referral to be effective and helpful for parents.

3 The other part of our information
4 referral is that we quite often provide the
5 dispute resolution consultant's phone number at
6 DPI. So I think, you know, sometimes we kind of
7 overwhelm them because we're getting a lot of
8 calls in, and we're continually giving that number
9 out, but we feel like, you know, part of that
10 information referral should include, you know, the
11 parents knowing that they can call DPI and
12 describe the situation and get some feedback from
13 the consultants and perhaps file a complaint or
14 perhaps not file a complaint. So we find that to
15 be very helpful.

16 Do you-all have questions for us?

17 Sure.

18 MS. FREY: Quick question. You were
19 talking about the fact sheets and the bullying
20 sheets and everything. Are those accessible on
21 your website for parents to go and download those
22 and be able to share?

23 MS. FOGG: Yes, they are. I will say
24 that our website has undergone several
25 permutations, I'll say that, and for a while, they

1 were a little hard to find. But they should very
2 recently now be pretty accessible, and if not,
3 anybody can call and we're happy to send them out,
4 but they are on the website, yes.

5 MS. MOOREFIELD: And what is the
6 website address?

7 MS. FOGG: It's
8 disabilityrightsnc.org. Yes?

9 MS. MEBANE: Are you guys collecting
10 information on patterns? Like if you're seeing
11 certain patterns in certain areas or certain
12 school systems, are you collecting data on that?

13 MS. FOGG: Sure. We do collect it
14 very informally by the calls that we get, and
15 that's part of the reason that Carolina is so
16 helpful to us because she will come to me and say,
17 "Hey. I've gotten three calls in the last two
18 weeks from this parent --" I mean -- "this area,"
19 you know, "this LEA" or "this charter school."
20 And so then we start thinking about, you know,
21 looking to see what there might be, and then in
22 that situation, then we may decide that a case
23 that -- you know, we try to find capacity -- if
24 that case is in target or close to target, we try
25 to find capacity because we are charged with

1 trying to effect systemic change.

2 So, also, when we file a complaint or
3 when we are taking a case and not filing a
4 complaint and just going to IEP meetings and
5 negotiating with school attorneys, we ask for
6 systemic remedies. Even if we haven't filed a
7 systemic complaint, we're asking for systemic
8 remedies. So we are trying to make sure that, for
9 instance, all principals in the LEA are trained on
10 behavior supports or, you know, all of the EC
11 staff is trained.

12 And so we do see trends. So
13 sometimes we'll file a couple of state complaints
14 for the same school district within a couple of
15 weeks of each other because we have just gotten
16 those calls in, and we're seeing a trend. Yes?

17 MS. DANIELS-HALL: Could you tell us
18 a little bit about how you pick your targets?

19 MS. FOGG: How we pick our targets.
20 Part -- part of the process involves our
21 communications folks in the office doing statewide
22 surveys and holding -- in the past, we've held
23 what's called listening sessions. I'm not sure.
24 We're coming up -- we do that every, I think, four
25 to five years where we actually physically go

1 across the state and invite people to come into a
2 room and tell us the issues that they're seeing.
3 And then every year we do also send out a survey
4 and ask people with disabilities or people who
5 advocate for or interact with people with
6 disabilities to tell us what they think our target
7 should be.

8 MS. DANIELS-HALL: Thank you.

9 MS. FOGG: Yes?

10 MS. JOHNSON: For the students who
11 are receiving homebound instruction, were you able
12 to see any trends on what the next step was for
13 them when they reentered the system?

14 MS. FOGG: We couldn't see that
15 through the survey. I'll tell you, in our
16 experience with cases, usually it involves getting
17 behavior specialists involved, and most school
18 districts have behavior specialists on staff.
19 Some don't. And so we advocate that you find
20 somebody in the community and bring that person
21 in. Sometimes you just -- if it's a behavior
22 specialist, say, for a child with serious
23 emotional disability, sometimes you just need the
24 autism specialist in there who also serves as a
25 behavioral specialist. And really it involves

1 doing an FBA and identifying, you know, what led
2 to the situation, what caused that situation to
3 occur that essentially resulted in a violation of
4 the code of conduct.

5 MS. GRANT: Can you talk a little bit
6 about your unannounced monitoring visits specific
7 to seclusion and restraint?

8 MS. FOGG: Sure. That is -- thank
9 you for reminding me of that. I don't head that
10 up, so I omitted that inadvertently. We, this
11 past school year, started a program in sort of a
12 target -- a second target to reduce restrictive
13 interventions of students with disabilities, and
14 in our office, restrictive intervention means a
15 student who is being put in a seclusion room or is
16 being restrained.

17 So we actually have a staff member
18 who is an advocate who goes across the state and
19 makes unannounced visits to -- right now it's
20 almost primarily -- it's almost a hundred percent
21 the separate schools, and North Carolina has quite
22 a few separate schools for students with
23 disabilities. This is related to some of the
24 other work that we do.

25 Part of our federal mandate is to do

1 investigation and monitoring where people with
2 disabilities receive services. So a good part of
3 our group in our office, they go to adult care
4 homes, they go to PRTFs, they go to places where
5 people with disabilities live 24 hours a day, but
6 the federal law does say that it's where people
7 receive services, and that has been determined to
8 include schools.

9 So we have -- it's called our access
10 authority through federal statute that allows us
11 to go in unannounced and to essentially tour the
12 facility and ask questions of the staff members
13 about what's being -- what's happening with
14 seclusion and restraint. In the facilities where
15 people live, it involves also looking at their
16 living conditions and a lot of other things. In
17 the schools, it's mainly a focus on seclusion and
18 restraint.

19 So that is a new -- a new area for
20 the special education -- I say the special
21 education group. There is some separation in our
22 office because part of our ability under the
23 federal statute is if we find -- if we believe
24 that there is abuse or neglect occurring -- and
25 that's very, very broadly defined in the federal

1 statute -- then we can open an investigation and
2 ask for documents and interview staff members to
3 find out what's happening. And we have -- we do
4 get reports of students being injured in seclusion
5 rooms or staying in seclusion rooms for long
6 periods of time or restraint that's happening a
7 lot, you know, in a way that is not being reported
8 to the parent for a very long time, or sometimes
9 we get reports from staff members that "This is
10 happening a lot and I'm concerned about this and I
11 don't know what to do about it."

12 And so, in general, we feel that
13 those situations can always be improved because if
14 seclusion and restraint is happening frequently,
15 then we feel like there's an issue with training
16 or placement or supports or other services that
17 really needs to be looked at.

18 Any other questions? Yes?

19 MS. FREY: You mentioned that it was
20 really happening mostly in the schools that were
21 serving self-contained children. What is the plan
22 for that happening for schools that are providing
23 services within, you know, a regular ed setting to
24 be monitoring those to make sure that certain
25 things aren't happening like that in those

1 settings?

2 MS. FOGG: Right. So I think our
3 next step is, after the separate schools are
4 pretty well monitored and we feel like we've
5 identified and addressed issues there, would
6 probably be to go to schools that have self-
7 contained classrooms because there are quite a few
8 schools where the students are going to a regular
9 ed school, but there's a self-contained classroom.

10 And I think that would probably be
11 the next -- probably the next level of our
12 investigation or monitoring. I will say in
13 regular ed -- and based on what I know -- we don't
14 often see seclusion and restraint in that way
15 because if that's needing to happen, then usually
16 the student would be moved to a more restrictive
17 setting.

18 MS. FREY: Yeah. That's what I was
19 thinking, the self-contained---

20 MS. FOGG: Right. I will say we have
21 had some interesting cases with uses of in-school
22 suspension that actually met the legal definition
23 of either seclusion or isolation, and this was
24 mainly in elementary schools. And, as you all
25 know, the schools are all overcrowded, and there's

1 not enough space for everything that the schools
2 need, and we have had some students who have spent
3 quite a few days in closets or supply closets and
4 things like that that were labeled as in-school
5 suspension.

6 And when we found out, we said, "Hey,
7 you know, this -- this actually violates the
8 Greenblatt law, and we need to talk to you about
9 changing this." And once we brought it to their
10 attention, you know, the EC director wasn't aware
11 of it, and the principal was sort of educated that
12 this is not -- this does not count as in-school
13 suspension.

14 But that is sort of -- that was a
15 regular ed student who, you know, spent a few days
16 in there, and he wasn't injured, but he was not
17 monitored and not free to leave the room.

18 Are there any other questions for us?
19 Yes?

20 THE CHAIRPERSON: I have a question.
21 What would you say is probably the biggest
22 training need that you're seeing based on what you
23 are observing through all the investigations and
24 stuff like that that this Council could possibly
25 make a recommendation for?

1 MS. FOGG: So I would say mental
2 health services and behavior support services. I
3 don't think that's news to anybody. It's
4 certainly not, you know, news to the EC folks
5 here. I don't think it's probably news to you
6 guys. But for some reason, there feels like
7 there's some resistance to embracing the concept
8 that all students need, you know, attention to
9 their mental health needs just like their academic
10 needs and, particularly, some students with
11 disabilities.

12 And that is actually an obligation
13 under IDEA and several other laws for those things
14 to be addressed, and that if you actually address
15 them, you know, really amazing progress can occur
16 and you move forward to work on other -- other
17 things that the student is having challenges with
18 because of their disabilities. So I guess, you
19 know, we just still feel like there's -- with some
20 schools, there's a resistance to wanting --
21 feeling the obligation to serve those students.
22 So that would be the big thing.

23 And we're working -- we were on the
24 school mental health initiative. We're continuing
25 to monitor that work, and we are happy that this

1 is all being talked about now, but we also want to
2 make sure that something real actually happens and
3 it gets addressed. Yes?

4 MS. JOHNSON: Kind of I guess a
5 response. This is my first committee meeting, so
6 apologies if I'm overstepping as I say this, but I
7 was curious about the committee making
8 recommendations, for example, on minimum criteria
9 for the people who are responsible for doing FBAs
10 because, in my experience in working with a lot of
11 different districts, there's a lot of variability
12 in who's conducting the FBA and whether they're
13 fully trained and understand what those steps are
14 in how you develop a behavior plan. So I was
15 wondering if you could speak to that.

16 MS. FOGG: Yes. I mean I think that
17 we would definitely be supportive of that and
18 also, you know, the certain requirements for
19 training for special education teachers and
20 paraprofessional, and I know that there are
21 limitations in the number of days that are in
22 teachers' contracts here. We personally feel like
23 an expansion of a couple days a year would be
24 incredibly helpful.

25 That was a big barrier to getting the

1 mental health in the schools board policy passed
2 that the State Board did pass, but there was a lot
3 of pushback about when is this training going to
4 occur, does it have to occur in person, how many
5 hours does it have to be, who has to be trained.
6 And, you know, I think all the research shows that
7 it's really beneficial to have really good
8 training for, you know, almost all school staff,
9 particularly with regard to prevention and early
10 identification, which I think the research also
11 shows is really, really important.

12 And I think that's one of the things
13 that we would like to see -- and not necessarily
14 that it's happening at DPI, but it's perhaps
15 happening in other places in the state -- is that
16 there's a big focus on not acting until there's a
17 crisis and everything has completely fallen apart,
18 when there are things that could be put in place
19 way earlier that would prevent, you know,
20 situations from developing. And there's lots of
21 research to support that as well. Yes?

22 MS. OWENS: Going along with Leanna's
23 question and your comment, I work with ECAC. It's
24 been almost seven years. The word principal and
25 special education is just become this thing that

1 is tied tightly together somehow, and you
2 mentioned the word principal several times.
3 Almost every call I personally receive mentions
4 the word principal.

5 So I would just like to put it out
6 there that a target group for training and support
7 would be principals, and I heard that mentioned at
8 one point. But it seems like if we're going to
9 have so many principals and assistant principals
10 serving as LEA reps in meetings, making important
11 decisions, sometimes making important decisions on
12 the fly in hallway even, that they really need
13 good training -- EC training.

14 MS. FOGG: We would definitely agree
15 with that. I mean, you know, our first advice
16 when a parent calls, and usually the first step
17 that we take when we actually take a case, is to
18 contact the EC director to make sure that EC is
19 aware of what's going on, and at least half the
20 time, they're not. And then once they are and
21 they can talk with the principal and other members
22 of the IEP team and they can sort of get in there
23 and see what's happening and what the options are,
24 things can be resolved.

25 But by the time -- you know, just

1 like by the time a parent calls you, by the time a
2 parent calls us, it's not good and there's a lot
3 of loss of trust. There's a lack of really
4 effective communication. So I would agree with
5 that. I also think empowering IEP teams to make
6 the decisions that they think actually need to be
7 made would be really helpful.

8 So one of the things that we see is,
9 really, there needs to be some additional staff or
10 additional training or something needs to be
11 changed, but the members of the IEP team don't
12 feel like they can actually recommend that and put
13 that into place. But they're the ones who are on
14 the ground and who see it and who know what might
15 really need to be changed, but as an employee,
16 they don't feel like they can make that statement
17 or have the ability to effect that.

18 And sometimes I think also, because
19 of the way there's this sort of parallel track of
20 EC and principals, the principals also may not
21 feel like they have the power to do that, and also
22 sometimes the EC staff doesn't because of the way
23 staff members are hired and paid. So there
24 definitely needs to be some convergence there.

25 MR. BAKER: I'd like to just add to

1 that. I totally agree with what you're saying.
2 One of the things that was a driving force for me
3 actually going into administration from actually
4 being an EC teacher was just that lack of
5 understanding. There were oftentimes I was
6 actually at IEP meetings and conducting those, and
7 my principal had no idea really what needed to be
8 done or should be done, and they actually looked
9 toward the EC teacher or EC chair for that
10 guidance.

11 But I can say now that I've made that
12 change and I'm actually a part of that
13 administration. That's one of the things that --
14 and I actually have another AP that's a coworker
15 of mine who's also a former EC teacher. So we're
16 very blessed in our school to have that knowledge
17 base.

18 But that is something that we're
19 bringing up in our meetings when we have our
20 administration meetings in the district about that
21 training, and we've been working with our EC
22 director to provide that training across the
23 district for administrators. And so we do see
24 that becoming more evident now, and that is in the
25 process, but I would encourage every school

1 district to look at doing the very same thing.

2 MS. FOGG: Right. And we absolutely
3 know that there are schools that are getting it
4 right, you know, every time because we're not
5 getting -- we don't get those calls, right, so we
6 don't see those situations often. And sometimes
7 we, you know, just need to get the right people in
8 the room, and the right people exist. They just
9 haven't -- you know, that group hasn't been
10 assembled before.

11 Absolutely, I think that that's true,
12 and I think that having EC folks in administration
13 is incredibly helpful. I also think sometimes too
14 through training what we see -- and I've seen this
15 in trainings that I've done. So you try to give
16 out a lot of information. You're usually covering
17 a lot -- a lot of ground, and even if you think
18 you have like explained exactly what would need to
19 happen in a particular situation or how these
20 principles or policies or laws should be applied
21 in a particular situation, I think sometimes that
22 doesn't happen. It doesn't actually sort of
23 trickle down, right, and so -- and it's
24 nobody's -- it's not intentional and it's nobody's
25 fault.

1 And so sometimes I think it's helpful
2 if there's like a point person to call, right? So
3 like you have a situation where a child is
4 continually needing to be pulled out of the class,
5 before it gets to a situation where you're going
6 to long-term suspend that child or have an IEP
7 meeting for homebound, if the principal feels, you
8 know, empowered to call the EC director or call a
9 particular behavior support person and say, "Hey,
10 I don't know what to do about this situation.
11 What recommendations do you have? Or can you come
12 in and do some observations," right, like -- and I
13 know there's issues with observation and
14 evaluation, but like you -- you know, there's ways
15 to go observe a whole class and just kind of see
16 what's happening.

17 So it's sort of the more like
18 immediate like can we -- can we nip this in the
19 bud, can we figure this out before we get to a
20 whole situation where the child is, you know, at
21 home, the parent is in danger of losing their job,
22 and everybody's frustrated and, you know, really
23 doesn't have a way of problem-solving.

24 MS. GRANT: I would like to add too
25 that we have started doing training monthly on

1 topics for EC at our principals meetings and found
2 that to be very effective. They want to know, and
3 oftentimes it's a lack of knowledge and
4 understanding for sometimes the decisions they
5 make on the fly, I guess I would say.

6 Where we have found the most valuable
7 thing that I think we've done is really work with
8 our assistant principals because at our monthly
9 principals meetings, you're right, they are
10 overwhelmed. I mean we have a full day of
11 meetings, and you know when you -- you know when
12 you leave meetings at the central office at the
13 central level, you hit the ground running the very
14 next day when you go back. And oftentimes it's
15 like, oh, wait. Let's go back to that meeting,
16 but it's awhile later.

17 So we have found that -- we
18 restructured how we get training and information
19 out. So we're working with our principals, our
20 APs, our department chairs is what we call them,
21 our EC chairs, and then we're also working with
22 our mental health personnel that we have
23 identified this year, and that's new. So we're
24 having monthly people, at different levels, hear
25 the same thing four times, and when the

1 information about Disability Rights came out that
2 they were monitoring seclusion and restraint,
3 we've been talking about seclusion and restraint
4 for years. All of a sudden, it was important when
5 announced visits can happen. I'm just going to be
6 honest with you, not that it wasn't important
7 before.

8 So we added -- we do six monitoring
9 visits a year with different levels per school,
10 and we now have a checklist that we walk through
11 with our separate classrooms. So it is just a --
12 but it's really a continuing to talk about it.
13 It's not -- you can't do that LEA rep training
14 once a year and think you've hit---

15 MS. FOGG: Right.

16 MS. GRANT: ---all the different
17 topics because different things do come up. But
18 our assistant principals are the ones that are
19 mainly serving as LEA reps. They're the ones that
20 are over our EC departments, and they're the ones
21 that we have found that we can get the most --
22 make the most difference with, with the trainings
23 that we implemented. So thank you. Very
24 valuable.

25 MS. FOGG: Okay. So that's really

1 interesting. So maybe -- maybe we should start
2 including assistant principals in our list, right,
3 as well.

4 MS. HUTCHINSON: They do a vast
5 majority of the discipline.

6 MS. FOGG: Right. Okay. That's
7 interesting. I hadn't realized that. So what you
8 were saying, when we brought the in-school
9 suspension issue to the attention of the EC
10 director, he prepared a training for all
11 principals and went through -- like, okay, look --
12 let's look at -- and he felt empowered to say,
13 "We've had a situation come up that involves this.
14 The child was in this type of storage closet for
15 this long and," you know, whatever.

16 And he said -- what he shared with me
17 was, there were a lot of people in the room who
18 said, "Oh, I haven't done that, but I wouldn't
19 have realized that that would be a big problem.
20 I could have done that," right, and they were very
21 happy to have that situation brought to them as an
22 example. But it took describing the whole facts,
23 and obviously, the student was not identified. I
24 think it was probably known, you know, which
25 school it had happened at, but you know, that was

1 part of that process.

2 MS. HUTCHINSON: I think it might be
3 valuable to -- I think it might be valuable to
4 reach out to the higher ed institutions that have
5 programs in the administrative licensure because
6 I'm sure lots of people sitting around the table
7 have gone through that process.

8 MS. FOGG: Right.

9 MS. HUTCHINSON: And this much
10 (indicating) is talked about in those programs of
11 being an LEA rep -- seclusion and restraint,
12 discipline procedures, mental health. And the
13 other plug I'd like to put in is, we all struggle,
14 and you know, different places amongst the state
15 are far more blessed than others about getting
16 mental health facilities and mental health in
17 schools. And, you know, sometimes we're able to
18 get MOAs and sometimes we aren't.

19 MS. FOGG: Right.

20 MS. HUTCHINSON: But there's never
21 enough. There's never enough. That not only goes
22 for the kids we serve, but the families we serve
23 because rarely is a mental health issue a kid
24 issue that's only the kid issue.

25 MR. BAKER: Absolutely.

1 MS. HUTCHINSON: And those parents
2 need just as much support, if not more than us.

3 MS. FOGG: And there's a definite
4 lack of providers in many areas, right.

5 MS. HUTCHINSON: And you can't get
6 them the support. Even if they do exist, it is
7 pulling teeth to get support.

8 MS. FOGG: Or when you get it, as
9 soon as things start to get like marginally
10 better, all of a sudden, they're like, "Oh, we're
11 done," you know.

12 And I'm like, "No, we're not done."

13 MS. HUTCHINSON: Yeah, and it can all
14 be done within 18 hours in a week if that's what
15 they're -- in three months or whatever the
16 insurance company provides, and everybody's cured
17 within that amount of time. It's extremely
18 frustrating.

19 MS. FOGG: Right. I think we all
20 have experienced that. You had another question?

21 MS. OWENS: I just would like to
22 add -- I'm not normally here and you might never
23 see me again. So I feel like I need to say
24 something about the whole LEA rep. The way you do
25 that, why do we do it like that, and is there a --

1 are there districts that are considering maybe
2 more people in special education, an
3 administrative layer, or with enough training to
4 maybe serve in that role so you always have a
5 really informed person in the room with
6 decision-making authority?

