

Council On Educational Services For Exceptional Children

North Carolina State Advisory Panel

2021-22 ANNUAL REPORT

Cynthia Daniels-Hall, Chairperson

Staff support provided by the North Carolina Department of Public Instruction Exceptional
Children Division

Sherry Thomas, Director

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North Carolina Department of Public Instruction
Office of Exceptional Children

Introduction

The Individuals with Disabilities Education Act (IDEA 2004) requires that every state establish and maintain a state advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The federal regulations specify membership and require a majority, of the membership be parents of children with disabilities and individuals with disabilities.

Specifically, the regulations require the following membership include:

- Parents of children with disabilities ages birth through 26
- Individuals with disabilities
- Teachers
- Representatives of institutions of higher education that prepare special education and related services personnel
- State and local education officials, including officials who carry out activities under subtitle B of title VII of the *McKinney Vento Homeless Assistance Act*
- Administrators of programs for children with disabilities
- Representatives of other state agencies involved in the financing and delivery of related services to children with disabilities
- Representatives of private schools and public charter schools
- Representative of vocational, community, or business organization concerned with the provision of transition services to children with disabilities
- Representative of the State Child Welfare agency responsible for foster care
- Representative from the state Juvenile Justice and adult corrections agencies

The Council on Educational Services for Exceptional Children (CESEC) is established in accordance with Section 300.167-300.169 of the federal regulations, Section 1412(a)(21) of the Individuals with Disabilities Educational Act (IDEA 2004) and Section 115C-121.1 of the North Carolina General Statutes as the State Advisory Panel to the State Board of Education. The purpose of the Council is to:

- Advise the Board of unmet needs within the State in the education of children with disabilities:
- Comment publicly on rules and regulations proposed by the Board regarding the education of children with disabilities:
- Advise the Board in developing evaluations and reporting on data to the United States Secretary of Education as required by IDEA:
- Advise the Board in developing corrective action plans to address findings identified in federal monitoring reports required by IDEA:
- Assist the Board in developing and implementing policies related to the coordination of services for students with disabilities; and
- Carry out any other responsibilities as designated by federal law or the State Board of Education.

Membership

The Council shall consist of a minimum of 25 members. Currently, the Council consists of 25 members - 17 appointees and 8 ex-officio. Members are appointed by the Governor, President Pro Tem of the Senate, the

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Speaker of the House, and the State Board of Education. Appointees represent individuals with disabilities from the ranks of parents, teachers, higher education, public and private schools, business/vocational community, and charter schools. A majority of the representatives shall be parents of children with disabilities and persons with disabilities. The term of appointment for members appointed by the State Board of Education is four years. All other terms are two years.

The current list of members of the Council can be found at this web address:

<https://www.dpi.nc.gov/districts-schools/classroom-resources/exceptional-children/parent-resources>

Committee Organization

The activities of the Council on Education Services for Exceptional Children are governed by the North Carolina State Board of Education bylaws for Advisory Committees. The CESEC delegates various subcommittees to monitor issues and concerns.

Committee work:

The Council operates four committees to help meet the legislative purpose of the Council. These committees are the Executive Committee, the Unmet Needs Committee, the Reports and Data Committee, and the Policy and Procedures Committee.

The Executive Committee – Cynthia Daniels-Hall, 21-22 Chair

Primary Functions

- Set meeting agendas
- Draft the Annual Report

The Unmet Needs Committee - Diane Coffey, 21-22 Chair

Primary Functions

- Identify unmet needs impacting Special Education in NC
- Establish priorities for the committee
- Determine topics for Council action relative to unmet needs of stakeholders involved in Special Education programs including students, teachers, parents, and administrators.

The Reports & Data Committee - vacant, chair

Primary Function

- Advise the SEA in developing evaluations and reporting on data to the Office of Special Education Programs (OSEP)
- Review data and advise on annual reports as needed.