7 Because continuing to have it be
8 principals and assistant principals, they're doing
9 so much else, and continuing to say, "Well, let's
10 train them more," feels inefficient to me. And
11 it's just something that's occurred to me over the
12 years. How did it get like that and is it the
13 best way? Might we consider a different way just
14 in general?

15 MS. MOOREFIELD: And I -- you know,
16 as a parent in IEP meetings, the majority of the
17 time the LEA -- the admin rep that's in our
18 meetings, I mean they're wonderful people, but
19 they spend the entire meeting on their phone
20 because their handling 97 other things. They have
21 the entire student body, which in some of our
22 schools includes several thousand kids, under
23 their control.

24 And it's kind of like, you know, when
25 we keep asking teachers to, okay, do this too, do

1 this too, do this too, and now our admin is
2 becoming stretched too thin as well. I completely
3 agree.

4 MS. HUDGENS: So in response to both
5 of that, not necessarily that it is a good answer,
6 but to respond to how did it get that way, in the
7 regulations, part of the problem or the difficulty
8 is two parts of the criteria for an LEA rep is,
9 one, you're either qualified to provide or
10 supervise teachers of special education, and then
11 the second one is, is that you have to have the
12 authority to be able to commit the resources of
13 the LEA.

14 And so that typically -- when you
15 kind of sort those out, that leads us to the
16 administrative support -- the administrative staff
17 of the school. So that's why that role typically
18 falls there. Yes, ma'am?

19 MS. MOOREFIELD: But I wonder,
20 though, if instead of having a principal or an
21 assistant principal sit through a two-hour IEP
22 meeting where they're not paying attention because
23 most of it doesn't really affect them, like they
24 don't really need to pay attention to it, I wonder
25 if it would be more effective to have -- because

1 there's usually an EC director or, you know,
2 someone below the admin -- would it be more
3 effective to have that person then just go and
4 meet 15 to 20 minutes with the administrator just
5 to kind of brief them on, okay, this is what's
6 going on with this student, this is what they
7 need, this is what we need from you?

8 MS. HUDGENS: I think there's
9 multiple combinations of the preparation that can
10 occur for an effective meeting. I think what's
11 difficult, though, is that you can't make the
12 decisions outside the context of an IEP meeting.
13 So, really, you're just problem-solving the many
14 different ways that an IEP team could choose to
15 proceed in their decision-making.

16 So I know that when I was in an LEA,
17 we did have staffing meetings with our school
18 staff particularly when there were situations that
19 were very complex and required a lot of resources.
20 They may even be not at the school but resources
21 that were managed at a district level, and so
22 those preparation meetings do occur.

23 And one thing too I'll just kind of
24 share from previous experience, I was once an
25 assistant principal at a high school with 2100

1 students, and I had a special ed degree and had
2 taught special ed, and so I was the LEA rep for
3 that school. And that school year, I personally
4 chaired 600 IEP meetings, and so it is -- it's
5 very challenging.

6 And one of the reasons that we had so
7 many that year is that we had a new high school
8 being built because at 2100 that was a large
9 capacity for our district, and so the reason why
10 it was so many is because we had a transition
11 meeting for those high-schoolers going to the new
12 high school. But it is a mass undertaking when
13 you have support staff coming in from a district
14 level because I was just one of eight high schools
15 in that particular LEA.

16 So there's just a combination of
17 strategies that have to be employed. We want
18 certainly solid professional development to help
19 in decision-making. The biggest thing that I felt
20 was successful, when I was in an LEA and moved for
21 the school-based administration to district-based
22 administration, was at least identifying areas
23 that the principal should know to call for help,
24 and that was sometimes hugely helpful, that if
25 you're approaching this or that area, please call

1 us in and we'll help coordinate if additional
2 people have to be in the building or so forth.
3 And a lot of it is based on the relationship that
4 you have with your school-based administrators
5 from the central office.

6 MS. THOMAS: And if I could just add
7 some personal experience. When I was -- excuse
8 me -- before I left the LEA that I was in, we had
9 designated in each school -- they designated -- we
10 didn't assign -- the SNA, the special needs
11 administrator, and that was someone that regularly
12 came to training with us, that we regularly met
13 with from the central office. We had to invest
14 time and energy in that, but it paid off in the
15 long-run because we had people that were prepared
16 and were knowledgeable, and they were the go-to
17 person -- if another administrator in that
18 building had a conflict, they would go find that
19 special needs administrator to talk through.

20 And so a lot of it is just how much
21 time and energy you can put in on the backside to
22 build that capacity and that understanding. We
23 have a federal law that requires us to have that
24 designated person, and in my opinion, it keeps
25 those administrators engaged. You just have to

1 prepare them and provide them the tools so that
2 they can be effectively engaged.

3 MR. BAKER: One of the things that we
4 did -- and we're a middle school and we're about
5 900 students, and we have a total of three
6 administrators, two APs and a principal. But one
7 of the things that we committed to doing was
8 actually meeting before the meeting. So we would
9 discuss students, and so we actually had some
10 knowledge of the student that we were going to be
11 meeting on that we were going to be LEA rep for,
12 for that IEP meeting.

13 And that took a commitment, but we
14 wanted to say that all our students are extremely
15 important and we want them all to be successful.
16 We want to know exactly what's going on, are there
17 things that we need to be aware of, so we would
18 meet prior to that. The other thing that we also
19 did too was that when we would have IEP meetings,
20 the person that was actually sitting in there that
21 was the LEA, we did not bring our cell phones. We
22 were committed 100 percent to be invested for that
23 child.

24 MS. MOOREFIELD: You know you're a
25 unicorn, right?

1 MR. BAKER: But it just takes -- it
2 just takes an administration that's willing to do
3 that, and it is -- it is difficult, and that's why
4 I mentioned we were a large school with almost 900
5 students and three admins. But that's what it
6 takes, I think, to be very effective and to do the
7 job that we need to do.

8 MS. MOOREFIELD: I mean you-all have
9 way more experience at the admin level than I do.
10 The only experience I have is as a parent and a
11 regular ed teacher, but -- so I hear, you know,
12 the unicorn over here talking about how wonderful,
13 you know, his experience and how dedicated his
14 school is. I hear the Assistant Superintendent,
15 is that correct, or Assistant Director?

16 MS. THOMAS: I'm the Director.

17 MS. MOOREFIELD: Director. That's
18 right. That's right. You used to be the
19 assistant.

20 MS. THOMAS: But I'm still the
21 assistant director too, so---

22 MS. MOOREFIELD: And I hear what the
23 Director is saying about -- and I want to make
24 sure I wrote it down wrong -- that there's a --
25 wrote it down correctly -- that there's a federal

1 law requiring an SNA---

2 MS. THOMAS: No, no, no, no, no.

3 There's federal -- requiring the LEA rep and the
4 requirements of the LEA rep.

5 MS. MOOREFIELD: Okay. Okay. Okay.
6 So my question and just my concern as a parent is
7 that I know that there are, obviously, wonderful
8 districts that put the importance on having
9 meetings before, you know, even just quick ones to
10 discuss going in, and who do that the
11 pre-req work going in.

12 But is that common? I mean, is that
13 something that -- in your experiences, is that
14 something that is common to happen? Just as a
15 regular ed teacher -- and we were a very small
16 school too, but for IEP meetings, sometimes I got
17 the notice the day before or possibly the day of.
18 You know, here bring all your data about this kid,
19 but I never met with the team beforehand. But I
20 mean, like I said, we were very small. I mean at
21 lunchtime we talked about all our kids.

22 But is that something that is common
23 in schools across the state for them to do that
24 work?

25 MS. GRANT: I would say just -- and

1 where I know -- I'm Nash-Rocky Mount -- it is
2 not -- it doesn't happen all the time, and I don't
3 know that it always needs to happen every time. I
4 think that there are some cases and instances
5 where we have pre-meetings. We're sending the
6 draft paperwork to the parents and having a lot of
7 the conversation, but the actual decision-making
8 not happen until we get in the meetings.

9 MS. MOOREFIELD: Oh, sure.

10 MS. GRANT: But we work really hard
11 to make sure our parents understand, when we do
12 that, that you are just a part of this
13 conversation. And oftentimes it's because the
14 parent is asking us to send drafts to them because
15 they don't want to go in not -- with that being
16 the first time. Our IEPs are long, you know,
17 so and they're very -- yeah, and they're just
18 going to -- when we move to a new system, it's
19 going to be -- while it will be the same stuff,
20 just a little bit different and longer of having
21 to explain that, and so we're having to, you know,
22 make sure we work with our parents with training.

23 But I don't think it happens all the
24 time. I don't think it has to happen all the
25 time. That's just my opinion. I think there's a

1 time and a place for that. I have program
2 specialists that work under me where when I know
3 that there are issues, even not so much just on
4 the parent side, but oftentimes, we don't -- I
5 have 2600 EC kids in my district. I'm not that
6 large, but I don't always know when everything is
7 going on.

8 We get calls from DPI or Legal Aid,
9 Disability Rights, and I'm like, "You've got be
10 kidding me. Like that can't be happening there."
11 So then I go out to the school, and I'm like,
12 "Yeah, we can't do that."

13 So I think that, you know, we -- what
14 I have found, though, is being in the schools
15 more, monitoring more, doing more walk-throughs,
16 we've been able to be proactive and catch a lot of
17 stuff up front, which we've build a lot of trust
18 with our parents by doing that and working with
19 our parents and calling them in. But I don't
20 think, in terms of the IEP meetings, it always has
21 to happen, but---

22 MS. MOOREFIELD: Right. Because some
23 IEP meetings are very special simple.

24 MS. GRANT: And then there are some
25 six-hour IEP meetings.

1 MS. MOOREFIELD: Right. But I
2 just -- my momma hackles are up just about like
3 the kids that need for the administration to pay
4 attention and that need for change, that need the
5 support, that they may not have one of these
6 amazing IEP teams and they may not have one of
7 these amazing districts that have their act
8 together. They may not have that mom. You know,
9 they may have the mom that has three other
10 children and is completely exhausted and possibly
11 a single parent that doesn't have the time, the
12 energy, or the brain space to fight the fight. So
13 that's -- that's where I'm bristly.

14 MS. THOMAS: And if I could just jump
15 in for one second. We're always going to advocate
16 and look for best practice. The truth is reality
17 happens, and you can have the best laid plans of
18 collaborating and training, and that emergency
19 happens and you go into that mode.

20 And so I think, if we always keep the
21 focus of what best practice is, we're going to get
22 it right more times than not, but it is -- the
23 more energy we can put in the background, the
24 better I think we prepare our administrators for
25 being those folks that are designated as the LEA.

1 MS. MOOREFIELD: And just one last
2 question and I swear I'll shut up. What is
3 the -- what is the accountability process for
4 LEAs? You know, like is there -- is there a
5 liaison? Is there kind of like a spot-check, so
6 to speak, just for that accountability to, you
7 know, just maybe do like a spot-check of random
8 cases to make sure that---

9 MS. THOMAS: Accountability of like
10 the IEP process?

11 MS. MOOREFIELD: Yeah, just that
12 whole overall thing to make sure that things are
13 working the way they're supposed to work.

14 MS. THOMAS: We have program
15 monitoring, which is required as part of our
16 general supervision, and that actually lands in
17 Carol Ann's section. And so over the course of a
18 five-year cycle, we will have monitored every LEA
19 and some more depending on if there's been a major
20 systemic state complaint. If there's something
21 new, sometimes the superintendent will come in and
22 say, "I want a full program review because we've
23 had three new directors in five years, and I want
24 to make sure we're on board."

25 Those best conversations are when

1 people come to us and say, "Tell me what I need to
2 know so I don't get in trouble." Those were the
3 principals that were the best to work with for me
4 because I knew they were engaged. But from a
5 monitoring standpoint, we have general supervision
6 requirements for both fiscal and program
7 monitoring, and that looks at the process.

8 MS. JOHNSON: Can I just ask a
9 follow-up question on that? Is there -- is that
10 publicly available, the reports on the monitoring?

11 MS. THOMAS: We don't post them on
12 the website. The report goes to the LEA, and once
13 it goes out of here, anything that needs to be
14 requested through a public records request can be
15 done because it's public record at that point.
16 But there are too many to put -- I mean we don't
17 have enough Web space to do that, but they can be
18 made available. And each district will get a
19 copy, the director and the superintendent. It
20 goes to the superintendent and copies the
21 director.

22 MS. HUTCHINSON: It might be also
23 important to note that there LEA self-assessment
24 is public too, and so you can see how the district
25 looks at their own priorities and their own, you

1 know, awards, if you will, and deficits and where
2 they're trying to aim.

3 MS. THOMAS: What their focus is for
4 improvement.

5 MS. HUTCHINSON: Yeah, so you can
6 see if they already identified the issue and
7 they're working towards that.

8 MS. FOGG: I think you had a
9 question?

10 MS. MEBANE: Yeah. Going back to
11 keeping students with disabilities in school, have
12 you guys addressed in any way this pattern of
13 constantly calling parents to come get their
14 children and not documenting that they've sent the
15 child home or---

16 MS. FOGG: That's a very common fact
17 pattern. That's a very common fact pattern. That
18 triggers us, as long as we have capacity, taking
19 the case. We advise parents to not allow that to
20 happen.

21 MS. MEBANE: Me too.

22 MS. FOGG: It sounds like kind of a
23 bizarre thing to tell parents, but we say, "You
24 need to insist that your child is actually
25 suspended if you're coming to pick them up because

1 that's the only way you're going to get to that
2 eleventh day and get your manifestation
3 determination review."

4 And, yes, we find that to be a
5 problem. We also have situations where students
6 are spending almost all of their day in the
7 assistant principal's office or in a desk in the
8 hallway outside the assistant principal's office,
9 which violates lots of things. So like we --
10 yeah, that's part of that scenario, but that to us
11 is the -- you know, the red flag that this is
12 not -- this is not working, and even though you
13 haven't formally documented that this child is in
14 a very restrictive environment -- you know,
15 they're at home or on homebound or modified day --
16 but that is essentially what that is.

17 And let me just go back really quick
18 to your comment and all the other comments that
19 were made. So I will say that we have -- we do go
20 to IEP meetings where basically the EC director or
21 somebody below the EC director is acting as the
22 LEA. I think from a legal perspective, it is
23 certainly possible for that staff person, other
24 than a principal, to be empowered to make those
25 decisions.

1 If an attorney or somebody from our
2 office is going to a meeting, there's usually been
3 one or more pre-meetings so there's been a lot of
4 discussion, and the issues are usually well-known
5 before the meeting happens. There's not a lot of
6 things that are being addressed on the fly in the
7 meeting.

8 But I do think that that happens, and
9 I will say it's somewhat distressing to us, when
10 we go to a meeting, after a parent has been to
11 many, many meeting and has been asking for the
12 same thing for a really long time and everything
13 is just stuck and not happening, when they walk
14 into that room and there's all these staff members
15 that are full-time district staff members that
16 they've never seen before, those resources have
17 never been brought to the IEP meeting, and then we
18 essentially get what they had been asking for.

19 When we come out, they're very
20 appreciative, but they're also a little annoyed
21 because they feel like, "Why did it take you
22 coming to this meeting to do that. Why can't I,
23 as the parent, advocate for my child? And
24 clearly, there was something correct about what I
25 was asking for, you know, and needed and justified

1 under the law. Why does it take that?"

2 MS. MOOREFIELD: That's why my
3 bristles are---

4 MS. FOGG: Right. Because I think
5 that that -- it's hard, right?. The most frequent
6 comment that we get when we go to IEP meetings and
7 we come out, the parents stop like two or three
8 steps outside that front door, and they look at us
9 and say, "We've never had an IEP meeting like
10 that."

11 And I know that we're an attorney in
12 an IEP meeting and we're scary. We can file -- I
13 know that we are sometimes getting things that,
14 you know, the school really doesn't feel like they
15 have the resources to give, but they're doing it
16 to avoid that filing. I get that, but at the same
17 time, I don't think we would be getting it if
18 there wasn't good legal justification for it, and
19 it was really clear that to meet the child's
20 unique needs that's what was needed.

21 So I think more involvement of the EC
22 staff in just regular IEP meetings or when there
23 are issues or when you're having -- needing to
24 have frequent IEP meetings or kids are being, you
25 know, disciplined or people are really frustrated.

1 I think that's a big preventative -- you know, it
2 would just prevent a lot of things from escalating
3 and solve them.

4 Because the EC folks really do --
5 even though they may not be a hundred percent
6 empowered to -- the upper level EC folks, they
7 know what some other resources are. They can have
8 those discussions with the principal, even if they
9 can't sign on the bottom line, you know, if it's
10 somebody below the EC director. I think that
11 they -- they have training and expertise that the
12 regular principal, who has never been an EC
13 teacher or administrator, just is not going to
14 have.

15 MS. HUTCHINSON: Two little points
16 and then I know we have to go to break. One is
17 the idea that ECATS is right upon us, and that
18 will have regular ed access. And I know every
19 district is different, and we would all love to
20 have unicorns in every single program. We would
21 all love that.

22 But ECATS -- not everybody uses CECAS
23 currently, but you know, a good practice is to
24 review those documents in there before you get to
25 the meeting. Currently, our regular ed folks

1 don't necessarily have access to that or not every
2 principal, depending on the system. But in ECATS,
3 lots of folks will have access to the things they
4 need.

5 So I think that's a proactive
6 approach, if you used the right way, to look at
7 the basic data, the basic goals, and not so much
8 get into the details of accommodations and such,
9 but the basic premise of the student's needs. So
10 using that the right way would be an asset that's
11 about to come.

12 And then I think the second thing
13 that I'd like to point out -- and maybe someone
14 like Christy or somebody from Mecklenburg County
15 can speak to this, but you know, if we all had the
16 absolute perfect individual that was paid the
17 amount we wanted to pay them, every person sitting
18 in a director's spot or an assistant director's
19 spot would love to give every kid that. I can
20 imagine there's not one out there that doesn't
21 want that.

22 However, there is something called a
23 shortage of teachers. Places like -- or services
24 like HI and VI, we struggle a lot. Great speech
25 and language paths, great OTs, unending budgets

1 would be really amazing, but that doesn't happen.
2 And so sometimes you are just really fortunate to
3 get a regular ed teacher that's willing to
4 entertain the idea of going back to get this thing
5 called a special ed license. And, oh, by the way,
6 you might have to go through some litigation and,
7 you know, the 25 page IEP that you're going to
8 write, and you're going to have a caseload of 30
9 kids. That's really overwhelming.

10 And so if we had, like Sherry said,
11 the ideal situation, everybody would love to give
12 somebody a caseload of ten or 15 kids, and they
13 could give you that individualized time and they
14 could do their jobs to the level they want. But
15 with the shortage and the demands on teachers,
16 sometimes we don't get the perfect unicorn, and we
17 have to train them the way we want, and then we
18 lose that person many times because there's a lot
19 of occupations out there that there's comparable
20 salaries that blasts special education away.

21 And, you know, you're not typically
22 ever getting paid more to be a special ed teacher
23 versus a regular teacher, and this special ed
24 teacher is going to be in a ton more meetings,
25 typically under a lot more parent---

1 MR. BAKER: Stress.

2 MS. HUTCHINSON: Yes. ---and the
3 potential of some challenges. So it's -- it's
4 tough to find those people that can sustain it for
5 15, 20 years and do it like the unicorn next to
6 you does it. It's tough.

7 MS. MOOREFIELD: You're preaching to
8 the choir, girl.

9 MS. HUTCHINSON: So I think that's
10 the thing for all of us to be aware of and
11 advocate for because there's not one EC director
12 you could ever ask that says would you not hire
13 that unicorn next to you, and we would all say
14 yes. But, you know, 900 of them don't exist in
15 this county or that county.

16 MS. MOOREFIELD: I absolutely agree.
17 I mean they don't fall off trees, and we have to
18 exist with what is, not what we want to be.
19 That's my point in some of this.

20 MS. HUTCHINSON: We have to look back
21 to our higher ed institutions and say what are you
22 doing in North Carolina.

23 MS. MOOREFIELD: I think that's a
24 great idea.

25 MS. HUTCHINSON: You know what I

1 mean? When 15 kids get into the SLP Master's
2 Program at App and 20 at Western, or whatever
3 those numbers that Perry will give us every time,
4 and we're putting out that number of -- I mean
5 we're restricted so we have to find creative ways
6 to find those folks, and many times, it's us
7 putting the time and effort into training them.

8 But it's a stressful position to be
9 in, so we have to respect that, and I think it
10 takes a full effort as a state to really advocate
11 for great salaries for special ed people, great
12 training for special ed people, and support of
13 those folks.

14 MS. JOHNSON: I'd just like to follow
15 up on that because I think it's related to
16 something you said earlier, and I don't know what
17 the answer is. But one of the -- one of the
18 things you said was that IEP teams don't feel like
19 they can speak up and make recommendations.

20 Shouldn't those be the people that
21 are informing the unicorns, I mean, if the
22 unicorns don't have the training? But I think we
23 didn't really talk about that, and there's so much
24 potential there because these are the folks that
25 actually did go to college for this and they did

1 get that training.

2 MS. FOGG: Right. I think that's one
3 of the benefits of a pre-meeting. At the same
4 time, I think, you know, it's hard as an employee
5 to sort of raise your hand and say, "Hey, I need
6 more help," right? I mean it's hard regardless of
7 what your job is, right?

8 So, hopefully, there are those trust
9 situations where -- and credibility -- you have
10 credibility and somebody will come in and look at
11 the situation and say, "Yeah, you do need more
12 help."

13 But that's where it also helps to
14 have upper level EC staff walking around, like you
15 said, right? Like the research shows that the
16 best principals are the one's that don't sit in
17 their office, that walk around and go from room to
18 room. I think that applies across the board in
19 school and lots of other settings as well, and so
20 I think that that's really helpful to just see --
21 to see what's happening, right, to check in.

22 And then somebody may feel
23 comfortable saying, "You know, we're really -- you
24 know, during this time of day because this person
25 takes this child here and this person takes

1 another child there, I'm really kind of flustered
2 because I've got too many people, you know, too
3 many kids, and there are too many high needs in
4 this one situation. What can we do about that?"

5 Because that's what's interesting
6 when you're in a really good IEP meeting is the
7 creative problem-solving, and in the grand scheme
8 of things, to somebody who's actually very
9 creative and looking at it from the outside, it
10 probably doesn't look that creative.

11 But, you know, when you get away from
12 the cookie cutter and you actually get down to the
13 nitty-gritty, you can actually -- you know, we go
14 to IEP meetings and we come out, and everybody is
15 really -- you feel like it was a win-win.
16 Everybody's really happy, but it takes certain
17 factors to make that happen. So I think that
18 would be helpful.

19 MS. GRANT: I think one other thing
20 too, though, is we're seeing an increase in
21 lateral entry teachers, and our lateral entry
22 teachers are really good. I mean we've -- but
23 they're not -- it's not going to take just
24 institutes of higher ed because oftentimes our
25 staff, because of the shortage, comes from lateral

1 entry teachers.

2 And so I think a good support system
3 for specifically our lateral entry teachers, or
4 we've got to look at a new way of working with and
5 providing support because you're talking about
6 people with different degrees who are walking in a
7 classroom for the first time, don't know anything
8 about curriculum and instruction much less EC or
9 working with students with disabilities.

10 And we've had to just rethink the
11 whole structure of working with our lateral entry
12 teachers, and we've found that those that
13 graduated with psychology degrees come in with a
14 different perspective than those with criminal
15 justice degrees. But the whole lateral entry
16 move, not saying that there's anything wrong with
17 them because they're some phenomenal teachers, but
18 there's a lot more support that's needed than just
19 your institutions of higher ed.

20 And I don't see where the State or
21 districts really look at their lateral entry
22 teachers, and they go through, most of the times,
23 our regional alternative licensing centers and
24 stuff, but there's no different support for them
25 as there are for other teachers. So that's one

1 area that we've really had to work with.

2 And I think, Ginny, if I can go back
3 one second, you talked about mental health a
4 little bit.

5 MS. FOGG: Right.

6 MS. GRANT: And we were fortunate
7 enough to get some of the DPI grants for
8 increasing mental health supports in our system
9 this year, and I think it's really brought to
10 light the true needs of the students, and also,
11 we're really recognizing that we, as a school
12 district alone, cannot address the level of mental
13 health needs and the vast majority of students
14 with the level of mental health needs we have.

15 I -- because of our -- when I say
16 threat to self, our suicide protocol that we've
17 had in place in the student services office, and
18 I've now kind of taken that on, and it is -- I see
19 just as many threats -- in our district with our
20 tracking system, we have half the number of
21 threats to self as we do threats to others, and
22 that was very alarming to me when I've been seeing
23 that, to know that there are kids walking around
24 with multiple suicide attempts in our schools.

25 And parents are crying out for help,

1 and they cannot access services in the mental
2 health system, and we try, but we don't know where
3 to send them to because they've even reached their
4 maximum number of benefits that they can get or
5 they don't have Medicaid. We've even started,
6 with some grant funding, funding some of the
7 mental health counseling sessions for them, but
8 only that can go so far.

9 So I do feel like working with even
10 school districts on how to effectively navigate
11 the mental health system because with the change
12 from -- I've been doing this for a while, but
13 years ago before it mental health privatized and
14 kind of changed what it was, it was a lot easier
15 to access those services. I don't know how else
16 to help a parent in terms of everything we're
17 doing besides having meetings with mental health
18 and including them on some of our task forces and
19 stuff.

20 But I think some of the companies
21 feel just as frustrated because the---

22 MS. FOGG: LMEs and MCOs.

23 MS. GRANT: Yeah. MCOs, yeah. They
24 won't -- they don't get approval for things that
25 they turn in, and it's just like, "Oh, well.

1 Well, we've done everything we can. That's just
2 the way it's going to be." And when we try to
3 talk to them, they don't really -- they don't
4 care. I hate to say that.

5 MS. FOGG: We have several different
6 attorneys who work on that, but yeah, I mean we
7 feel that frustration as well. We'll have a
8 client who gets IVC'd, and for, you know, a
9 suicide attempt or something, and they stay either
10 in the ER for way too many days or they go to a
11 PRTF and are further traumatized. And then when
12 they come out, there's no information. There's
13 been no evaluation.

14 I'm like, "I have a release from the
15 parent for you to give me this information," and
16 they still will not because they haven't created
17 any information, is what we finally figured out.
18 So it's -- not in every case, but obviously, there
19 are definitely issues that need to be resolved
20 there.

21 I think the school mental health
22 initiative is really helping with that, but I
23 think that's also a multiyear process, right, and
24 there needs to be resources.

25 MS. GRANT: I think at some point---

1 MS. MEBANE: I wasn't told in the
2 rural counties, though, really what I want to know
3 because what I find is there's no providers---

4 MS. FOGG: Right.

5 MS. MEBANE: ---or there's a
6 provider, but they can't get people---

7 MS. FOGG: Transportation and all
8 that kind of stuff. Yeah, I think that's part of
9 what they're looking at and part of what the State
10 is looking at too, but again, it's -- you know,
11 it's a very big complex problem. I think I'm
12 way -- I'm way over my time here.

13 THE CHAIRPERSON: We've had such
14 great conversation and discussion. I think we
15 probably need to bring this one to an end, though.
16 But I think one thing we might want to look at as
17 a Council is to look and consider what kind of
18 promising -- promising and best practices that we
19 can come up with, that we might be able to make a
20 recommendation on to encourage that monthly
21 training, even if it's like 20 minutes at your
22 assistant principal and principal meetings,
23 because I think that was some very good comments
24 from you two considering those, that could be
25 implemented across the state and get better

1 results from everybody. I think that would be a
2 good thing that we could do this out of this. So
3 we can discuss that more during committee time.

4 But thank you, Virginia. I've always
5 loved Disability Rights and what they've done.
6 Christine Sullivan -- tell her I said hi.

7 MS. FOGG: I will. Absolutely, yeah.

8 MS. GRANT: I will to say too, for
9 those of you who don't know, they have a really
10 good newsletter that they sent out if you sign up
11 for it on their website. You-all might already
12 have already done that, but I get a lot of
13 information out of that.

14 MS. FREY: And a great Facebook page
15 too, because I know I follow you-all on Facebook.

16 MS. FOGG: Oh, that's great. We have
17 some new communications folks, and they're
18 changing everything up and they're excellent. So
19 we're really excited about that part. We also
20 have our conference coming up in May, which is
21 going to be in Durham. If you go on our website,
22 you can see about that.

23 There's a trauma track, and we have a
24 really great keynote speaker Tonier Cain, who
25 is -- basically grew up in the criminal justice

1 system and has come out of that and does trauma
2 training, and she is an incredibly powerful
3 speaker, and we're really, really grateful that
4 she's agreed to come speak. So that's all on our
5 website.

6 And we do offer, you know, reduced
7 fees. The conference, I think, is \$125 for the
8 whole day, but we do offer reduced fees, and we do
9 offer continuing education credits for that. So
10 please check that out. And we will have some
11 handouts for you back here on our targets and
12 our -- on the FAQ sheets.

13 If you have other comments or things,
14 please feel free to email us or give us a call,
15 okay? Thank you.

16 THE CHAIRPERSON: Thank you,
17 Virginia. All right. I know we're running a
18 little bit behind, but we're going to take a
19 five-minute break for anyone who might need to
20 stand up and stretch for a minute, and then we'll
21 come right back and get started with Matthew
22 Martinez and significant cognitive disabilities.

23 (A brief recess was taken from 11:12
24 a.m. to 11:21 a.m.)

25 THE CHAIRPERSON: This is

1 Mr. Martinez from -- he's going to present on
2 progress monitoring, specifically significant
3 cognitive disabilities.

4 MR. MARTINEZ: Good morning. My name
5 is Matthew Martinez. I am the statewide
6 consultant for students with significant cognitive
7 disabilities, mainly the students on the extended
8 content standards. So extended content standards
9 is a little bit easier to say, so I like to say
10 I'm a representative for students on the extended
11 content standards.

12 Carol Ann asked me to -- said one of
13 the discussions you guys were having were about
14 progress monitoring, especially in the area of
15 students on the extended content standards. So
16 the good news is there's nothing new. If a
17 student has an IEP, so by our policy, the student
18 must have progress monitoring in place for the
19 IEP.

20 I'll switch slides. Maybe Carol Ann
21 can do that for me. So the first place we're
22 going to look is directly at our policy in
23 relation to progress monitoring for any student
24 with an IEP. So this is not unique to a student
25 on the extended content standards, but every

1 student that has an IEP, progress must be
2 monitored.

3 And so the next slide is our direct
4 policy, which says, "Progress monitoring refers to
5 a systematic frequent collection of individual
6 performance data. The measures are repeated over
7 time and charted for the purposes of documenting
8 and quantifying rates of improvement and to
9 evaluate the effectiveness of the instruction."
10 So what does that all say? It means all of our
11 students with IEP goals should have a progress
12 monitoring system in place.

13 And so the next item we're going to
14 talk about is how progress monitoring is used
15 within the IEP. So as we all know, the three-year
16 reevaluation cycle, or more if the IEP determines
17 the need. One of the evaluation procedures are
18 the progress monitoring notes, are the progress
19 monitoring data, and those are your evaluation
20 procedures. And within those procedures, during
21 IEP meetings, you should -- you must review the
22 progress monitoring.

23 So let's talk about, okay, well,
24 progress monitoring is a little ahead of the horse
25 right now. So what are we progress monitoring?

1 Well, we're progress monitoring IEP goals, and so
2 within those IEP goals -- well-constructed IEP
3 goals, of course, have the SMART acronym, specific
4 measurable, attainable, relevant/results oriented,
5 and time based.

6 And so what is a quality IEP goal?

7 Well, here's a couple. During small group
8 activities, Bill will look at the speaker of the
9 group 90 percent of the time, in four out of five
10 opportunities. That obviously is a social --
11 social goal. Bill has eye contact issues. So
12 when I wrote this, I was trying to broaden the
13 horizon because a lot of students on the extended
14 content standards do have significant needs and a
15 lot of those significant needs can be approached,
16 whether behavioral or social.

17 And for Emma down at the bottom, it's
18 talking about her specific use of assistive
19 technology, which is with the aid of a calculator,
20 she'll solve math problems that involve the
21 computation of whole numbers with 75 percent
22 accuracy. So, once again, you can actually look
23 at that -- look at that goal -- it passes the
24 stranger test, more or less. A stranger could
25 come in and say, "Okay. Emma needs a calculator

1 to solve whole number problems."

2 So when we talk about progress
3 monitoring, where is it? It's within the IEP.
4 So it is discussed within the IEP, and so I threw
5 in the new ECATS form -- it's the one on the
6 bottom -- because that will be rolling out in July
7 if -- well, when it does. So those are the new
8 forms. I actually like this form a lot better
9 than the old form personally because it's right
10 there with the goal, what are you looking for,
11 what's the criteria mastery, what's your method of
12 progress. So it's all in one-stop -- one-stop
13 shopping. Before you had your goals and
14 objectives -- students on the extended content
15 standards are mandated to have goals and
16 objectives of how to reach that goal, and so the
17 progress monitoring is written right in there.

18 So progress monitoring is different
19 than assessments. Assessments are typically
20 lengthy. They're administered on an infrequent
21 basis, meaning they're not going to give you that
22 nice linear line that progress monitoring will.
23 Teachers do not receive immediate feedback to
24 inform instruction on assessments. Sometimes
25 there's that wait period. And scores are based on

1 national scores and averages.

2 For students on the extended content
3 standards, we know there are deficits, so a lot of
4 times, those assessments are difficult to give
5 because a lot of times those assessments cannot be
6 normed based on the nature of the student's
7 feedback. Sometimes the assessments do have to be
8 modified, so the reliability can be skewed a bit.
9 The good thing about progress monitoring for
10 students on the extended content standards is that
11 it's conducted frequently. It provides an easy
12 and quick method for gathering performance data
13 and analysis of student progress to modify
14 instructional program.

15 What you will see in many cases on
16 progress monitoring are teachers have different
17 ways -- different ways, different approaches
18 because the teacher is in charge of doing the
19 progress monitoring. There's nothing by DPI that
20 says, "Here. Use this form and this is how you
21 progress monitor." We use that to the autonomy of
22 the teachers, and once again, the teachers are in
23 charge of that.

24 So I was just going to show you some
25 examples. I always like, whenever I give a

1 presentation, to give you something to take back
2 to help teachers or, in many cases, to help
3 whoever's working with students with significant
4 needs. And so here are just some examples. Feel
5 free to use these.

6 So this looks different than an
7 assessment -- an assessment form. This is a
8 progress monitoring form in the area of speech and
9 language. Many of our students on the extended
10 content standards do receive speech and language
11 services. So at the bottom, you'll see the dates.
12 On the left, you'll see percent correct, and at
13 the top, you'll see the IEP goal or objective that
14 this particular chart is looking for.

15 Here's another one, reading fluency.
16 Once again, you'll have your objective and then
17 you have your columns for total correct and
18 accuracy, and so you'll have your goal up top.
19 Here is just another example. Like I said, I try
20 to give you guys examples to take back in case you
21 have a teacher or personnel working with a child
22 who needs assistance in collecting progress
23 monitoring data.

24 So at the top, once again, the
25 student's name, your objective. Student response,

1 many of our students on the extended content
2 standards have communication deficits or
3 communicate differently than verbal language, and
4 so the student response is a good indicator of how
5 the student can respond to the instruction,
6 whether it be verbal, nonverbal, gestures, using
7 low-tech assistive technology, using high-tech
8 assistive technology. So that's a good piece
9 there for progress monitoring.

10 Here's just another one. It's a
11 simple spreadsheet. Here are your objectives to
12 your left. Here's your date and accuracy. As a
13 teacher, I was a classroom teacher for just over
14 18 years and I always wrote anecdotal notes. A
15 lot of times, this is insightful for students
16 having behavioral challenges. However, this is a
17 good practice to take -- write about the student's
18 day.

19 Sometimes those ten minutes after
20 school that you write about each child can come
21 back and help develop trends, which progress
22 monitoring is hopefully doing for your students or
23 for the students on the extended content
24 standards. For me personally, I was able to use
25 the anecdotal records to determine a pattern of

1 behavior. So it's a six-week pattern, six weeks
2 on and then one week getting for that week to put
3 in some extra supports.

4 And, like I said, I always like to
5 provide something to take back. Carol Ann, if you
6 could go to the Google Form presentation. Thank
7 you. So I do not own this. I found this an
8 extremely useful tool when I was an educator. A
9 lot of our LEAs and charter schools are going
10 towards Google, and a lot of the issues we have
11 with progress monitoring is how are you supposed
12 to teach and monitor progress at the same time.
13 As a classroom teacher, it's extremely difficult
14 because you want to be fully engaged with the
15 student. You don't want to be engaged,
16 disengaged, engaged because the student will pick
17 that up really quick.

18 So the benefit of this presentation
19 here -- like I said, it's not mine, but I used it
20 in creating Google Forms. It was actually a great
21 time saver for me. Okay. So why use Google
22 Forms? Like I said, a lot of LEAs are going to
23 that Google platform. One issue we have heard is
24 about the site security, so keep that in mind.

25 But what does this look like when

1 monitoring a math goal? So you can set up an easy
2 bubble sheet so this way you can continue your
3 instructions while keeping data with the click of
4 a button rather than, you know, picking up a
5 pencil, which is often distracting for students on
6 the extended content standards due to attention
7 spans and whatnot, especially if the teacher isn't
8 fully engaged. So oftentimes, you know, just keep
9 that right or left hand handy and click and there
10 you go.

11 This is a slope goal, which the
12 slopes are on the extended content standards at
13 the high school level, and so, therefore, teachers
14 need to be teaching it since it's on the extended
15 content standards. So there it is a little zoomed
16 in for us with weaker eyes. So here it is in an
17 Excel spreadsheet, and then here it is in a graph
18 form.

19 Progress monitoring should be
20 presented to parents during IEP meetings. This
21 way the whole IEP team can see that progress,
22 discuss that progress, and determine the next
23 steps for instructional methodology and best
24 practice approaches.

25 So this is a writing goal. Many of

1 our students have writing goals based on their
2 fine motor needs. Hopefully, more teachers are
3 embracing assistive technology as a tool. So here
4 is complete sentences. This is a simple bubble
5 box. Complete sentence and complete sentence. So
6 it will populate an Excel spreadsheet and, once
7 again, give you a nice visual. Visuals help
8 everyone. So this is an instance where the visual
9 -- you can present this at an IEP meeting. Here's
10 the progress that we're seeing and then determine
11 if a goal is still needed or adjusting the goal.

12 Once again, many of our students have
13 behavioral goals. That's why they are on the
14 extended content standard pathway, not only the
15 cognitive piece, the adapted behavior piece also
16 must be considered. So within this form, we
17 have--- Carol Ann, do you mind zooming in just a
18 little bit? Thank you. So within this form -- so
19 as you can see, John D. has some focus issues and
20 maybe some sleeping issues, and he likes his phone
21 and refuses to do work. So these are all the
22 possible scenarios of what could be happening in
23 John's classrooms. So the teacher, all they have
24 to do, without -- without calling attention to who
25 they're looking at or why they're looking, just

1 click that button. So this way the teacher can
2 evaluate their instruction and evaluate, hey, how
3 can we get John D. on task. It also provides
4 valuable data. Okay. Is John D. displaying these
5 behaviors during certain time periods of the day?
6 Maybe we need to adjust instruction during that
7 time period also.

8 So, once again, progress monitoring
9 is giving you informed data about your
10 instructional strategies. So here it populates in
11 a nice Excel spreadsheet, and then here's your
12 summary. This summary will also allow a team of
13 individuals--- I enjoyed the conversation
14 earlier, hearing everyone's ideas and thoughts.
15 It's always great to have a group of dedicated
16 people engaged in conversation, and that's what
17 progress monitoring will do, help provide a group
18 of dedicated individuals to have a meaningful
19 conversation about specific goals for students.

20 And so here's your graph, once again.
21 Okay. John's having a tough time playing with his
22 phone. When is he doing it? Why is he doing it?
23 And then here's anecdotal records. I found those
24 to be just as useful as the bar graph and the
25 spreadsheets because it allowed that

1 personalization of -- and the thought process to
2 evolve within the team's mind. Okay. Well, John
3 fell asleep today. He didn't do any work. Why is
4 that?

5 Well, then, if you can get the parent
6 involved too -- I found a lot of useful
7 information when I presented data like this such
8 as "Oh, yeah, that makes sense. We changed -- we
9 changed the medicine. We've changed his meds. He
10 didn't sleep well."

11 A lot of my students had interesting
12 sleep patterns. I had one student stay awake for
13 three straight days, and so he came to school a
14 little sleepy. Showing Mom this data, she was
15 like, "Oh, yeah. That was one of his sleepless
16 cycles." So it informs instruction, but it also
17 personalizes it, having those nice meaningful
18 conversations which often build relationships.
19 Once again, it populates a spreadsheet and here's
20 your bar graph.

21 The next part is how to create the
22 form. I'm not going to go into that offhand.
23 It's within the resources. So if you have a
24 teacher or if you're a parent and say, "You know
25 what? I'd like some more data about my child,"

1 here's a way -- here's a way we can help. You
2 know, simply link this to your classroom teacher
3 or anyone else you feel could benefit from how to
4 progress monitor, and I think it will help their
5 life a little bit which, in turn, helps the
6 students.