The Policies & Procedures Committee – Abby Childers and Anthony Baker, 21-22 Co-Chairs

Primary Function

- Comment publicly on rules or regulations proposed by the SEA regarding the education of students with disabilities
- Advise the SEA in developing and implementing policies relating to the coordination of services for students with disabilities
- Revise the council's by-laws
- Reviews and updates council operating procedures

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Meetings

The Council meets four times a year. During the 2021-2022 year, meetings were held on virtually on September 8, 2021, December 8, 2021, March 9, 2022, and June 8, 2022.

For the 2020-21 School Year, presentations were made by Department of Public Instruction staff, as well as other agencies and organizations.

Presentations:

Welcome, Call to Order, Introductions, Review of Agenda, Review of Meeting Minutes – September 2021

Co-Chairperson Christy Hutchinson called the virtual meeting to order. Council members provided self-introductions and reviewed the day's agenda.

The June Summary of Actions was reviewed. The Council approved the June Summary of Actions with no comments or edits. Alexis Utz provided instructions for the Public Comment procedures.

The September Agenda was reviewed. The Council approved the September Agenda.

Individual Student Reports [Individual Student Reports](#)

Dr. Tammy Howard presented to the Council on behalf of Accountability Services. She was joined by her team which included Beth Nash, Dan Auman and Jaime Denny.

North Carolina is one of five states that have received "demonstration authority" from the US Department of Education to develop a new assessment. Piloting a new assessment for reading and math for grades 3-8. These assessments are intended to be utilized at the classroom level by the student to improve instruction for each student and they're shorter assessments. These assessments will be administered throughout the year.

The team shared samples of the assessments with the Council and addressed questions and feedback given by Council members.

SPP/APR Updates-Lauren Holahan - [EC Division SPP/APR webpage](#) -[presentation](#)

Lauren Holahan presented Indicator updates with the Council.

Back in the '19-20 school year, we launched a pretty intensive standards aligned IEP development capacity building statewide, and then in March of 2020, of course, COVID happened. The other data that we are particularly concerned about is that the graduation rate for students with disabilities is slowly improving. They are graduating, but not demonstrating improved proficiency on statewide assessments.

Organizational shifts in DPI have contributed to this consideration. The State Board has adopted a strategic plan around the frameworks of equity and whole child to focus on closing some of the opportunity gaps by 2025. We also have a new Superintendent who came into her role very focused on literacy. With this organizational context, the time seemed right to think about SiMR, State-identified Measurable Result, which is connected to reading and math outcomes for students with disabilities.

Social Studies Extended Content Standards/Changes – Dreama McCoy- Matthew Martinez

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Alternate academic achievement standards set an expectation of performance that differs in complexity from a grade-level achievement standard. ESSA permits states to develop alternate academic achievement standards for students with significant cognitive disabilities. In North Carolina, these alternate academic achievement standards are known as the Extended Content Standards. The North Carolina Department of Public Instruction, Exceptional Children Division convened stakeholder groups to create and review proposed extended content standards for Social Studies for students with significant cognitive disabilities. The Extended Content Standards for Social Studies are open for public comment from September 8 to October 8, 2021. Stakeholder groups created Extended Content Standards and then presented them to the State Board who then votes on them.

The Draft Extended Content Standards for Social Studies can be found on this link:

https://drive.google.com/drive/folders/1L3O_giTvZAFPzEBcwryjkQ2W4-DOaqLM?usp=sharing

Please submit all questions and comments to: ecspubliccomments@dpi.nc.gov

Dispute Resolution – Carol Ann M. Hudgens

State Complaints

- 152 filed, 111 reports issued
- 72 noncompliant, 39 compliant
- 97% of reports were issued within timeline despite pandemic

Facilitation

- 96 requests, 90 meetings held
- no response - one party requested meeting but one party did not respond to the request (both parties must agree to facilitation)
- 97% were successful

Mediation

- 77 requested, 67 held
- 46% reached agreement

Due Process

- 68 filed, 16 resolution meetings held
- 2 written settlement agreements
- 9 went to a judge (adjudicated)
- 10 are pending
- 40 withdrawn/dismissed

Agency Updates -Sherry H. Thomas/Matt Hoskins

Since the last Council meeting, EC was given a grace period for Per Reporting Period (February 1, 2022) due to concerns and feedback that was received. There will be training and a continuum will be included on the program monitoring to look at the students who may have per reporting period.