7 So I'm before lunch and so I was
8 trying to make it nice and quick and easy. So I
9 guess, at the end of the day, progress monitoring
10 for a student with an IEP, no matter which
11 standard course of study or extended content
12 standards they're on, it's the same. There's no
13 difference. And so I just thought I would give a
14 brief overview. Hopefully, it's no new
15 information, earth shattering, but hopefully, you
16 can leave here with a tool for whoever you're
17 working with, that "Hey, you know, this is a very
18 easy way to take some good data and inform
19 instruction."

20 So are there any questions or
21 comments?

22 MS. CHILDERS: Just a comment. I
23 thought that it was interesting that you would
24 just put up like the whole -- the graph and like
25 the parent also doing data and being able to do

1 that at home on the Google Form. Because this
2 actually came up with my own child, and he has a
3 past of cerebral bleeds, so the forgetting -- very
4 forgetful about things. So it's not like I can
5 just say, "Hey, you know, remind your teacher, you
6 know, things didn't -- you didn't sleep well last
7 night," or whatever. Or sometimes I'll leave a
8 message, and she might not get it immediately,
9 that kind of thing.

10 So I actually went into the IEP
11 meeting not too long ago and just stated, you
12 know, "I think we all need data. Like I need to
13 collect data at home, and I think you guys need to
14 be collecting data on that kind of stuff because
15 of the behavior stuff with him wanting to fall
16 asleep or, you know, different things."

17 And it was a game changer. It was a
18 game changer for the teachers, but it was also a
19 game changer for me because they were able to send
20 me stuff and I was able to kind of look at that
21 and put it together and say, "Okay. You know, no
22 wonder we had such a hard time doing homework this
23 night, you know, because we have all this going on
24 or he had this, you know, the night before."

25 Whereas for them, it was also great

1 because they were able to see what he was able to
2 get done homeworkwise, percentagewise, and then
3 also be able to say, "Oh, okay. He didn't have a
4 great night, so then this kind of adds up."

5 It was really big game changer, and
6 the administration even at the school was like
7 "This is awesome. Why haven't we done this
8 before?" And he's only actually -- he's not
9 actually in the extended class. He's actually
10 just resourced, but even that, you know, for those
11 types of students with issues like that, I think
12 it's great idea. So I think this is wonderful.

13 MR. MARTINEZ: It was -- you know, I
14 taught before the age of Google, and so it really
15 did -- it's instrumental in embracing that
16 technology as a tool. And in all my years,
17 personally, I had -- I had a great relationships
18 with my parents because it was open and honest,
19 and if someone had a tough day, you didn't
20 sugarcoat it. You said, "This was a tough day."

21 And the parents were like, "Oh, yeah.
22 Yeah, I got this." So that took the conversations
23 out, so just looking at pure data also allows a
24 more well put together IEP. Just looking at the
25 data, okay, what's happening here? Because a

1 phone call, a lot of times, you don't document
2 that or you have -- you have sidebar conversations
3 and you forget the purpose of the phone call was
4 originally to talk about the time of the day.

5 So we actually -- through progress
6 monitoring, we discovered every day at 12 o'clock,
7 the student was having a rough time. So we
8 adjusted his schedule, and it ended up being the
9 transition to lunch which just blew his mind. It
10 was just like -- you know, it was just too much
11 for him to handle. So we came up with a new
12 strategy, and as a collaborative effort and a
13 whole team approach, we solved some problems. So
14 it's always good to have that data there.

15 MS. CHILDERS: Yeah. We also have a
16 lot of kids that, you know -- my son as well --
17 with like the whole agenda thing. You know, you
18 have to write your stuff down, teachers needs to
19 sign it, Mom needs to sign it, that kind of thing
20 going back and forth. So we also did that
21 actually on the Google Form, and they would just
22 view that so that it wasn't such a -- him having
23 to do it because it was never -- you couldn't read
24 it. You know, it was always a mess.

25 And so -- but it was also hard for

1 the teachers because there's so many students in
2 the classroom, you know. So it was just -- it was
3 a really big -- that was also something that we
4 added that was really good was the agenda part so
5 that everybody could kind of go back and forth and
6 know what was going on for homework and progress
7 monitoring.

8 MR. MARTINEZ: That's wonderful.

9 And, also, I'm left-handed and I write like one,
10 and so parents would call me, "Matt, what did you
11 write here?" So typing, you know, in this day and
12 age, it's---

13 MS. CHILDERS: Yeah. And the
14 teachers stay -- I mean in they're in Google
15 Classroom all the time, you know, doing that kind
16 of stuff. So it's so much easier than having to
17 make sure -- just that one extra thing of
18 remembering I've got to go sign Johnny's, you
19 know, agenda or that kind of thing. So it's
20 really helpful.

21 MR. MARTINEZ: Yeah. One of my
22 prouder moments is when the parent would call me
23 and say, "I didn't even know my child could do
24 this." I mean we look at that steady growth. A
25 lot of times, students on the extended content

1 standards, that growth slope, you know, it isn't
2 quite like this (indicating). It's a little more
3 horizontal, but there is progress.

4 And so a lot of times, what I found
5 is my parents would forget that aspect, is the
6 daily grind and the daily grind. Well, at the end
7 of that daily grind nine weeks later, your child
8 was here and now they're just a little bit higher.
9 That's a good thing, and that's something to be
10 cherished and empowered.

11 MS. HUTCHINSON: I just want to make
12 one comment. Great progress monitoring data also
13 helps us -- and I get lots and lots of requests
14 from medical providers and outside providers with
15 the right confidentiality agreements and such --
16 providing great progress monitoring data to those
17 experts and getting additional services for our
18 students. So we've used our anecdotal data on
19 such to get them, you know, ABA therapy or
20 additional support with their outside providers,
21 and that's been invaluable when they've got great
22 progress monitoring data with the right, you know,
23 confidentiality approvals and stuff.

24 MR. MARTINEZ: Yeah, and that's a
25 good point. Many of my students were on medicine,

1 either seizure meds or behavior-related meds. And
2 so, once again, with those confidentiality forms
3 of permission to speak with the doctors, they
4 would use that data to determine if the student
5 needs less meds, more meds, you know, are we
6 zombifying the kid or are we not giving them
7 enough.

8 MS. HUTCHINSON: Sometimes I think
9 it's emotionally hard, but also, even potentially
10 difficult for a parent to explain what we explain
11 to them. So us providing it directly in this kind
12 of a form, obviously, the professional should be
13 able to draw their conclusions. So it's really
14 nice.

15 MS. OWENS: So since I talk to a lot
16 of parents, I know if we have transparency and the
17 teamwork -- because if a team is functioning
18 poorly and trust has eroded and then data just
19 sort of shows up at IEP time or on a request, they
20 don't always believe it, that it wasn't just made
21 up the night before or something or that it
22 wasn't -- I mean -- and this is time-stamped, and
23 it just seems like a really good tool.

24 Is this the kind of thing that a
25 parent could request from an IEP team, that they

1 set up something like this? What would be the
2 best way to recommend to parents that they get
3 their team to go towards something like this?

4 MS. HUTCHINSON: You have to decide
5 how you're progress monitoring each goal and what
6 method to progress monitor that goal. So that's
7 part of the goal of how we progress monitor.

8 MS. OWENS: There's not typically a
9 lot of detail there.

10 MR. MARTINEZ: Yeah. Per what DPI
11 says is a quarterly progress report sent home with
12 the standard base report card. This is a tool
13 that can be embraced. So this would be more -- if
14 the teachers chose to share, this would be more of
15 a daily thing. I think asking for progress
16 monitoring daily would be a lot for a teacher.
17 Although it should be happening, you know, some
18 days an IEP goal isn't hit. So that could also
19 come up with a parent saying, "Well, why wasn't
20 this IEP goal hit?" And sometimes that's the day.
21 You know, that's just how the day rolls.

22 So I think asking for progress
23 monitoring daily would be quite excessive, but
24 having this meaningful conversation saying, "Hey,
25 you know, we know there's Google Forms." You

1 know, I think a good place to start would be if a
2 child's having a behavior, ask for this in a
3 behavior -- behavior form and then scale that up
4 to more -- to all of the IEP goals.

5 But, like I said, mandated, it's
6 quarterly with report cards, but you do have some
7 wonderful teachers out there. I've seen some
8 great stuff, and a lot of our teachers, they
9 shouldn't but they parents their own cell phone
10 numbers and whatnot. They should not do that,
11 but -- so I know there's dedicated people out
12 there and they want what's best.

13 But using this Google Form as a
14 shared document, you know, even starting off as a
15 homework tool, would be a good way to introduce it
16 to have the parents -- prior to asking, "Hey, I
17 want to see all the progress monitoring, you know,
18 in a Google Form daily."

19 MS. OWENS: Well, a Google Form, you
20 just could keep checking it, right, and then if it
21 was there daily, great, and if it was there every
22 few days, that would be great too. As a parent,
23 you could know what was happening, and then when
24 you went to an IEP meeting, you would be
25 well-informed about, you know, Ms. So-and-so is

1 keeping this, this way, but Mr. -- the other guy
2 is maybe just not seemingly doing it. What's
3 going on?

4 Like you could have a discussion
5 without -- couldn't you agree to the Google Form
6 without a commitment written down on an IEP form
7 that it would be every day, couldn't you? If it
8 was just a voluntary thing? No.

9 MR. MARTINEZ: It would be -- it
10 would a slippery slope.

11 MS. OWENS: A slippery slope?

12 MR. MARTINEZ: Yes, ma'am.

13 MS. HUDGENS: I think too one thing
14 that's important in this conversation is there has
15 to be a balance between collecting data and
16 actually providing the instruction because if a
17 child is receiving services just twice a week for
18 30 minutes, you have to balance how long it might
19 take -- even with electronic tools and how
20 efficient that might be, you certainly need
21 progress monitoring to keep informing instruction,
22 but we also have to deliver the instruction too.
23 Yes, ma'am?

24 MS. MOOREFIELD: I had the question
25 come up one time in an IEP meeting that the Google

1 Suites, you know, Google docs, spreadsheets,
2 forms, could not be used because they're not
3 secure. Are schools allowed to use this to
4 collect data on their students and share it among
5 like the approved people?

6 MS. HUDGENS: So there are different
7 subscriptions that you can have with Google Suite
8 that makes it a secure site for the collection of
9 data in classroom activities, and so that's going
10 to depend on how the school sets that up. From an
11 EC perspective, our just general recommendation is
12 that any personally identifiable information is
13 very carefully guarded, no matter what platform is
14 used.

15 MS. MOOREFIELD: Okay. So that
16 decision is made at the school or at the district
17 level as far as the security level?

18 MS. HUDGENS: It can be some of both.
19 Typically, though, my guess is that the LEA is
20 going to have its instructional technology and IT
21 rules that apply, and so whatever their policies
22 and procedures are around those data and that
23 technology will be governed by the technology
24 rules in the LEA.

25 MR. MARTINEZ: Just as a reminder,

1 this is just one tool that can be used. Progress
2 monitoring can come in many shapes and sizes,
3 whether it be work samples, whether it be, you
4 know, your spreadsheets or those anecdotal
5 records. So this isn't like a one-stop here's
6 your solution to progress monitoring. This is
7 just a tool to be utilized if, once again, your
8 LEA supports it, if your teacher supports it, but
9 it is a data collection tool for progress
10 monitoring.

11 There are also some apps out there
12 that teachers are utilizing to keep their progress
13 monitoring data. Some of them are charged for a
14 fee. Some of them are free. I would gear towards
15 the ones that are priced because you get a lot
16 more security for that price, but I don't have any
17 specific examples of those offhand.

18 Are there any other questions in
19 regards to progress monitoring?

20 MS. MEBANE: I have a question. It's
21 not really about progress monitoring, but do you
22 guys offer any guidance or policy on how parents
23 are informed when their child is placed on the
24 extended content standards?

25 MR. MARTINEZ: It is an IEP

1 team-based decision.

2 MS. MEBANE: Right, I know, but the
3 explanation of what that means. Because I find a
4 lot of times parents don't understand it, and some
5 parents even -- their children get to high school,
6 and they don't - they don't realize they're not
7 diploma bound.

8 MS. HUDGENS: Yeah, we totally agree,
9 and when we have the opportunity to either provide
10 refreshers through monitoring or technical
11 assistance, corrective action, any variety of
12 activities that we might engage in with our LEAs,
13 we do try to emphasize the clarity of what it
14 means by changing the child's standard course of
15 study to extended content standards, that they
16 have to be fully informed with that.

17 Also, in addition to the latest
18 update as a result of ESSA in the federal regs
19 where we have to look at the number of children
20 who are assessed on an alternate standard and, of
21 course, have to be provided instruction on
22 alternate content standards such as the extensions
23 that we call them in North Carolina, it has
24 specific requirements in there that parents are
25 notified about what that might mean and their

1 options around that and what may lead to what
2 might be necessary after the postsecondary level
3 so that parents are fully informed about what
4 those decisions mean.

5 MS. MEBANE: I know it's a difficult
6 conversation to have sometimes, but it's so
7 important that they understand from the get-go
8 what's going on.

9 MS. HUDGENS: Yeah. It's
10 particularly difficult if those decisions are
11 happening in elementary school, and I always
12 recommend that you have an extensive amount of
13 data to suggest that that is appropriate, given
14 the developmental window that occurs at the
15 elementary level. I think those decisions are
16 very difficult to make and need to be made very
17 carefully because children are progressing very
18 differently in their elementary years, just as
19 being -- just as the nature of a kid, not
20 necessarily a student with a disability, but all
21 kids are changing a little bit and growing at
22 different rates at the elementary level.

23 MR. MARTINEZ: And on DPI's
24 website -- Carol Ann, will you be my navigator for
25 me? It's on the Exceptional Children website.

1 There is a guidance document that is helping IEP
2 teams. So if you can go to disability resources,
3 please, and go down to significant cognitive, and
4 then under support, please.

5 So on our website -- so students on
6 the extended content standards, they receive a
7 certificate of completion, and so we have an
8 assessment called the NC Extend 1 that assesses
9 the extended content standards. So if you can
10 scroll down just a little, please, a little bit
11 more.

12 And then so we have a webinar right
13 here about the NC Extend 1 and what it is, and
14 then the final decision-making flowchart. So this
15 flowchart was a collaborative effort between
16 Exceptional Children and Accountability in regards
17 to helping make the most informed decisions. So,
18 Carol Ann, if you could click on that, please.
19 Thank you.

20 So it goes through the process of
21 having a student being placed on the NC Extend 1
22 or the extended contents standards, if you will.
23 So this is a flowchart about -- to help make the
24 best informed decision. The nature of the law
25 that Carol Ann was talking about with ESSA was the

1 students with the most significant cognitive
2 disabilities are the students who should be on the
3 extended content standards. And so within those
4 guidelines, they leave it up to states to define
5 that. So we have three factors that talk about
6 the eligibility requirements and having a
7 significant cognitive delay.

8 One of the hiccups I'm finding out in
9 the field is a lot of people want to tell me IQ
10 scores. I have a student with an IQ of, insert
11 score. IQ score is not an eligibility requirement
12 because you can show me three kids with the same
13 IQ and they look vastly different, no matter the
14 IQ. And so that is one of the determining
15 factors, is we left that language out because the
16 IQ score is just one piece of a puzzle that a
17 child in the extended content standards contains.

18 So here's the link for the flowchart.
19 Just go to the Exceptional Children's page, just
20 how Carol Ann found it. And so they have to meet
21 all these requirements, all those "ands." They
22 must meet it in order to qualify to be placed on
23 the extended content standards. And if they do
24 not, then they should be on the standard course of
25 study with supports, if needed.

1 And so I do know LEAs are putting
2 some tools in place to ensure these conversations
3 are happening. I taught at both the high school
4 level for many years and I taught at the
5 elementary level for many years, and those are
6 tough conversations. And, you know, it was
7 usually a joint -- joint cry session because the
8 goals that the parent has in mind are sometimes
9 adjusted within that meeting, even though the
10 thought is there, to hear it out loud. And it's
11 difficult to say as a teacher, but it's also
12 difficult to hear as a parent.

13 So that's why that progress
14 monitoring piece, looping it back around, to show
15 that hey, we've tried all of these instructional
16 strategies. Your child has not been successful.
17 We've tried numerous. So this is -- this is the
18 course of study that we feel is most appropriate
19 for this child. So those conversations must be
20 happening according to our law.

21 MS. GRANT: I was going to say, we
22 actually implemented a statement of understanding
23 where it does fully explain the extended content
24 standards.

25 MS. MEBANE: I love that.

1 MS. GRANT: We took it from our
2 statement of understanding for our parents when
3 they sign up children going on the occupational
4 course of study. It's the same concept. Because
5 we did have parents that didn't understand that it
6 would lead them to a certificate and not a high
7 school diploma. So, really, that kind of to me
8 had us documenting that we were fully explaining,
9 going through the bullet points, and the whole IEP
10 team, including the parent, signs it at the
11 meeting.

12 MS. MEBANE: Awesome.

13 MR. MARTINEZ: We've had numerous
14 conversations just in the exceptional children's
15 world about how can we ensure that these
16 conversations are taking place, and hopefully,
17 that decision-making flowchart is being utilized.
18 We can offer guidance. We can't say here's
19 exactly what you do.

20 But I do know -- you know, I didn't
21 want to like throw Christy out there because I
22 know they've done some wonderful things, along
23 with some other LEAs, in trying to make sure
24 students on the extended content standards are the
25 most significant cognitively -- in that area. And

1 there's a lovely webinar about the NC Extend 1.
2 If you enjoy listening to my voice, it's there,
3 talking a lot faster. This was my first week
4 here, I believe.

5 MS. THOMAS: Nothing like throwing
6 you---

7 MR. MARTINEZ: Right.

8 MS. THOMAS: ---into the briar patch.

9 MR. MARTINEZ: So any other questions
10 or comments?

11 **(No audible response.)**

12 MR. MARTINEZ: All right. If you do
13 have any needs, please feel free to email me. I'm
14 not sure what my phone number's going to be within
15 the next couple weeks because we're going to be
16 moving around, but please feel free to email me at
17 matthew.martinez@dpi.nc.gov. That's the easiest
18 way to get ahold of me. I enjoy working so I
19 usually check my email at all times. So any
20 comments or questions or concerns, feel free to
21 contact me.

22 Thank you for your time and what you
23 do around the state. It's nice hearing such a
24 wonderful conversation. So thank you.

25 THE CHAIRPERSON: Thank you. Okay.

1 It is now lunchtime. Who's ready to eat?

2 Nobody's ready to eat?

3 Thank you very much, Matthew. Okay.

4 We'll break for lunch and come back and start
5 working on committee work. I know Selene and
6 Kathryn are both new to us today, so our
7 committees -- we have the Unmet Needs Committee,
8 Policies and Procedures, Reports and Data. So
9 whichever committees you're interested in, we can
10 connect you to that group.

11 We'll probably start considering --
12 this month we're kind of wrapping up anything we
13 still had left that we're working on as to our
14 committees. In June, we may start working toward
15 next year what we want to do. If there's anyone
16 who wants to change what committee you're on,
17 you're free to do so at that time.

18 We do need a new Policies and
19 Procedures Committee chair, so if you're
20 interested in heading that up, that would be
21 fantastic. So if there's any questions, feel free
22 to ask me during lunch or right now, if you want
23 to, and we will break for lunch.

24 (A luncheon recess was taken from

25 11:59 a.m. to 1:00 p.m.)

1 THE CHAIRPERSON: We don't have
2 anyone signed up for public comment, so -- and we
3 don't have any public comments that were mailed
4 in. There was like one concern regarding how to
5 apply to be on the Council, and we've already
6 responded to that. So apart from that, there's
7 not really been that much activity.

8 But I did want to take this -- since
9 we had such a good discussion earlier today about
10 the -- about the unicorns. I was thinking maybe
11 we can start working toward a recommendation
12 maybe, what kind of data we might want to get to
13 make that recommendation for how to turn horses
14 into unicorn or principals and vice principals
15 into awesome EC champions.

16 So if there's -- I need to me pull up
17 my computer so it will take me a few minutes. I
18 mean I really liked the conversation about during
19 the principals meetings. I know the assistant
20 principals have their meetings as well. We can
21 suggest that they include a short topic-based EC
22 presentation that the EC director of that LEA
23 chooses based on what they're reported to as needs
24 because, obviously, what's needed in one county is
25 not the same as what's needed in the other, but

1 I'm thinking that might be one area.

2 MS. OWENS: So I know that ECAC --
3 I'm seeing if our executive director is
4 available -- is working towards a principals
5 training. It might be in Guilford County, and
6 they did some needs assessment and background work
7 so they have gathered a certain amount of data,
8 and when it comes together, it would run as a
9 pilot.

10 If she's around -- oh, she's in a
11 meeting -- I could see if I could talk to her for
12 a few minutes and report back in on where we are
13 with that. I know that there was interest, and I
14 know they are feeling similar to how we're feeling
15 about there is need. So that's a little bit of
16 something I might be able to contribute here in a
17 little bit.

18 THE CHAIRPERSON: Okay. If she just
19 sends you back a text with that, that would be
20 fine, and maybe we can get a little bit more
21 formal -- or this is what we've got going on, a
22 little bit more detail at the next meeting.

23 MS. OWENS: Sure.

24 MS. GRANT: That's exactly what we
25 did. We -- we did a survey with all our

1 administrators to find out what they needed in the
2 world of EC, I guess, and then actually surveyed
3 our principals to see what they felt our APs
4 needed, and then we got it from the APs as well.
5 So that was interesting, but everything aligned.
6 So I mean it's all basically around behavior,
7 restraint, seclusion, and what does it truly mean
8 when you sign your name as an LEA rep.

9 I mean I think that was the big
10 eyeopener for some of our -- especially our newer
11 administrators on they're just not signing that
12 you're participating like some of the other
13 participants are in the meeting, but what's really
14 tied into that.

15 THE CHAIRPERSON: Yeah. Because as
16 an LEA, that means, "What is in this IEP, I agree
17 to and this is what the district will provide."

18 MS. HUTCHINSON: In our fall EC
19 Institute, you might recall that we did an LEA
20 training forum, and the line was out the door, and
21 they had to do a second session. The fire code
22 didn't let anyone else in. Do you remember that?
23 That was a great little training for LEAs and what
24 your role is, and it was -- it was just awesome.
25 It was fantastic.

1 MS. GRANT: We did it at the CDC
2 Conference as well. I think too, if you've ever
3 been through an OCR case in your district, then
4 having those members called in one by one, and
5 you're the LEA rep, now talk me through why you
6 made these decisions or why you led the team.

7 Thank goodness, I was -- we have not
8 had an OCR case in our district since I've been EC
9 Director. I was a program specialist at the time,
10 but that was a huge eyeopener to the administrator
11 and just having them speak to the other
12 administrators because administrators listen to
13 other administrators. I could go in and say
14 something all day, but until they -- you know how
15 you-all are -- hear it from other administrators,
16 then---

17 COUNCIL MEMBER: Hears from the
18 unicorn.

19 MS. GRANT: He's not a unicorn,
20 though.

21 COUNCIL MEMBER: He doesn't fall into
22 that category.

23 MS. GRANT: No. But it's just like
24 our teachers listen to other teachers, and they --
25 it's more meaningful for them. But I do feel like

1 that's taking it from that aspect of what it truly
2 means. They had no -- a lot of our principals
3 didn't have any clue what it meant when they were
4 signing their name.

5 THE CHAIRPERSON: Yeah.

6 MR. BAKER: And it's interesting
7 that -- I feel that the APs have a better
8 understanding a lot of times than the principal
9 because we are the ones that most of the time
10 attend most of the IEP meetings and we deal mostly
11 with behavior issues. So our district really just
12 put more of a focus on the AP training aspect of
13 it because, as they did a survey of who attends
14 most of those meetings, who makes most of those
15 decisions regarding looking at kids and behavior,
16 who's a lot of times involved in---

17 THE CHAIRPERSON: Microphone.

18 MR. BAKER: Microphone. Okay.
19 ---looking at cases for [inaudible], it was
20 decided that was the best thing to do. So the
21 primary focus first for us was on the APs and then
22 it was extended out to the principals.

23 MS. GRANT: We did principals last
24 year, and our focus this year has been on APs, and
25 we have seen a big -- big change.

1 THE CHAIRPERSON: Was there anything
2 with the recommendation about training for mental
3 health and behavioral support during higher
4 education? Is there anything there? Because I
5 know someone had mentioned that if there's
6 anything we would like to explore further, either
7 collect more data on through presentations, or any
8 words of wisdom or insight?

9 MS. JOHNSON: I mentioned like a
10 specific criteria for folks that are conducting
11 FBAs and making behavioral recommendations. I'd
12 be interested in knowing currently what those
13 criteria are on how districts are determining when
14 someone is competent to do that.

15 THE CHAIRPERSON: Yeah, requirements
16 to be a behavior specialist---

17 MS. HUTCHINSON: Well, not a behavior
18 specialist. They may have -- they have their
19 own -- who's conducting the FBAs is what you were
20 trying to get at, right?

21 MS. JOHNSON: I guess and just like
22 what is their training. I don't -- maybe I don't
23 know what the specific criteria are for a behavior
24 specialist. I feel like I see people with -- like
25 you are a special education teacher and then you

1 become a behavior specialist, but not necessarily
2 because you had different training maybe. It's
3 just like you -- I'm not sure.

4 MS. MEBANE: I think it differs from
5 district to district.

6 MS. OWENS: That seems to be my
7 understanding, is that there is a lot of
8 variability.

9 MS. HUTCHINSON: I think we were
10 getting at the root of the problem. It's who's
11 conducting the FBA and like what relationship or
12 skills do they have to be able to conduct that
13 versus a behavioral specialist because I don't
14 know that we want to say who can be or can't be a
15 behavior specialist, but I think that the FBA is
16 what applies to our kids and knowing who's doing
17 that and what skills do they have to do that.

18 MS. OWENS: Or maybe it's both.

19 MS. GRANT: I think there too is some
20 understanding the difference with -- and, Carol
21 Ann, this may be a policy issue -- when an IEP
22 team comes together and requests a reevaluation
23 for a formal FBA versus coming to the table with a
24 lot of data, that you can pretty much pick out the
25 function. Am I saying that correctly from a

1 policy standpoint?

2 MS. HUDGENS: Yeah. Yeah. So I'll
3 just -- can you-all hear me okay?

4 MR. BAKER: Yes.

5 MS. HUDGENS: So just to kind of add
6 to that a little bit, one of the things that has
7 not only been a concern expressed by this group
8 but by our friends in the field is that in our
9 policies, we haven't really defined what
10 constitutes a functional behavior assessment. So
11 we don't even have -- there are other evaluations
12 that we have defined in our policies, but
13 functional behavior assessment is not one of them.

14 However, we are working to start
15 defining that, and then through the definition of
16 that assessment, then LEAs can have more
17 discretion about who might be appropriate to
18 deliver that assessment or administer that
19 assessment because what we do have in regulations
20 and policy are evaluation procedures, and in those
21 evaluation procedures, not only does it speak
22 about the assessments have to be free of bias,
23 they have to be norm referenced, you know, all the
24 particulars of making sure that you have a valid
25 and reliable assessment.

1 But it also speaks to just in kind of
2 generic terms that you have to have the
3 appropriate credentials to be able to administer
4 those assessments. Now, historically, because
5 there's not a definition of functional behavior
6 assessment and they're following -- there's not
7 necessarily criteria for who can administer those,
8 to Christy's point, it depends on the unique needs
9 of the child and what expertise you need to bring
10 to the table because there are multiple pieces of
11 a functional behavior assessment. There's not
12 just one thing. Parents are included in that
13 evaluation because they provide observations that
14 they see in the home setting. Classroom teachers
15 also contribute to that evaluation because of
16 their observations. Many teachers could
17 contribute to behavioral data collection. Where
18 you really need to have some expertise -- and,
19 again, that's not necessarily saying it has to be
20 a behavior specialist or a psychologist, but it is
21 in the analysis of that information that is
22 brought together that an appropriate plan is
23 developed.

24 Because remember we're not trying to
25 determine eligibility by an FBA; what we're trying

1 to do is develop appropriate programming which may
2 include a behavior intervention plan. So at the
3 bare minimum, an EC teacher who is licensed to
4 deliver specially designed instruction could be
5 appropriate to coordinate the collection of
6 information necessary for a functional behavior
7 assessment.

8 So that's just kind of some
9 peripheral information about that. I don't know
10 if that's too much or too little, but it really is
11 going to depend on the unique needs of the child.
12 There might be a set of scales that are required
13 but as a part of the functional behavior
14 assessment that have to be administered and
15 interpreted by school psychology and may not.

16 MS. HUTCHINSON: Sometimes if you
17 have ABA therapist or whomever involved, they have
18 amazing data that's helpful.

19 MS. HUDGENS: Yeah. So there will be
20 more to come on the FBA from the state level
21 because it's a continuing question that we have
22 because I think FBA sometimes is used too broadly
23 in its definition because you can collect
24 behavioral data without necessarily completing an
25 evaluation, and you can complete an evaluation

1 that includes data collection for behavior.

2 And so where we have to provide some
3 more guidance is what in behavioral data
4 collection makes it rise to the level of needing
5 consent in the reevaluation process, and there,
6 through that conversation and analysis, is a
7 better determination to walk it backwards for who
8 is best suited to administer it.

9 We've also been asked to help provide
10 some templates for behavior intervention plans,
11 not to necessarily lock districts into using just
12 one form, but rather to inform the essential
13 components that a behavior intervention plan
14 should include. So that work is in progress.

15 THE CHAIRPERSON: Good. That's
16 actually -- I like the idea of more work around
17 the FBA, about defining what that is because you
18 see that a lot. It's like, "Well, we have this
19 little piece of paper we filled out."

20 MS. GRANT: Well, because behavior
21 intervention plan is not defined either. It's not
22 a state form at all.

23 MS. HUTCHINSON: But, yet, it would
24 be considered part of the IEP.

25 MS. HUDGENS: Where we've kind of

1 wrestled with a state form for behavior
2 intervention plans is trying to balance the
3 flexibility that's needed to customize it to a
4 unique need, but yet being comprehensive enough
5 that the unique need is most comprehensively
6 addressed.

7 Because you may have behavioral
8 concerns for groups of students that are not
9 aggressive, self-injurious. They are just types
10 of behavior that is not engaging with other
11 students or with the teacher or work habits or
12 adjusting to sensory input. You may have
13 behavioral plans that work to those issues, and
14 then you might have behavioral plans that are
15 directed toward really difficult and challenging
16 physically aggressive plans.

17 So that's what we have to wrestle
18 with when we look at state forms, not creating
19 something that is so narrow that it prohibits the
20 uniqueness of the plan, but yet comprehensive
21 enough that it can be adapted appropriately to
22 that particular student.

23 I think, Leanna, if you wanted to
24 have your policies group -- we always try to bring
25 forward to the Council anything that we suggest

1 towards policy. So it could be an opportunity
2 that we bring to this Council what we're proposing
3 as a definition of functional behavior assessment
4 for additional feedback. So one of your groups
5 may want to take a look at that.

6 THE CHAIRPERSON: Yeah. Now as of
7 lunchtime, the chair of Policies and Procedures---

8 MS. GRANT: I joined but not the
9 chair.

10 MS. HUDGENS: And just kind of while
11 I'm on the topic of policies, what we're trying to
12 look at is when we go through a revision to our
13 policy manual, we, of course, have to reprint and
14 distribute that all statewide. So we try to be
15 selective in how we approach policy changes. One,
16 first and foremost, there has to be adequate
17 notice to the field that there's a proposed change
18 so that we can accept feedback. Then, secondly,
19 we have to adequate time with the field, and there
20 is training that is required so that everyone is
21 prepared by the implantation date of that policy.

22 And so the next big release of
23 policies that we're looking at is July 1 of 2020
24 so that -- so the activities right now is around
25 our definitions of required evaluations of which

1 FBA is one of them that's being reviewed now, and
2 there are some language around for the functional
3 vision assessment that our VI team is looking at
4 that needs to have a little bit more detail to it.

5 So there's a number of things that
6 we're looking at that probably in the next -- the
7 next two, I would say, council meetings would
8 likely to include something we would want to bring
9 forward for this panel to discuss.

10 THE CHAIRPERSON: Okay. Sounds good.
11 Any other thoughts about strategies for -- I hate
12 to keep hitting the unicorn thing, but--- You can
13 go home and tell your wife, "I'm a unicorn."

14 MR. BAKER: She'd be like "What?"

15 MR. MOOREFIELD: I think we should
16 put Anthony in charge of like setting up a state
17 plan for how our admins should deal with
18 everything. The unicorn plan, we'll call it.

19 MS. HUDGENS: Well, in fairness, I
20 think it's not only a suggestion of this Council,
21 but we're hearing that from EC directors
22 consistently. For example, our SLD policy that
23 goes in effect in 2020, I think we have saturated
24 our EC folks. They are ready, willing, and able,
25 but they have asked us to expand our audience to

1 principals, and so we are trying to work on how
2 best to try to facilitate that.

3 So I think this recommendation is
4 timely for how we get involved principals. I know
5 Christy had spoken to activities that are engaged
6 upon at the local level. I know that in different
7 opportunities that I've had, we've done an
8 administrator boot camp in the summer, and not
9 only EC but student services would get together
10 because we talk about discipline, we talk about
11 absences, we talk about Section 504, we would talk
12 about EC.

13 And so a lot of times, we get
14 leverage when LEAs are proactive on their own and
15 create spaces and opportunities for us to be
16 invited in or to provide information that then can
17 be shared locally. Yes, ma'am?

18 MS. MOOREFIELD: One thing in the
19 world languages division that we've been working
20 on over the last few years is an online platform
21 for continuing ed for world language teachers. So
22 we it up in a series of modules so that on their
23 own time, they can go in and choose a module.
24 It's set up through Canvas, and they can earn
25 their continuing ed by completing these certain

1 modules.

2 Would that be appropriate for an
3 admin training, that is, something that they could
4 do on their own time? Do admins have to do
5 continuing ed?

6 MS. HUDGENS: I think that there are
7 a number of options available. I think that the
8 virtual platforms are excellent for front loading
9 content. I do think that there probably needs to
10 be a blended delivery of some of these issues
11 because what I have found that has been most
12 beneficial is when the groups are small enough
13 that they're comfortable to talk about situations
14 and scenarios. Because until you have experienced
15 a particular moment in time where you've had to
16 have some good decision-making, it's a little bit
17 difficult to kind of absorb the content and be
18 able to apply it in a timely fashion. So I think
19 there's a good mix there, but yes, I think it has
20 its space.

21 THE CHAIRPERSON: Let's see. We
22 might be moving a little bit early today. Do any
23 of the committees have anything to report back
24 from their work for the last couple -- last
25 session? I don't think so. Once again, I

1 mentioned it during -- right as we broke for
2 lunch. I don't know if anyone heard me. If
3 anyone is interested in Reports and Data for a
4 committee chairmanship, that would be awesome. I
5 fill one and lose another. So if anyone's
6 interested in Reports and Data.

7 Would you mind going ahead and moving
8 on to discussing surrogate parents since you're
9 the presenter?

10 MS. HUDGENS: Well, no. I'd be happy
11 to. Let me get it all queued up here.

12 (Pause.)

13 MS. HUDGENS: In response to some
14 requests from the Council and discussions that
15 have been had in the past, there was a request for
16 us to present some information on surrogate
17 parents, and what I'm going to do is kind of go
18 through a high-level overview of training that's
19 already in place for LEAs to take advantage of and
20 the materials that we have onsite -- available
21 online, and then I'm going to go just through a
22 high-level description of what we provide and we
23 guide LEAs for when they have to select a
24 surrogate parent.

25 And, of course, it's required. There

1 is a legal mandate that we have to have somebody
2 in matters of exceptional children to be able to
3 advocate and speak to and protect the rights of a
4 child. A child may need a surrogate parent if the
5 parent cannot be identified or located. We also
6 have to appoint a surrogate parent if the child is
7 a ward of the State, and a child becomes a ward of
8 the State when the parents' rights have been
9 terminated, okay, or the educational decisions of
10 those parents have been terminated by the Court.
11 And then if a child is an unaccompanied homeless
12 youth, then we have to make sure that we still
13 can't find a parent, we can't identify the parent,
14 the parent can't be located before we appoint a
15 surrogate parent for them.

16 Any questions on this?

17 THE CHAIRPERSON: So would foster
18 care -- children in foster care be under the
19 service of a surrogate parent or of the foster
20 parent in an IEP situation?

21 MS. HUDGENS: Yes and no, and I'll
22 get to that on my next couple of slides, okay? So
23 that's good. That's a very good teaser, and I'll
24 spend some extra time on that, Leanna, okay?

25 So when it comes to appointing a

1 surrogate, our LEA has to be very careful. How is
2 it clicking without me touching it? Okay. I'm
3 sorry.

4 So the LEA has to decide if a child
5 needs a surrogate, and we get a lot of questions
6 here at DPI. We'll have a call because family
7 circumstances can be very challenging to weed
8 through. Not only are there the issue of the
9 biological parent, but there are issues around
10 stepparents, if children are living with
11 grandparents, if there are other family
12 circumstances that present themselves. LEAs have
13 to be very, very careful when they determine that
14 a surrogate parent is needed because the surrogate
15 parent, of course, is acting in the place of a
16 parent, and we would never want to not include a
17 parent when we are discussing matters of
18 exceptional children.

19 Then they have to assign that, and
20 then they have to train that person so that they
21 can fulfill their duties as a surrogate parent.
22 We don't just pick someone up that might know the
23 kid and invite them to an IEP meeting and expect
24 them to know how to advocate successfully for that
25 child. So we'll talk a little bit more about that

1 in the next few slides.

2 So some of the criteria for special
3 education surrogate parents is that they cannot be
4 an employee of the state education agency or the
5 local education agency. We want to make sure that
6 they're not an employee so that there's absolutely
7 no conflict of interest because, again, that
8 person's role is to advocate for the child and not
9 for any other reason, okay?

10 So for your question around a foster
11 parent, where this becomes little bit more
12 critical is in the issue of a therapeutic foster
13 parent because that foster parent is being
14 compensated for the therapeutic environment that
15 they're offering for the child. So that creates a
16 little bit of a potential conflict of interest.
17 So we would not appoint a therapeutic foster
18 parent as the surrogate parent for a child. They
19 are welcome to attend the IEP meeting as a
20 participant. We certainly would want them to be
21 involved in the education, but for the role of
22 parent, that person could not serve in that role.

23 THE CHAIRPERSON: Okay.

24 MS. HUDGENS: Okay. So moving on
25 down, no personal or professional interest that

1 conflicts with the interest of the student, okay,
2 and that the surrogate has knowledge and skills
3 adequate to represent the student. Now in the
4 surrogate parent training that we offer to the
5 appointed surrogates, which I'll also include in
6 here, we know that they're not likely -- unless
7 they've served as a surrogate for other children,
8 we know that they may not likely be well-informed
9 about the IDEA and the responsibilities and
10 protections. So as part of the training for that
11 individual, in their selection, they would be
12 asked to participate in training so that they can
13 become informed about what those options are.

14 All right. So a lot of times, it
15 gets a little bit confusing about how much
16 authority that the surrogate parent has and does
17 it extend to other things, and this is where we go
18 back through and highlight that a surrogate parent
19 is exclusively for the purposes of exceptional
20 children in special education, okay? This is not
21 appointing someone who can do field trips, give
22 consent for field trips, permission for other
23 activities. We wouldn't be appointing surrogates
24 for those types of business. The surrogate is
25 completely and solely for the purposes of special

1 education.

2 Now a judge may appoint someone who
3 can do all of these things, but when we are coming
4 to the point where the LEA is appointing a
5 surrogate, it's exclusively to the role of EC.

6 MS. HUTCHINSON: Carol Ann, their
7 Guardian *ad Litem* can't be the same surrogate --
8 the same for EC purposes, right?

9 MS. HUDGENS: Correct. So the
10 question is about Guardian *ad Litem*, and so that's
11 actually one of the most often questions that we
12 get. And since they are appointed by the Court,
13 they are an advocate for the student in court
14 proceedings just like a surrogate is an advocate
15 for students in educational things for EC. So
16 that's the difference there. Certainly, they can
17 come to an IEP meeting.

18 MS. HUTCHINSON: We have a lot that
19 have the perception that they have those rights in
20 special ed because I think when they're trained,
21 they're trained that they can sign for the rights
22 of that child entirely, and they don't realize
23 that special ed is really different. So they
24 could sign for field trips and permission to
25 transport---

1 MS. HUDGENS: Right. They have some
2 more expansive authority under Guardian *ad Litem*.
3 And, also too, I will say -- and you'll see this
4 as a suggestion a little bit further in the
5 material -- Guardian *ad Litem*s have very specific
6 roles, but if they advocate that they have more
7 responsibility or more authority than we initially
8 believe them to have, I think we -- it's best
9 practice to request that court order because while
10 not typically do they have educational rights of a
11 child to the extent of special education, a judge
12 may have put something in the order specific to
13 that. So---

14 MS. CHILDERS: Stating that they can?

15 MS. HUDGENS: Yes. So in the spirit
16 of goodwill, I always say, "You know what? Let's
17 look at the court order and see what's happening,"
18 because if they have been given that type of
19 authority by a judge, we certainly don't want to
20 tread on that. But, typically, no. They have a
21 function in court processes to advocate for a
22 child, okay?

23 MS. HODGES: And a DSS caseworker --
24 a student's caseworker wouldn't qualify for this
25 as well?

1 MS. HUDGENS: That's correct. And
2 that is our -- I would say we get that question
3 above the Guardian *ad Litem* because our DSS
4 caseworkers, they typically enroll students. They
5 have all their immunizations a lot of times. They
6 have their family information. They have
7 information about whether or not a parent's rights
8 have been terminated. They're a wonderful agency
9 that we work with.