Legislation regarding COVID-[Senate Bill 654](#) was just signed by Gov. Cooper.

- Provisions related to ESSER Funds
- Provisions related to virtual instruction

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- Each district must adopt a policy regarding face coverings and review it monthly
- Removal of the provision that delayed the implementation of the social studies changes
- Removal of the provision that delayed the implementation of class-size requirements in Kindergarten
- Granted licensure extensions for teachers through December 2021
- Driver's education eligibility certificates-waiving some of the requirements

OSEP Corrective Action- EC provided a response to OSEP by the required timeline. There was one item that was asked for an additional 60 days to respond because of waiting for School of Business and Finance to work on some policy changes dealing with the distribution of carryover funds. This will affect the requirements OSEP asked for.

EC Conference- This year's conference will be face-to-face. Theme: Going Platinum. The dates for the conference are November 17-19, 2021 at the Koury Convention Center in Greensboro. The sessions will be organized around the EC Division's strategic plan. School-based enterprises will be a part of the conference this year. Educators of Excellence will also be celebrated. Council members are invited to attend with free registration. COVID protocols will be in place.

Carol Ann M. Hudgens discussed the Contingency Plans. [OSEP Q & A document](#) Contingency plans is how services are going to continue in a worst-case scenario. It isn't a replacement for an IEP. It isn't a replacement for the offer of FAPE. Remote Learning Plans- Legislation requiring remote plans ended with the end of the 2020-2021 school year. There is no requirement for the 2021-2022 school year, but it is allowed. The pending Senate Bill 105 could impact remote learning.

AWARE Grant-The Substance Abuse and Mental Health agency informed us that we were awarded the second project AWARE grant. That is \$8.9 million over the next five years.

DPI launched a pilot telework program where staff could continue to work remotely with the approval of their supervisor. It will be a hybrid model, which includes a couple of days in the building per week. There have been some COVID outbreaks in the building over the last four weeks. EC as a Division is trying to monitor that closely to keep staff safe. December's Council meeting will be planned for both in-person and remote. A final decision will be determined closer to that date.

Public Comments

No public comments.

Committee Work

Goals for all committees: 2020-2021 Annual Report.

Welcome, Call to Order, Introductions, Review of Agenda, Review of Meeting Minutes – December 2021

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

The September Summary of Actions was reviewed. The Council approved the September Summary of Actions with no comments or edits. Alexis Utz provided instructions for the Public Comment procedures.

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The December Agenda was reviewed. The Council approved the December Agenda.

SPP/APR Updates-Lauren Holahan/Kelley Blas -[EC Division SPP/APR webpage](#) – [SPP/APR Report draft](#)

Lauren Holahan presented Indicator updates with the Council.

This plan is for 2020-2025 fiscal years. Something to note: baseline data have differing starting years depending on OSEP criteria and technical changes (more info on page 2 of report). Stakeholders opted for incremental changes in data over the years. Some indicator targets are set by OSEP and cannot be changed.

Across eight months, more than 340 stakeholders have participated in meetings held twice monthly. They consistently choose targets across indicators that had either an incremental increase or decrease from baseline to the 2025 target.

See Report for Indicator Report.

Agency Updates -Sherry H. Thomas/Matt Hoskins

EC Division had a successful EC Conference in November! We celebrated 70th year of conferences. You can view the “History of the EC Division” by visiting <https://www.youtube.com/watch?v=TbOgNtUEkFs>. We had 1400 participants at the pre-conference institutes and the conference. Due to COVID protocols, we capped the registration at 1500 so we came pretty close. Registrants had to either present a negative COVID test or provide a vaccination card. There were no reports of COVID outbreaks thankfully. We don’t have the feedback from participants yet, it felt like it was successful for many reasons.