10 MS. HODGES: And hopefully come to
11 the IEPs and participate.

12 MS. HUDGENS: They often come to the
13 IEP, and they're welcome to come to the IEP
14 meeting. However, it's just like the Guardian *ad*
15 *Litem*; their role extends only so far. And if we
16 look at the definition in our previous slide, when
17 it looks at that first element there, that first
18 bullet point, they are an employee of a state
19 agency. So that's how we know that a DSS worker
20 is not going to qualify for a surrogate parent.

21 MS. HODGES: The other question I
22 have is about foster parents. My understanding is
23 that foster parents get a payment, quite often,
24 unless it's a kinship agreement. So I'm curious
25 about this distinction between a foster parent and

1 you were saying---

2 MS. HUDGENS: Therapeutic.

3 MULTIPLE COUNCIL MEMBERS:

4 Therapeutic.

5 MS. HODGES: Thank you, everybody.

6 Yes, the therapeutic foster parent.

7 MS. HUDGENS: So I'll try to get as
8 close to that as I can when we get to the foster
9 parent information, but we know clearly that
10 they're designated as a therapeutic foster parent,
11 and they are compensated by the State to do so
12 because they're providing a very particular
13 setting for children who are in foster care. And
14 so that's where we get the most definition about
15 what is absolutely not, okay?

16 All right. Moving on ahead, so in
17 the terms of what constitutes a parent, this is in
18 the North Carolina state policies governing
19 students -- services for children with
20 disabilities. It's also congruent with the
21 language in the federal regs about what defines a
22 parent. And the reason why this is really, really
23 important is because there are people who can
24 serve as a parent under the regulatory language
25 that may not immediately come to mind.

1 So the first one is kind of obvious.
2 We know the biological or adoptive parent, that is
3 the parent of a child. They are the ones that can
4 provide the consent if consent is needed for the
5 initial evaluation or the initial consent to
6 provide services.

7 And so then the second point gets to
8 our foster parent question, okay? So unless
9 there's a state law that prohibits it, a foster
10 parent can act as the parent for the child. We
11 wouldn't have to train them as a surrogate. They
12 could be the parent of the child, if they're not a
13 therapeutic foster parent, okay? So that's the
14 distinction there.

15 And so there could be a guardian
16 appointed for the student, which is when we would
17 really need to see what court orders have to say
18 because that guardian may have -- may have limited
19 educational rights, and a thing that is really
20 important in EC is if a parent's right has not
21 been terminated, we still have to go through the
22 measures to locate the parent and try to get the
23 parent to be involved in their child's educational
24 programs.

25 And so the next one is where it gets

1 a little bit more interesting and where we get
2 questions around stepparents and so forth. So an
3 individual acting in the place of a biological or
4 adoptive parent, and so this list includes a
5 grandparent, stepparent, or other relative with
6 whom the child lives or an individual who is
7 legally responsible for the child's welfare.

8 Now this also can be a landmine of
9 decision-making for an LEA because we have a lot
10 of families that are blended families. There are
11 stepparents involved, and there are families that
12 live with grandparents. And so there's a lot of
13 different family structures that we have. The
14 example that I would like to give is that we've
15 had situations in which--- I don't know why it's
16 advancing. Okay.

17 One of the examples that I would like
18 to give is that we have had a stepparent, a
19 stepmom be the one that the child lives with, has
20 always attended the IEP meetings, and then for
21 whatever reason, there is a disruption in the
22 family setting and the biological mom wants to
23 become more involved and has her parental rights.

24 So just as a rule of thumb, when
25 dealing with stepparents and step families, don't

1 overlook the fact that unless those parental
2 rights have been terminated, those biological
3 parents have a right to be invited to those
4 meetings as well, okay? So this one can get a
5 little bit complicated. So stepparents do not
6 have to be trained as surrogates, and that's what
7 the purpose of having this slide up is meant to
8 convey, is that if you meet the policy and
9 regulatory definition of parent, then you do not
10 have to appoint a surrogate because you have
11 someone that can act on their behalf, okay?

12 So the next one that is highlighted
13 is that there could be multiple people that are
14 qualified to be the parent, okay? So we have to
15 be -- we have to be careful that the biological
16 parent hasn't had their rights terminated, okay?
17 Then there's a judicial decree or order that says
18 who specifically has the right to make educational
19 decisions.

20 So this can get really complicated.
21 So what we advise our LEAs to do is that if review
22 of these materials and the review of the parent
23 and you still have a circumstance that doesn't
24 seem easily solved with information is to call our
25 office and we'll help walk through that, okay,

1 because there's a lot of variations to family
2 makeups now.

3 We've kind of already established
4 that the biological or adoptive parent is always
5 the first choice, and this applies to both, even
6 if the family is separated and remarried. You
7 know, mom and dad biologically still have rights
8 to participate in meetings.

9 All right. So when we can't figure
10 out who's the parent -- you've heard me mention
11 this before -- we need to look at the court order.
12 LEAs are accustomed to asking for this. If there
13 is some kind of court order, we really don't like
14 to go on just word-of-mouth about a parent's
15 rights being terminated because if there is a
16 divorce or some unfortunate circumstance that's
17 created a family situation for a child, there can
18 be a lot of hurt feelings on a lot of different
19 sides, and we need to have some kind of evidence
20 that parental rights have been terminated. So
21 court orders are very helpful. And if a parent
22 can be available, we don't even need to try to go
23 down the surrogate route, okay?

24 If they have other caregivers that
25 are involved in their life -- suppose that the

1 child lives with the grandmomma but momma still
2 has parental rights. We still try to get mom
3 involved in the IEP team meeting and grandma can
4 attend too. Grandma can actually act as a parent
5 if you have something that requires a parent's
6 consent.

7 So I'm going to kind of pause right
8 there because this whole issue of surrogate parent
9 is really, really important in two major
10 instances. One is in the initial evaluation of a
11 child. So a child is suspected of a disability
12 and an IEP team determines that they need to
13 evaluate that child. You cannot move forward with
14 that evaluation unless you have parental consent.
15 Now there is some clauses in a worst-case scenario
16 that we can discuss, but for today's purposes, we
17 have to have a parent provide consent.

18 And then after that evaluation is
19 conducted--- Do you-all see I'm not touching it?
20 It's making me crazy.

21 MS. MOOREFIELD: If it's a touch
22 mouse pad, if your shadow goes over it, it senses
23 that as a touch.

24 MS. HUDGENS: My goodness. I'm going
25 to lean back. Or it could be giving a clue that I

1 need to move on with it, so that could be true
2 also.

3 But if that IEP team gets the consent
4 and evaluates the child, before you provide
5 services for the first time, you have to have a
6 parent's consent again. So that's a really
7 important time period that we have to look at
8 consent. After those first two consent items,
9 business can move on fairly smoothly. You still
10 have to wrestle with trying to get the parent to
11 attend the IEP team meeting, but the IEP team, if
12 it has exhausted numerous efforts to involve the
13 parent and they choose not to participate, the IEP
14 team can move forward. LEAs are very careful
15 about doing that, though, because we do not want
16 to create a problem or conflict with parent
17 participation in IEP team meetings.

18 The other time that could be really
19 important is at a reevaluation. If you're getting
20 consent to conduct additional evaluations where
21 you might be considering a different disability or
22 an additional disability or that the child may no
23 longer be eligible for special ed, that's a really
24 important time also. There are some procedural
25 steps that you can go through if you are unable to

1 involve the parent at that time also, okay, but
2 it's really important for that initial consent for
3 special ed and the initial reevaluation.

4 So foster parents and surrogate
5 parents are only used for students who are wards
6 of the State, okay, and generally, you're
7 identified as a ward of the State if your parents'
8 rights have been terminated or specific education
9 rights have been awarded to someone else on your
10 behalf. We've already kind of established who
11 cannot be a parent, and if there's a question
12 about whether or not a child's legal status is one
13 that requires a surrogate parent, in addition to
14 calling and asking us, many LEAs have an attorney
15 on their staff that they can ask to help with that
16 process.

17 Unaccompanied youth, of course, may
18 need someone to advocate for them. So as you can
19 see, walking through this presentation of
20 materials really is supposed to be very specific
21 to support LEAs in their decision-making. When we
22 have unaccompanied youth or any child with a
23 disability, their rights transfer to them at the
24 age of 18, and we have to start having those
25 conversations with the IEP team, the family, the

1 parent the year before they turn 18. So we have
2 multiple conversations about if that child may not
3 be able to advocate for themselves and need some
4 type of guardianship where educational decisions
5 have to be made by an adult and the adult student
6 together. There are all different types of
7 guardianship, of looking at rights of students and
8 protecting them if they're not able to make those
9 decisions for themselves.

10 So in the role of a special ed -- a
11 surrogate parent, once we have kind of gone all
12 through that decision-making and we know we need
13 one, what do we have to do to get them ready? And
14 so what we need to do is let them know before they
15 sign up what they're going to be responsible for,
16 and this -- it's because we need them to help us
17 if we have to identify a child with a disability,
18 if we have to evaluate them, develop their IEP,
19 the ongoing review and revise of the IEP, and they
20 need to know how to advocate for the child if they
21 disagree with what the LEA is proposing. So they
22 need to know about dispute resolution mechanisms
23 as well. They need to know about parent
24 resources. They need to have a method of knowing
25 how to advocate for the child if -- if they

1 disagree with the school's proposal.

2 So the next question that we get is,
3 what can the surrogate parent have access to?

4 Well, clearly, they need to have the procedural
5 safeguards so that they know all the rights that
6 protect the student. They need to have access to
7 those educational records and reports. Since we
8 have appointed them as a parent now, if you can
9 think about it, they would have access to
10 information that parents would have.

11 So they would have a copy of the IEP
12 and evaluations. They could represent the student
13 if you're in a disagreement. They may mediate on
14 behalf of the child. They may also file a due
15 process petition on behalf of the child. They can
16 ask for progress, and we should be providing them
17 progress reports on the child that they're serving
18 as a surrogate for because we need to keep them
19 informed of the child's educational progress.

20 So they have to maintain
21 confidentiality as well. When the LEA's selecting
22 these individuals, they need to be certain that
23 the person they're appointing is capable of being
24 confidential, and if there are any questions about
25 their ability to maintain confidentiality, then

1 that person should not be appointed as a
2 surrogate. They have to review the
3 responsibilities, and once that volunteer
4 surrogate parent has completed their duties or
5 they say that they no longer want to serve in that
6 role or perhaps the student has been adopted and
7 now has an adopted parent, they are required to
8 bring all those records that were shared with them
9 back to the school district so that the school
10 district can destroy them in a manner that is
11 confidential so that we don't have personally
12 identifiable information out there.

13 That's probably one of the key things
14 that you would want to include in your training,
15 is to ask that person to develop some type of
16 organizational system where those records are kept
17 together and maintained in a secure fashion so
18 they can be returned when their appointment is
19 over.

20 All right. So we talked about
21 appointing, the training that's required,
22 identifying students that need one. LEAs will
23 keep track of those appointments. They may choose
24 to, although not required, to provide annual
25 refreshers for surrogate parents to let them know

1 of things that are coming along in EC, any kind of
2 changes that might impact their students. And
3 they keep track of them, one, so you'll know who
4 to invite to the annual IEP meeting if that
5 surrogate parent is appointed for a long time and,
6 two, if that surrogate parent no longer serves in
7 that role, they've got to retrieve those records
8 back. So the LEA has to keep track of that.

9 And, also, I've talked about when the
10 child no longer requires a surrogate. That might
11 be because the child has turned 18 and they're now
12 able to represent themselves. They've been
13 adopted. We have found the parent. The child may
14 no longer be eligible for special ed, so if they
15 are exited from special ed, surrogate parents are
16 no longer needed. A new guardian is appointed or
17 if a child has been in foster care and that foster
18 parent can now act as a parent. So those are all
19 some different scenarios in which you may no
20 longer need a surrogate.

21 The LEA can certainly decide to
22 terminate an appointment if that person is like a
23 no-show. The whole purpose of having that
24 surrogate parent is having someone at an IEP team
25 meeting, and if that person is not actively

1 engaged in the educational program for that child,
2 that's probably not the best choice to have at the
3 table.

4 Anything around confidentiality that
5 becomes a problem. Suppose the surrogate parent
6 gets a new job and now works for a state agency,
7 they may now have a new conflict of interest, and
8 maybe the person that we selected for surrogate
9 parent has now entered into a unhealthy
10 relationship with the student for whom they're
11 serving as surrogate. So there's multiple things
12 to think about when a surrogate parent may no
13 longer need to serve in that role.

14 All right. So I'm going to switch
15 over to our website, and if you look under
16 "Policies," we have a tab here for "Special Ed
17 Surrogate Parents." And I will enlarge this a
18 little bit. So we have a manual here, and I know
19 Virginia is probably going to ask me for one. So
20 I have a nice pretty bound copy like this too or
21 the virtual one.

22 MS. MOOREFIELD: You better believe I
23 want a fancy one.

24 MS. HUDGENS: You can have this one.
25 And I didn't quite have enough of these for

1 everyone, so if you need one, let me know.

2 But the training module that you saw
3 me go through, I just selected particular slides
4 out of it, but our previous parent liaison did a
5 recording on YouTube that walks an LEA through the
6 training and explains all those if-then
7 circumstances. Those links are down here. We
8 have the transcript which is the written, of
9 course, script that accompanies that PowerPoint
10 presentation or that YouTube video.

11 And I don't believe you can find the
12 YouTube video by just searching it up, so you'll
13 need to get through our link. And not only do we
14 have the guidance model for LEAs, which is what I
15 took you through, we also have the volunteer
16 module. So if you are a surrogate parent that has
17 been appointed and you want to learn more about
18 your responsibilities, we have that second module
19 there that can be used for the person who's
20 volunteering in that role.

21 Now we made these available to our
22 LEAs, and it's perfectly acceptable if the LEA
23 wants to plug in their surrogate parents to these
24 materials in addition to whatever they may do
25 locally. We did that as a resource to make sure

1 that the training was consistent and was available
2 for LEAs with relative ease when it comes to
3 looking at surrogate parents.

4 All right. Any questions for me on
5 this topic? Yes, ma'am?

6 MS. MEBANE: I've had a few
7 situations where the grandparents -- the parent
8 themselves was a person with a disability, and so
9 the grandparents are trying to come in, and you
10 know, the person with the disability doesn't even
11 want to attend the meeting, doesn't want any of
12 this. I've seen schools push back and insist that
13 they couldn't meet with the grandparents without
14 the parent present. Is there clarification about
15 that?

16 MS. HUDGENS: Well, I'll just preface
17 it by there could be a lot of reasons that that
18 is. It could be potentially that the biological
19 parent is being misrepresented by the grandparent
20 because the grandparent wants certain things and
21 the parent wants other things, but in a lot of
22 situations -- and I'll go purely to the one you
23 described where the biological parent has a
24 disability.

25 What I would point them to is the

1 definition of parent. Clearly, if they are living
2 with that grandparent then she, for the purpose of
3 this, could be considered as a parent, but the
4 other thing we might have to chase back is, is the
5 grandparent actually the guardian of the parent
6 with the disability. So if you back walk it,
7 you're back to the grandparent having authority to
8 act as a parent.

9 The other thing is, my suggestion is,
10 unless you are trying to get consent for
11 something, you're really just trying to have the
12 parent involved in the IEP meeting. So you need
13 to have someone involved on behalf of the student,
14 but you're not necessarily having to put such
15 scrutiny on who can sign consent because you only
16 have consent items at very particular times.

17 A lot of folks are also under the
18 misunderstanding that an IEP -- an annual IEP is
19 an annual consent item because the parent may sign
20 their name that they participated. It's just
21 participation. It's not a consent item.

22 MS. MEBANE: The school is calling it
23 a confidentiality problem because they're
24 discussing the child without the parent present.

25 MS. HUDGENS: So a lot of times, that

1 is a major point of confusion, and I can see why
2 that's problematic. I would encourage, if you are
3 helping in that situation, to have -- ask them to
4 call us or ask the grandparent to call us.

5 Because I don't want to necessarily be critical of
6 the school district because, obviously, there have
7 been situations in which that has not worked out
8 well for them, and they're really in their own way
9 trying to protect the child's interest, but we
10 kind of need to move on with things as well.

11 MS. MEBANE: I think the problem --
12 I mean I think they really believed what they were
13 saying, but I mean the parents were forced to come
14 into this meeting and clearly miserable and
15 clearly stating they didn't want to be a part of
16 these meetings. I mean, you know, that's really
17 where---

18 MS. HUDGENS: Well, that kind of
19 borders on cruel and unusual punishment, right? I
20 mean we all have meetings we didn't want to
21 participate in.

22 MS. MEBANE: We had one case where
23 there was a power of attorney for educational
24 decisions, and the school wouldn't accept it.

25 MS. HUDGENS: Unfortunately, you can

1 show them the policy book and you can advocate and
2 the parent can bring it out, but sometimes they
3 may not feel affirmed that they can go forward
4 until we bless it at DPI. And so if that's what
5 we need to do to help open up communication
6 avenues, we will. Go ahead.

7 MS. CHILDERS: I was just going to
8 say -- I just got done actually doing this
9 training. Council for Children's Rights contacted
10 me a few months ago, and so I did all this
11 training. And on it, that was actually an example
12 that was given to us, and so -- and it was
13 basically explained as if the parent -- even
14 though the parent has a disability, if the parent
15 actually still does have the guardianship over the
16 child, then that is where, you know, you
17 definitely -- you can report back to DPI, but
18 there also needs to be that, you know, legal
19 representation of exactly what needs to happen
20 next because they were also stating about if the
21 parent -- if this child is really struggling and
22 there's a lot going on and there's a lot of
23 pushback because the parent doesn't want to be
24 there because the parent has a disability or
25 whatever, you've got to move on. You've got to be

1 able to help the child.

2 So the way that it was -- the way
3 that it was instructed to us was that, you know,
4 we would definitely contact and we would have to
5 go further, whether it be working on also -- not
6 us -- the surrogate parent wouldn't do that, but
7 also getting that guardianship over or something
8 over to that grandparent so that they have those
9 rights, but also making sure that DPI was involved
10 the whole time. That was the number-one thing
11 constant, call DPI.

12 MS. HUDGENS: It is very challenging
13 because LEAs want to be so careful because you
14 really don't want to override or overlook
15 someone's rights because that's a serious matter.
16 I know -- I'm a parent. I would be a little upset
17 if I was jumped over and have something to say
18 about it. So you have to be really careful, and
19 there are very -- often there are complexities to
20 those family relationships that have to be sorted
21 through.

22 MS. MEBANE: One of the cases
23 actually ended up in due process, and the
24 administrative law judge gave the grandparents the
25 right. It shouldn't have had to go that far, I

1 don't think.

2 MS. HUDGENS: No, it really shouldn't
3 have. Any other questions for me? I'm going to
4 check online. Unfortunately, for our online
5 friends, we had some others join us, and I forgot
6 to share my screen. So this was me apologizing
7 and assuring them that I would send the PowerPoint
8 materials to them. And I'm just checking right
9 now to see if they have any questions for me.

10 Erin, I'm sorry that I didn't have
11 displayed while you were listening in, and the
12 same for you, Rebekah. I'll get those emailed to
13 you, if you will include your email address in the
14 question box to make sure you're on our Listserv,
15 I'll make sure you get it.

16 All right. Questions for me? Yes,
17 ma'am?

18 MS. FREY: How many surrogate parents
19 are there filling in this role typically on a
20 yearly basis doing this? This is the first time
21 I've ever heard of that.

22 MS. HUDGENS: Yeah. So that's not
23 necessarily data that we collect at the State
24 level, and I don't want to put Christy on the
25 spot. But do you -- I'm putting her on the spot.

1 I mean, do you have like five -- a guesstimate of
2 how many you do? Because I know when I was an
3 LEA, I probably trained someone like once every
4 five or six years, just because there are
5 typically foster parents that can serve as
6 parents, grandparents that can serve as parents,
7 or one parent or the other that we can locate that
8 have rights.

9 So really when you go through the
10 definition of a parent and you kind of sift it
11 out, it's really not that often that we have to do
12 it. That's why we made the resources available
13 because LEAs might -- a director might have been
14 in place ten or 15 years and now just has to
15 appoint someone.

16 MS. GRANT: Sure. Yeah. We have a
17 children's home in our district, and so oftentimes
18 we do have wards of the State that are in the
19 children's home. And I want to say we've had
20 three. I mean I've been there for over ten years,
21 and three -- pretty much consistent ones that
22 we've used. They don't like to have more than one
23 or two children that they're working with at a
24 time.

25 (Interruption.)

1 MS. GRANT: Okay. So really it's not
2 that often, and we wouldn't -- I don't think we'd
3 have any besides those that were in -- the
4 children that were in our children's home, if that
5 makes sense, because oftentimes there is someone
6 involved or either we're able to involve the
7 parent through phone or computer -- involve them
8 in the meeting.

9 MS. FREY: I think as a parent I
10 hadn't heard of this. That's why I was like this
11 is interesting.

12 MS. CHILDERS: Mecklenburg County is
13 just getting them. They're just now getting on to
14 this whole surrogate parent thing. So
15 that's -- and starting to like train and do that,
16 but it's only because of the amount that---

17 MS. HUDGENS: Well, Jennifer and
18 Charlotte-Meck actually are online, and she said
19 she's only had to do one in 18 years.

20 MS. CHILDERS: The way that they're
21 doing it -- I think the process of it now versus
22 what it was has changed.

23 MS. MEBANE: I think it's becoming a
24 lot clearer as to what is expected because I've
25 been to meetings where there should have been a

1 surrogate parent, but it was, you know, a
2 therapeutic foster parent or somebody from the
3 group home.

4 MS. CHILDERS: It supposed to be
5 helping the social workers and all of the people
6 that are involved in those types of jobs.

7 MS. MEBANE: I've been doing
8 surrogate parent training for New Hanover County
9 Schools for probably at least a dozen years, and
10 we train maybe a handful every other year, but
11 they don't use them all, I mean, so they maintain
12 a list.

13 MS. HUDGENS: Okay. Anything else
14 from me?

15 THE CHAIRPERSON: I'm thinking of a
16 long-term group home. It may have been that the
17 family was contacted, but because of the distance
18 or something like that, they couldn't make it to
19 the meeting, you know, because I run into that
20 occasionally where it's just -- I participate by
21 phone, but some parents won't even do that. So---

22 MS. HUDGENS: So if we think about
23 children who are in foster care or are wards of
24 the State, the primary goal of those programs is
25 reunification with the parents, and sometimes some

1 of the activities that the parent has to engage in
2 to show that they are ready to resume the care of
3 their child is to participate in school
4 activities.

5 And so, again, that's kind of why
6 this is a small pool, and the reason -- we
7 developed these materials -- we've had training
8 from the State a number of years and resources,
9 but we freshened them up, I think, about two years
10 ago because of the number of questions that we
11 were getting from LEAs about the right
12 circumstances to do this, and so that's why we
13 packaged these materials together. Because if
14 it's once in 18 years, you might have to have a
15 refresher on, you know, all of the things. I know
16 I would have to, and so it's just helpful to have
17 something that the LEAs can dial into and know
18 that they have had and offered a comprehensive
19 training for their parent volunteers.

20 MS. CHILDERS: Carol Ann, I don't
21 know if you know this as well. One of the other
22 things that I thought was a big game changer for
23 this for Charlotte-Meck was, we just recently got
24 two new judges and they were very big on it. They
25 were big -- that was like one of their big things

1 that kind of came in with and wanted. So---

2 MS. HUDGENS: I think that's an
3 excellent point. You know, a lot of this is
4 governed by what happens in family court, and
5 you -- depending on the climate of the Court, the
6 disposition of the judges determines whether or
7 not parental rights would be terminated.

8 And I can say -- I would tend to
9 agree with you that the climate has likely changed
10 on that because judges were often very reluctant
11 to terminate a parents rights because think about
12 not only the educational implications of that, but
13 medically, you know, in any type of legal, medical
14 matters. So it has not necessarily been a go-to
15 item for family court judges because, again, the
16 goal is for reunification with the family. So
17 that's usually a last resort.

18 THE CHAIRPERSON: Very informative.
19 Thank you very much.

20 MS. HUDGENS: You're welcome.

21 THE CHAIRPERSON: Agency updates.

22 MS. THOMAS: That's me. Thank you.
23 So I decided if I put some slides up, it might be
24 easier. Christy, you might want to take a nap
25 because I did updates last week at our March

1 Institute, and so a lot of this, the directors
2 have seen. But it's kind of a hot topic, some of
3 the latest and greatest from the Division, and so
4 I wanted to share that with you guys as well
5 today.

6 MS. GRANT: I actually had a parent
7 call during your session, so I'm glad to hear it
8 again.

9 MS. THOMAS: So we have some new
10 staff that I just wanted to tell you about. We do
11 always update the directory online and the phone
12 list. We have a new section chief. I think she's
13 supposed to be back up in a few minutes, so I'll
14 introduce her live and in person.

15 But in our Program Improvement and
16 Professional Development Section, which is where
17 our State Improvement Project lives -- that's
18 where our Reading Research to Classroom Practice
19 as well as the Foundations of Math work is -- we
20 have a new consultant Ginger Starling, and she's
21 actually going to be doing the online learning
22 development and implementation work. So we are
23 working to move Reading Research to Classroom
24 Practice and Foundations of Math to a hybrid
25 model, both online and face-to-face, to make it

1 more accessible to even more teachers. And so
2 she's going to be working to -- to work on that
3 staff development for us.

4 And then in the section that I
5 previously supervised as the Assistant Director,
6 we have been fortunate to add an additional
7 Regional Coordinator for Charter Schools. We've
8 had two for the last four years. We've added a
9 third. We were able to repurpose a position. So
10 Lynn Metcalf, who was previously the Director for
11 Exceptional Children in Henderson County, has
12 moved into that Regional Coordinator for Charters
13 position, and she's covering the Southwest,
14 Northwest, and Western section or 6, 7, and 8, if
15 you think about our state in the numbers of the
16 regions.

17 And then Michelle Hamm, previously
18 the Director for Exceptional Children in Wayne
19 County, started Monday as the now third Regional
20 Coordinator for Charters, and she covering the
21 Northeast, the Southeast, and the Sandhills or 1,
22 2, and 4. So we are thrilled to have both of them
23 on board working with Rob McOuat. They make the
24 charter coordinators. Rob will be covering
25 Regions 3, North Central Region, and 5, which is

1 Piedmont Triad.

2 Special Programs and Data, which is
3 where our fiscal monitoring folks are, we have a
4 new consultant for IDEA fiscal monitoring, and her
5 name is Elizabeth Millen. She comes to us from --
6 she comes to us from Guilford County Schools.
7 She's been a compliance person there. She
8 previously worked in Gaston County as the
9 assistant director there, a compliance person, a
10 diagnostician. She's got a background in
11 residential behavioral care, and so she's bringing
12 a lot of things to us as well as understanding how
13 to do fiscal monitoring. So we're excited to have
14 her.

15 And then Traci Tillis is our new
16 section chief and project manager for ECATS, our
17 Every Child Accountability Tracking System. Some
18 of you may remember that Quentin Parker who used
19 to come occasionally, and this was the role
20 Quentin was in. He's been moved to a different
21 section. And so Traci has been running this
22 project since April on a contract basis, and she's
23 now an employee.

24 And then I would like to introduce
25 Amanda Byrd, who is in the back, and she is our

1 newest section chief. She's been in place since
2 November so she doesn't feel very new now, but she
3 is our newest and she is the Section Chief for the
4 Special Programs and Data, which is again our
5 fiscal monitoring, budget support around our IDEA
6 grants. We're glad to have you with us.

7 Some good news to share is that
8 recently at the National Association of School of
9 Psychologists, we had two folks in the state of
10 North Carolina who received some very esteemed
11 awards. Rhonda Armistead is on your left in the
12 top picture, and she received the lifetime
13 achievement award, and that has never gone to a
14 person that was not a researcher or at IHE levels.
15 So for that to go to a practitioner, someone
16 practicing school psychology in the field now, was
17 huge kudos to her and her level of service and
18 commitment over the years.

19 And then Leigh Kokenes, who is a
20 school psychologist from Wake County Schools at
21 Lynn Road Elementary, was named the school
22 psychologist of the year. And both of those will
23 be recognized at either the April or May State
24 Board meeting. So that was a big deal for North
25 Carolina. The 2016 school psychologist of the

1 year was Stephanie Ellis, who is in Rockingham
2 County. So in three years, we've had two of the
3 top winners, so that's a pretty good record for
4 North Carolina. I think it speaks to the level
5 of--- I don't know what happened.

6 MS. HUDGENS: Try again.

7 MS. THOMAS: Okay. And then
8 Charlotte-Mecklenburg Schools received the
9 Presidential Certificate of Achievement, and it
10 was for their engagement around a pilot program
11 looking at excellence in school psychology
12 recognition. So there's been a really big push to
13 get school psychologists out in media, to really
14 be seen as not just people who sit beside --
15 behind an easel and run tests every day, but about
16 their engagement, their involvement with plans,
17 their involvement with instruction, their -- the
18 mental health support piece and counseling piece.
19 And so they are much bigger than someone who juste
20 gives a test on the other side of an easel.

21 MS. FREY: Sherry, when did this
22 announcement come out or when were these awards
23 given?

24 MS. THOMAS: The awards were three
25 weeks ago, four weeks ago.

1 MS. FREY: Just being in Charlotte-
2 Mecklenburg, and there's nothing on our media. I
3 haven't seen anything.

4 MS. THOMAS: Really?

5 MS. FREY: I mean not that I've been
6 on CMS's website recently, but I just -- you know,
7 I feel like I didn't see anything.

8 MS. THOMAS: Yeah. It's been all
9 over the newspaper in the last week here in
10 Raleigh, which usually takes a couple of weeks.
11 It happened right before our March Institute. So
12 I think it was the end of February, very first of
13 March. But there will be some media blasts about
14 them from the State Board when we get to do that
15 presentation.

16 Then you've already heard from
17 Matthew around our adapted curriculum and our
18 students that are on the North Carolina Extend 1,
19 but we are looking to do some stakeholder
20 engagement and put together a group of folks to
21 come in and help us problem-solve around how to
22 provide more support as a state department to the
23 local level, to teachers, to directors, in
24 collaboration with our institutes of higher ed who
25 are training students who are coming out with that

1 adapted curriculum certification.

2 Unfortunately, so many times what we
3 find is that sometimes the most -- the folks that
4 have the least amount of training and many times
5 that lateral entry position is the one that winds
6 up in the classroom with students who have the
7 highest needs, and they deserve highly
8 qualified -- well-qualified, highly qualified --
9 it's not language we use anymore, but a
10 well-qualified teacher because you've got to
11 really understand the scope of learning to be able
12 to break it down and make it accessible at that
13 student's level, no matter what that is.

14 So our purpose for pulling the
15 stakeholder group together is to look at, again,
16 pre-service students that are in undergraduate
17 programs getting that degree in special ed or
18 someone working on a master's in special ed,
19 focusing on the adapted licensure, making sure
20 that we're working with IHEs and that those skill
21 sets are already being built. We've got to stop
22 the cycle of they come out of the university with
23 a teaching license, and then we have to retrain at
24 the local level because they don't have the skill
25 set. So we're really trying hard to work with our

1 IHE partners to do that.

2 We've also got to build an
3 understanding of those barriers because many times
4 this is the population that is not always seen and
5 understood as to why they deserve the quality of
6 education that all students -- I mean they should
7 have what every student has, and sometimes that's
8 not always viewed that way out in the public
9 actually, not in our schools, but that public
10 image of well, what can they learn if they
11 can't -- if they don't have the communication.

12 And so we have to really advocate for
13 those students, so try to work around those
14 barriers, and then try to look at those students'
15 successes and what else can we put in place and
16 add to help them become productive citizens once
17 they leave our school system.

18 So we're going to delve into some big
19 bucket areas around policies, around licensure,
20 around curriculum, and looking at our standards
21 and how we're instructing on those standards, and
22 then around service delivery. We've targeted
23 this -- at least this group of stakeholders. So
24 we want to reach out to lawyers that both are
25 parent advocate lawyers and those that support

1 school systems, local EC directors, our IHEs
2 again. We'll be working with staff here in the
3 building in our division and in other divisions,
4 classroom teachers, disability rights advocates---
5 So I don't mean just Disability Rights, but any
6 advocacy group that is working toward rights of
7 those that have a disability. ---and then
8 parents. We need to -- we're going to have a very
9 intentional purpose to make sure we have all of
10 those well represented and everyone has a voice.

11 There is a lot different thinking out
12 in the field right now from all inclusion to
13 inclusion as is possible, and I don't mean -- I
14 mean inclusion in terms of an instructional
15 practice, not inclusive practices. You always
16 want to look at inclusive practices, but being in
17 a gen ed classroom all day may not be the least
18 restrictive environment for a highly-involved
19 student. And so we have to look at what their
20 least restrictive environment is, and least
21 restrictive doesn't always mean inclusion.

22 We're looking at some deliverables,
23 trying to just help us move forward, figure out
24 what those next steps are, and having a clear
25 understanding around our academic and programmatic

1 reviews of adapted curriculum. You can see those
2 things up there. And so I bring that to you
3 because we will be reaching out to folks.

4 We've generated a list. We got some
5 feedback from our directors at March Institute of
6 folks that were interested or parents that they
7 recommended. We're looking for more parents to
8 add to this, so we would certainly take
9 recommendations from this group. I am hoping that
10 we will have some representation from Council as
11 well on this group. So we've got a targeted list
12 to start with. That doesn't mean we aren't going
13 to be inclusive of folks.

14 So if you are interested, long story
15 short, my email is at the very end and you can
16 shoot me an email, or if you know of a parent, in
17 particular, that might be interested or a
18 classroom teacher, that would be really helpful.

19 MS. MOOREFIELD: I'm already through
20 sending you one.

21 MS. THOMAS: All right. Good. And
22 then this was a public service announcement that
23 we did at March Institute, but I just wanted to
24 bring that to you folks as well. Our specific
25 learning disabilities policy that was approved in

1 2016 goes into effect July 1--- I edited July and
2 I think I blocked out the date. No, it's 2020.

3 COUNCIL MEMBER: I think you mean
4 July 1.

5 MS. THOMAS: I did mean July 1, and I
6 don't know how all that got commingled. I was
7 also doing this at about 11 o'clock last night, so
8 that might have been the problem. My eyes were
9 really tired because I came right up there. So I
10 will fix that slide before you get this. I just
11 wanted to see if you were paying attention.

12 So this was the status last night at
13 about, I don't know, 10:30, 10 o'clock, 10:30,
14 somewhere in there. 476 days, 11,427 hours,
15 685,661 minutes, and I'm not going to keep going,
16 but time is flying. We thought 2020 would be so
17 far off -- or we didn't, but the approach was oh,
18 we've got a lot of time to think about that SLD
19 policy and how to get ready for it. Well, it's
20 here. It is just around the corner, and once we
21 hit June, it really is here because that school
22 year goes in the blink of an eye.

23 So this is just a reminder that it is
24 fast approaching, and we've talked a lot with the
25 directors around what they had done to be ready

1 and how prepared they were. We are working to
2 develop some resources to make sure that there's
3 clarity for parents. ECAC is working with us on
4 some of those things. We've got newsletters that
5 we've been doing out to the field. Those always
6 get posted on our websites, so it's available for
7 anyone to go on and look to see the latest update,
8 the reminders, what the information is around that
9 SLD policy.

10 How many of you have heard about
11 ECATS until you really don't want to hear about
12 ECATS anymore? So our Every Child Accountability
13 Tracking System, or ECATS, is still in the
14 process. It has not gone away. That's the best
15 message. There was a little buzz out there that
16 it was going away, we were starting over. That is
17 not true. This is our system that we will be
18 delivering statewide.

19 So what I can tell you -- what I am
20 allowed to tell you is that the special education
21 module development is very near completion, that
22 the federal reporting development is very near
23 completion. The service documentation module
24 development is near completion as is the MTSS,
25 Multi-Tiered System of Support module development.

1 The website is being updated regularly, and if you
2 just Google on our website "ECATS," it will take
3 you to that website, and that's where you can find
4 FAQs, you can find PowerPoints, you can find
5 documents. We try to keep it updated. There is a
6 newsletter that goes out monthly to EC directors,
7 and that's included in that information as well.

8 Right now, we are doing data
9 integration testing, and that is data coming --
10 both history data from our current CECAS platform
11 into ECATS as well as the third-party vendor data
12 being uploaded into the new system because even
13 though we're with -- this contract is with PCG and
14 many of our LEAs have a PCG product, it is not the
15 same product as what we've built at the state
16 level. We've got a lot more enhancements, and so
17 it's not going to be just turning a switch and
18 it's going to look exactly like it did the day
19 before when you were in EasyIEP.

20 And we're working on data integration
21 from Power School, which is our state information
22 system that will feed all the demographics that
23 you will no longer have to reenter on every form
24 page. That should get something. There are some
25 training videos that PCG has worked on and our

1 team has approved all of those, and so those are
2 ready to rock and roll when we are able to start
3 training.

4 And speaking of training, we are
5 hoping that we are going to be -- it is proposed
6 for late spring. Our rollout is proposed for
7 summer of 2019, and that date is correct. And we
8 are looking at, from CECAS and from PCG, a
9 three-year data transfer, and so that's to ensure
10 that all data that is needed during the triannual
11 evaluation will be included in the system.

12 Right now -- well, yesterday, I will
13 tell you -- hot off the presses -- we had internal
14 approval to begin what we call a dry run, and so
15 that dry run means importing all of the CECAS
16 historical data, three-year data, into the new
17 system. We've been doing chunks, and the last
18 lift was 150 LEAs, and so that's been increased
19 now to doing an entire dry run. I haven't heard
20 anything today, so I'm going to take no news as
21 good news and move on.

22 I will promise you we will keep you
23 as informed as we are with as much information and
24 detail as we can give you. We're trying to make
25 sure that all parties get the information at the

1 same time. That means superintendents and
2 curriculum directors because of the MTSS piece, EC
3 directors, internal staff. So it is -- it is a
4 massive communication lift, but it is really
5 important that everybody hear the message at the
6 same time. So we're working real hard on that.

7 So I will be doing a breakout session
8 with the chief academic officers next week in
9 Greensboro -- actually week -- yeah, next week --
10 gosh, this month has flown by -- on the 21st.
11 And then we will hopefully have something soon
12 going into the Superintendents Quarterly just to
13 update them as well, again trying to keep
14 superintendents abreast of all current
15 information.

16 And our goal is to present the most
17 definitive rollout plan we have, without promising
18 things that we then are going to have to go back
19 and change. We don't want to say, "We're rolling
20 out," and having to come back and again and say,
21 "We're not ready to roll out." So more to come.
22 You're still not going to be done hearing about
23 ECATS.

24 MS. GRANT: Sherry, when do you
25 think -- if the chief academic officers and

1 superintendents are going to kind of hear the
2 rollout plan, when will that go down to the LEAs?

3 MS. THOMAS: As soon as we have --
4 well, they're going to hear an update. They're
5 not going to---

6 MS. GRANT: Just the updates. Okay.

7 MS. THOMAS: They're going to hear an
8 update. You will all hear the rollout date at the
9 same time, yes. And superintendents feel like --
10 I mean they're like we have to know when our
11 directors know. So we're working very hard to
12 streamline that communication. One of the things
13 I will promise you is -- I don't know if this has
14 been discussed, but once this is up and
15 operational, we will do a demonstration for the
16 Council so you can actually see it live and in
17 person. I won't be doing it, but someone will be
18 doing it for you.

19 We have some Medicaid news that was
20 worth sharing, and I'm going to try to be very --
21 I know it's always worth sharing when it's about
22 Medicaid. It's good news about Medicaid. How
23 about that? So, federally, there has been an
24 approval -- the state plan has approved our state
25 plan amendment -- the Division of Health Benefits

1 state plan amendment was approved about two weeks
2 ago. The action of the plan has not been fully
3 developed yet from the Division of Health Benefits
4 at DHHS.

5 What I wanted to share today, the
6 good news is that it now is allowing Medicaid
7 billing to cover students with 504 Plans, with
8 individual health care plans, and with behavior
9 intervention plans without an IEP being required.
10 So basically 504 students are now going to be able
11 to be covered through Medicaid billing with the
12 whole approval process, and it's with the same
13 allowable services that we have with a student
14 with an IEP.

15 So that I think will be a really good
16 news for the superintendents to hear. That is
17 hopefully going to go out to superintendents in
18 the next couple of weeks, but we are waiting
19 because we want to be able to give them the actual
20 action plan of DHB, and we then have to help
21 develop from the Exceptional Children Division an
22 internal agency plan of how we train because 504
23 doesn't fall under us. So we've got to work
24 across the aisle with our gen ed partners and make
25 sure that we have a scale-up plan of how to train

1 student service teams at the local level that may
2 be dealing with this. I don't think we can put
3 that burden on an EC director or their staff.
4 You're welcome.

5 MS. GRANT: I have 504s.

6 MS. THOMAS: You have 504 anyway.
7 Then, maybe you can [inaudible]. So we'll be
8 working on a scale-up plan of how we train to
9 support this.

10 MS. HODGES: Can I ask you a question
11 about that?

12 MS. THOMAS: Sure.

13 MS. HODGES: Just in terms of 504s,
14 because speech, OT, and PT services related to 504
15 is just a big topic.

16 MS. THOMAS: It is a hot topic.

17 MS. HODGES: I just want to pause and
18 reflect on that for a moment. What if the student
19 doesn't have Medicaid reimbursement?