DPI is continuing to provide evidence to OSEP of the monitoring visit that occurred in January 2020, from the report we received in May 2021. Our last meeting was in November 2021 and we have now sufficiently and completely given them all of the pieces of evidence to satisfy the corrective action that we had around the SLD piece that was also tied in with the MTSS state complaint information.

We have been working with School Business to create a grant account notification system.

New Staff Update: Section Chief for PIPD, Ginger Cash. Two new Fiscal Monitors: Milinda Martina and Lisa Blaton.

Public Comments

No public comments.

Committee Work

Goals for all committees: Subcommittees did not meet.

Welcome, Call to Order, Introductions, Review of Agenda, Review of Meeting Minutes – March 2022

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

The December Summary of Actions was reviewed. The Council approved the December Summary of Actions with no comments or edits. Alexis Utz provided instructions for the Public Comment procedures.

The March Agenda was reviewed. The Council approved the March Agenda.

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Reading Independent Plan (Read to Achieve)-Amy Rhyne, Kelley Bendheim & Tonia Parrish-[presentation](#)

Office of Early Learning (OEL), worked with several divisions of NCDPI to develop a Read to Achieve (RTA) implementation guide. The guide was approved at the October State Board meeting. The purpose of the guide is to allow technical assistance to the field while operationalizing legislation. (See link)

Senate Bill 387 was passed in October that requires Early Literacy programs to focus on: providing training programs to educators and administrators working with children in Pre-K through 5th grade to ensure instruction grounded in the Science of Reading and outcomes promoting reading achievement in students. NCDPI will ensure the delivery of professional development that demonstrates evidence-based success with educators and administrators in establishing deep knowledge of literacy instruction.

Learning Invention Plans are for districts to create to outline literacy plans for the entire district. Individual Reading Plans, beginning Fall 2022, outline what interventions are being done for students when a need is shown.

The housing of data and forms used will differ based on the district as nothing specific was detailed in the Senate Bill. They must include six key components as outlined in the slides. Parent Notification about intervention must be provided but there is not a standard document/template supplied in the Senate Bill so it will differ based on the district.

TEACHNC-Leah Sutton - [TEACHNC](#)

TeachNC, which started in 2019, is a partnership initiative with all of the educator preparation programs in NC such as Teaching Fellows, Teacher Cadets, and the Community College System. The goal is to amplify what is happening around recruitment in NC so that more highly qualified people will teach in the public school system.

Marketing is the first step in finding future teachers to go into the profession. Individuals interested in teaching can visit TeachNC.org to find resources. There is a Statewide jobs board for all open positions throughout NC. Each district has a page. See presentation link for more information.

Agency Updates -Sherry H. Thomas/Matt Hoskins

No Agency Updates at this time.

Public Comments

No public comments.

Committee Work

The Executive Committee discussed the effectiveness of subcommittee work. Moving forward, the entire Council will meet as a whole to have a discussion and then break out into subcommittees if it's needed. If members go into subcommittee work, make sure the notes are completed. Council will also address attendance concerns.

Meeting adjourned at 12:30 pm.

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Recommendations:

-Additional support/funding to continue to provision of extensive Summer Recovery program to all students both regular education and exceptional students

-Mental Health training on social emotional learning, de-escalation, Trauma Informed Education, Crisis Prevention Institute (CPI), Youth Mental Health First Aid

Continued support for Mental Health of both students and professional

-Emergency Action Plans: collaboration between emergency agencies and the school for those students that need extra attention during an emergency. More state oversight and guidance

-Decrease ratio recommendations between related service/counselors to students to support Mental Health

-Continue to emphasize funding for recruiting & retention in high-needs areas into the fields of education with focus on special education

-Providing funding for those student-teaching interns to support their continued pursuits in the teaching field.