20 MS. THOMAS: Then, just like any
21 other student, they can't be billed for the
22 service.

23 MS. HODGES: They couldn't be billed
24 for the service, but could the LEA provide the
25 service?

1 MS. THOMAS: No. No. It has to be
2 tied to a student's Medicaid.

3 MS. HODGES: Okay. Thank you.

4 MS. THOMAS: The agency -- I mean the
5 LEA in and of itself can't bill for Medicaid
6 directly unless it is tagged to a student that the
7 parent has given permission for.

8 MS. HUDGENS: So may I---

9 MS. THOMAS: Sure.

10 MS. HUDGENS: ---ask a clarifying
11 question?

12 Are you asking whether or not a child
13 can have access to the services if they don't have
14 Medicaid?

15 MS. HODGES: At the school setting.

16 MS. HUDGENS: So if the school --
17 whether a student with a 504 or a student with an
18 IEP requires these services, the school has to
19 provide them, regardless of the expectation that
20 they can get reimbursed by Medicaid. If a school
21 team believes that a child needs the services,
22 they have to provide them and pay for them.

23 MS. HODGES: Even with a 504?

24 MS. HUDGENS: Yes.

25 MS. THOMAS: Yes.

1 MS. HODGES: Thank you.

2 MS. THOMAS: Thanks for clarifying
3 that. I didn't want to get that wrong.

4 We are continuing to advocate for
5 inclusion of charter schools in Medicare billing.
6 I hope we've made a little leverage in the last
7 couple of weeks. We, from a special education
8 world at the state level, fund all schools the
9 same. So charter schools get federal dollars, and
10 so our argument is we treat charters as an LEA.
11 Therefore, they are an LEA for Medicaid billing
12 purposes since that is federal dollars.

13 The problem is not at the federal
14 level. The problem, I think, is in our state
15 wrapping their brains around how that works
16 because charter schools also are 501(3)(c)s, and
17 they are conflicted with nonprofit but yet
18 billing. So we're working on that. We've sent
19 some letters and we hope that's going to clarify,
20 Christy. And the lobbyist for charter schools has
21 met with us---

22 MS. HUTCHINSON: Sicilia.

23 MS. THOMAS: Sicilia. ---with a
24 senator to talk about this. So I hope we -- I
25 think we've got some leverage going. We're also

1 fighting -- fighting, pushing, asking, begging for
2 reasonable equitable reimbursement rates
3 especially in nursing because if I'm a school
4 nurse and I'm billing for Medicaid in the school
5 system and then on the weekend I do PRN work and I
6 may provide the same kind of service, that pay
7 rate is at least double or right around double of
8 what the schools are allowed to bill for, and it's
9 just inequitable. They're doing the same service.
10 It's not double dipping. It's not double billing.
11 And so we're really pushing hard to try to get
12 that increase approved.

13 And then we are looking at some
14 additional areas to be included in the approval
15 for Medicaid services, and those are things like
16 personal care services, transportation, which is a
17 real big one, and that's really a big push right
18 now. It's all about tracking when the kid gets on
19 and off the bus, and there are ways to do that now
20 that we live in an electronic age, and so it's
21 much more feasible.

22 For hearing and vision screenings,
23 for group service delivery of OT and PT because
24 now it has to be individual, one-on-one, and then
25 for telepractice particularly for speech and

1 language services. Do you know what I mean when I
2 say that?

3 MS. FREY: Are you trying to say like
4 telehealth, but it's done via---

5 MS. THOMAS: Yes. So I'm the speech
6 therapist and I am in Raleigh, but I'm providing
7 services in Northampton to one student that needs
8 speech that we don't have a speech person. So
9 it's done virtually like a Facetime.

10 So what else is happening? Not much.
11 I mean we're sitting around not doing much of
12 anything these days.

13 MS. OWENS: And you admit it?

14 MS. THOMAS: Yeah, all the time in
15 the world. That's why I was working at 11:30 last
16 night.

17 MS. HUDGENS: You're speaking for
18 yourself.

19 MS. HUTCHINSON: Wait. Was that the
20 director or the assistant director role?

21 MS. THOMAS: That was the director
22 role. The assistant director---

23 MS. HUTCHINSON: She was taking the
24 day off.

25 MS. THOMAS: ---in the building

1 yesterday that I didn't get to do. I started -- I
2 worked for about, I don't know, three hours on
3 something last night. My husband was gone to a
4 meeting. He came in, and I said, "Okay. I'm
5 going to bed now. I finished this up."

6 And he said, "Do you project any time
7 that this might kind of slow down and stop?"

8 And I said, "2022 maybe." It's
9 just -- you do what you have to do, and it's
10 important stuff. If I'm not doing it, I'm
11 thinking about doing it. So I may as well just be
12 doing it and get it done.

13 Just a reminder that our 69th
14 Conference on Exceptional Children will be held in
15 November. The 19th will be our MTSS recognition,
16 and this will be at the Koury Center in
17 Greensboro. November 20th, we will have
18 preconference institutes, and November 21st and
19 22nd will be our general conference.

20 Always love to have you folks there
21 and always encourage parents to attend. We're
22 looking at doing some creative things around some
23 of our strands this year, I think. Carol Ann is
24 part of that programming planning group, and we
25 keep tweaking it, but in 69 years, it must be

1 working or we wouldn't be having the sixty-ninth
2 one. So that's exciting that we've had that
3 longevity with this conference and continue to be
4 able to provide this.

5 One of the things we're trying to do
6 at conference, at the request of our State
7 Superintendent, is look to increase the number of
8 educators of excellence. It's his desire that for
9 large systems especially where there may be 2000
10 teachers or so, that one person, he doesn't feel
11 is representatives. So we'll be looking at trying
12 to equitably increase the number in some of our
13 larger systems to try to honor more educators,
14 which is a good thing.

15 Poster sessions is an area that we
16 have kind of had diminished interest in lately.
17 This doesn't always have to be a research project
18 at an institute of higher ed. So if your school
19 or your system or if you know of a teacher that's
20 got a really great inventive idea, is being really
21 productive, please encourage them to look at doing
22 a proposal. Those will go up probably about the
23 same time call for proposals do for the breakout
24 sessions, which will be in early April.

25 And then this year we're asking each

1 LEA, if they are so inclined, to bring two
2 student -- two or more student-generated ornaments
3 to the conference for us because we've -- there's
4 sort of been a competition inside the building for
5 the best holiday tree, and we decided having
6 something created by our students to support what
7 they can do and to show what they can do would
8 have to be the winner. I mean there's no way they
9 couldn't not pick us, right? So I even had a
10 district director offer to bring us a real live
11 tree from the mountains because he thinks we're
12 going to need a bigger tree than what we have. So
13 we'll keep you posted on how that goes, but it's
14 just a great way, I think, to get kids engaged and
15 really make that connection for us here.

16 We have the opportunity, a lot of our
17 folks do, to get back in a school or in a
18 district, but everybody in this building doesn't
19 always get to do that. So sometimes we need to
20 put a face or a name back with the work we do, and
21 so that seemed like a good way for us to be able
22 to do that.

23 A couple of legislative items we're
24 kind of paying attention to, keeping our eyes on,
25 there's a school mental health screening study

1 that's been both a House and a Senate bill. I
2 think this is a more to come. Last year, there
3 was a bill that eliminated a State Board policy
4 around school mental health training, and so this
5 is kind of encompassing some of that work. And
6 the only concern we've had with it is that it was
7 a very quick timeline, and it's not time enough to
8 build capacity using implementation science to
9 ensure that it is systemic and sustainable. So
10 that was our feedback.

11 And then there was a division -- we
12 had a study through the Program Evaluation
13 Division that started last summer, and basically
14 the recommendation they came back -- after
15 studying our division, what we do, how we deliver
16 PD, how we deliver technical assistance, talking
17 to a lot of directors, and I don't know who else
18 they talked to. They -- you know, they asked a
19 ton of questions, but came back with a report, and
20 the recommendation was that we include in five
21 different activities that we have -- so the
22 conference, the March Institutes, Summer
23 Institutes, our regional meetings, and our new
24 directors -- leadership institute for new
25 directors -- that we include a satisfaction

1 survey. That's the recommendation.

2 MS. MOOREFIELD: One quick question
3 for you.

4 MS. THOMAS: Sure.

5 MS. MOOREFIELD: So I have been
6 assigned to take our thank-you note over to the
7 Legislative Building to our Senator Chad Barefoot
8 and Honorable Hugh Blackwell. Is there anything
9 particular about these two that you would for like
10 me to include in that?

11 MS. THOMAS: No, I don't think so. I
12 mean we've had the opportunity. The key with the
13 mental health is that we have to have time to
14 train people. This is not you pass the bill and
15 in two months it's implemented fully. They've got
16 to understand that there's a process for building
17 that scope and skill, and we have the tools to do
18 it. We just need the time to do it. Does that
19 makes sense?

20 MS. GRANT: And the capacity to do
21 so.

22 MS. THOMAS: Yes, and the capacity to
23 do so, and I think there was some funding tied to
24 that to increase some positions -- counselors,
25 school psychologist. So funding and -- yeah, what

1 Christy said -- funding and the capacity to
2 deliver that, the resources, not just the money,
3 but the fiscal resources.

4 We are looking at a new grant system
5 which won't mean a lot to many of you, but the
6 directors will be very excited because we are
7 holding our current grant system together with
8 chicken wire and twine and a little bit of Super
9 Glue and some Gorilla Tape. It's in a pixel
10 format almost. But it's an agencywide new grant
11 platform, so if you have CTE grants that you
12 submit or federal program grants or exceptional
13 children grants, it will be in the same platform.

14 We are looking to move, not only our
15 IDEA grant into that platform, but also all of our
16 special funding grants. So our Special State
17 Reserve, our Risk Pool, our Developmental Day, all
18 those will go into that platform, and then
19 ultimately, not at initial rollout, but the second
20 phase of this new grant system will incorporate
21 our new budget system into that. So you won't
22 have to go into a separate bass system now to do
23 your budget once you've done your grant. So we
24 hope it will be much more integrated and efficient
25 and effective.

1 Looking to roll this out some time in
2 the summer of '19, which means our IDEA grant
3 won't move into this until 2020, but depending on
4 the timing, we may actually delay those special
5 funding grants. We usually have those up July 1.
6 We may delay those a little bit in order to get
7 those in the electronic system, which I don't
8 think anybody would complain of not having to send
9 boxes of information into this place to submit
10 those grants, so -- and it will allow us to do
11 them much more efficiently too.

12 We're also working on a recruitment
13 and retention project with the National CEC, with
14 North Carolina CEC, and with our case group.
15 There's really more to come about that later.
16 Just put that on your radar that we see a way to
17 maybe help support recruitment retention of B1 and
18 B2 teachers in special ed -- those are first and
19 second year teachers -- and with some incentives
20 but also some support and some mentoring and some
21 creating of some PLCs or collaboration groups that
22 allow them to have that support.

23 We learned of an instance of a county
24 not too long ago that has five special ed teachers
25 and they're all lateral entry. They have five in

1 the whole county, and they're all lateral entry.
2 And so there's no support to build that capacity,
3 so we've got to figure out how to connect them to
4 another LEA close by to help build that coaching.

5 Am I forgetting anything? Oh. And
6 there is interest -- I almost forgot this --
7 there's interest in the General Assembly around
8 looking at funding. The Superintendent did put in
9 his budget a request to increase the funding gap
10 to 13.5 percent and to do a study around tiered
11 funding. And some of you were in that work with
12 us a couple of years ago that we did around
13 looking at a matrix for a tiered level of funding
14 based on services.

15 And so they're very interested in
16 pursuing that model. They will be creating, I
17 believe if this bill passes -- and we're getting
18 good positive leverage on that -- so this might be
19 something else you want to add to those folks when
20 you're visiting with your thank-you note -- is
21 that we really do need this study around tiered
22 level of funding to get funds into those highest
23 need kids that we don't have because, as you know,
24 they are all funded the same. So if I need six
25 hours of service and you need two hours of service

1 twice a week, we get funded at the same level.

2 MS. MOOREFIELD: So we need tiered
3 level funding or---

4 MS. THOMAS: We need a study -- the
5 study done---

6 MS. HUTCHINSON: But you've already
7 done a lot of the work.

8 MS. THOMAS: Yes, we have. We need
9 research over there to tweak that matrix, and I
10 told them that, and they're -- we've gotten some
11 good leverage on that. So I'm feeling confident
12 we're at least going to be able to go talk about
13 it. So I'll be reaching out to those of you that
14 were on that before.

15 And then some changes internally.
16 There is a relocation in the building going on.
17 The Superintendent created a new organizational
18 chart back in the fall and created mainly four
19 streams of work and then his direct reports, and
20 so each of those deputy superintendents are now
21 going to be aligned on the floor with the
22 divisions that report directly to them, except for
23 Dr. Maria Pitre-Martin because she has so many
24 divisions that report to her, that we're on three
25 floors.

1 But we are on the six floor currently
2 on that end, or the north end, and we are also now
3 with -- up there we've been with Career Technical
4 Ed, with Federal Programs, and with Standards,
5 Curriculum, and Instruction, and all three of
6 those divisions report to the Deputy
7 Superintendent for Innovation, Eric Hall.

8 And so we are moving because we're
9 the odd man out, we're the anomaly up there, and
10 we're going to the fifth floor south, which is
11 this end of the building, and that doesn't mean a
12 lot to me unless you come in to find us. Don't go
13 that way after the end of March. We're going to
14 be fifth floor this way.

15 But in saying that, phone numbers are
16 going to change, and so if you have difficulty
17 reaching us, someone answering that phone
18 immediately, it may be during transition. We will
19 still be checking that main line. Personal
20 phones, we don't know how they're going to
21 transfer because we're actually going to a soft
22 system through our computers. So the desk phones
23 are going away, and we just don't know how that
24 transition's all going to play out.

25 So I'm telling you that if you call

1 and you don't get an answer and somebody doesn't
2 call you back in a timely manner, shoot them an
3 email because that probably means, for the next
4 six weeks, they just didn't get the phone message.
5 I have no hope that we're going to move and the
6 phones are all going to work. I'm just telling
7 you. We don't move until the last week in March.
8 So email is our friend right now. That's the way
9 we will be getting contacts and information from
10 you.

11 MS. FREY: And with that, the other
12 phone numbers that parents or advocates or
13 whatever are using to call in to request
14 assistance, will that be impacted during this?

15 MS. THOMAS: That will be impacted as
16 well, we believe. We believe. But we know --
17 I've told you pretty much everything I know. I
18 don't know if we're keeping the same number and
19 it's just going to be on my computer, if it's
20 going to be a totally different number, if it's
21 connected to my email. I don't know exactly how
22 that soft phone -- that hasn't been explained
23 other than what I will tell you is that we will
24 send an email blast out with updated numbers, with
25 probably a list attached, and if the main number

1 changes, we will certainly do that and it will be
2 changed as quickly as possible on the website. So
3 that's why I said email is not going to change.

4 MS. FREY: I was thinking people who
5 have it stored---

6 MS. THOMAS: I know. It's going to
7 be a nightmare, and we're going to have to leave
8 that message "This number has been changed to,"
9 and hope that we can do that. We're going to one
10 phone in our division, and that will be the phone
11 for the main line because we can't transfer in a
12 computer. We have to transfer on a regular phone
13 to whoever's got phone duty that day. So it's
14 going to be fun. Email. Email. Email.

15 And here is my information to contact
16 me, how you can contact me. There is my email and
17 for now there is my phone number. Please let me
18 know if you have questions, concerns, or if you
19 are interested in any of the wonderful
20 opportunities, to quote Carol Ann Hudgens, that I
21 presented to you today that you might want to
22 participate in. Any questions?

23 **(No audible response.)**

24 MS. THOMAS: All right. Thank you
25 for letting me be here. I'm going to slip out

1 because I have to be in that meeting. So I'm
2 going to slide right on over.

3 THE CHAIRPERSON: So being a few
4 minutes early was good for you.

5 MS. THOMAS: It was perfect timing.
6 It was perfect timing. And let me just say too
7 thank you for your time spent on this Council and
8 for the things you do to help support our students
9 out in the field, and our teachers and our
10 administrators really appreciate you and
11 appreciate the service you provide to the State.
12 So thank you.

13 THE CHAIRPERSON: Do we have any
14 major announcement other than be sure to make sure
15 you're registered to go to the EC conference
16 because as a member of this body, unless they've
17 changed it, we get in for free.

18 MS. OWENS: So I'm with ECAC. You'll
19 probably never see me again, but somebody will be
20 representing us more consistently. We've had new
21 leadership for the first time ever over the last
22 two years. So we are doing some rebranding, and
23 even the concept of branding ourselves is always
24 kind of weird for us. But I want to pass around a
25 new information sheet. You can kind of see the

1 look we're going for, a new logo, trying to just
2 update.

3 And I'm very excited to let you know
4 that for the first time in a long time, we're
5 having a conference for families, and the dates---
6 Hold on. It's going to be -- it's a weekend.
7 It's completely free. That was kind of my
8 segue -- something that's free for families who
9 are interested in developing leadership skills or
10 like many of the parents at this table already
11 kind of in a leadership role. We're looking to
12 help advance that. So it will be through an
13 application process.

14 If you're already on our mailing
15 list, you would have gotten an email that looks a
16 lot like this yesterday. If you are not on our
17 mailing list and you are interested in this, you
18 can go to our website. You can follow us on
19 Facebook because we're really active on that now.
20 This, like I said, just came out.

21 It is June 1st and 2nd. It is free
22 and that includes meals and lodging and \$150. So
23 it will offsetting any other costs you might
24 incur, whether it's driving in or paying some
25 childcare. So we're excited about it. We have a

1 survey. Once you get this invitation, there's a
2 survey of what topics you're interested in. So
3 we're going to build around the interest, to some
4 extent, and again, we're going to be interviewing
5 people.

6 We think we can accommodate probably
7 about 70 people. And it's not first come, first
8 serve, but it's going to be based on skills and
9 expertise and try to represent the state because
10 our charge is to represent the entire state. So
11 that is something exciting that we're doing.

12 Somebody in a conversation at lunch
13 said, "What's going on with your workshops? We
14 haven't heard you being around as much." We, like
15 many agencies, are finding that in-person
16 workshops are just not being attended quite as
17 much. We are still available to do those, but
18 we're having to set, you know, minimum
19 participation rates and things so that we can use
20 our resources and our staff time wisely.

21 We are offsetting that by doing a lot
22 more webinars. So we're hoping that webinars are
23 going to be effective and that they reach broadly
24 across the state because really, you know, it's
25 not equitable that because a small county can only

1 bring six people to a workshop, you know, that
2 they don't get anything, then, maybe. So they are
3 certainly all entitled to webinars. We'll be
4 exploring, in places without great Internet, the
5 idea of schools or agencies that do have Internet
6 maybe holding webinar events where families could
7 come to a place in their community where they're
8 familiar, and that would be a sponsored webinar.
9 So, in a way, it's still a live event in the
10 community.

11 So we're doing that, and you can keep
12 up with us again the same way, our mailing list or
13 Facebook, to find out what we're doing. We're
14 always interested in hearing what kind of topics
15 people in the field would like, and that is so
16 helpful when people tell us what they want.

17 And we are -- also have started
18 recently a youth panel, so we are looking for
19 actively high school age, maybe late middle school
20 students with disabilities to help guide our work.
21 The youth panel will be featured at the
22 conference, so that's a great opportunity for them
23 and for us and our audience to hear what our youth
24 with disabilities wish the teachers knew, what do
25 they wish the parents knew, what do they wish the

1 other kids knew. You know, they really are going
2 to guide us. We're excited to be able to do that.
3 We have traditionally worked with parents, but
4 we've been -- by our grant requirements and by
5 just by the fact that it's the right thing to do,
6 we're working more directly with some of the high
7 school age kids.

8 So that's what we're doing, and
9 again, you can follow us on Facebook or just email
10 our general email office with ideas, suggestions,
11 or comments any time.

12 THE CHAIRPERSON: Awesome. Anything
13 else? Carol Ann?

14 MS. HUDGENS: I have the dispute
15 resolution brochures back here. I have a few
16 Parent Rights Handbooks, and I have, if you did
17 not get it in your new materials today, a copy of
18 the policy book, I have some back there. Also,
19 for previous members who may not have attended the
20 orientation, if you'd like a copy, I have that
21 back here. So I have those back here, just pick
22 up as you like.

23 THE CHAIRPERSON: All right. I think
24 that pretty much adjourns everything we have, if
25 we a motion to adjourn. Our next the meeting will

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be June 12th, same place. So do I have a motion to adjourn?

MS. DANIELS-HALL: Motion to adjourn.

MS. HODGES: I second.

THE CHAIRPERSON: Second. All in favor?

(All Council Members responded aye.)

THE CHAIRPERSON: Anyone who wants to stay longer? Thank you, everybody. You-all have a good week.

(At 2:58 p.m., the quarterly meeting adjourned.)

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CERTIFICATE OF REPORTER

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

That said proceeding was reported by
me and the foregoing pages, numbered 4 through
196, 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 17th day of April,
2019.



Rebecca P. Scott