*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley*Commissioner* |  |

# SPECIAL EDUCATION ADVISORY COUNCIL MINUTES

**May 9, 2023**

**Massachusetts Department of Elementary and Secondary Education (DESE)**

**75 Pleasant Street, Malden, MA 02148 (Meeting conducted via Zoom)**

**Special Education Advisory Council Meeting and Advisory Council**

**9:30 a.m. – 9:45 a.m.**   **Carmen Pimentel, Chair**

Welcome

Carmen Pimentel opened the DESE Special Education Advisory Council Meeting, provided a quick overview, and invited public comment.

**Public Comment:** One public speaker submitted public comment regarding proposed changes for meeting requirements for provisional licensure for beginning teachers of the deaf.

**9:15 - 9:45 a.m.**  **Jamie Camacho, SEPP Director**

Jamie presented updates and changes in the Massachusetts Inclusive Concurrent Enrollment Initiative (MAICE) which promotes higher education opportunities for students with intellectual abilities, autism, and other developmental disabilities. She discussed proposed amendments to 603 CMR 7.00 that allows educators with initial and professional licenses to obtain provisional licenses in special education areas, and in English as a second language. Some changes include a difference in ways applicants can demonstrate knowledge and meet requirements through alternative means. The licensure office determines how these requirements can be met through alternative licensure pathways. The alternative pathways must meet licensure requirements and demonstrate competency. These requirements cannot be waived. These changes to acquiring provisional licensure are proposals, only. The Board must approve any changes to provisional licensure, and the public is invited to make public comment.

A March 24, 2023 letter from Secretary Cardona reminded districts of the prohibition on corporal punishment. The correspondence emphasized the need to ensure student access to safe, supportive environments that enhance and protect the physical, emotional, and mental well-being of children as well as evidence-based strategies that lead to meeting their mental health needs through tiered systems of support. Jamie reviewed OSEP memos on child find requirements as a condition for funding, timelines for initial evaluations and eligibility guidelines. IDEA grants from Fund Codes 240 and 262 were discussed as well as conditions for assistance, training, and the grant application.

Updates were provided on the New IEP, training, and professional development, and DESE’s monitoring system. There was a two-day institute in Malden on general supervision systems, monitoring policies and requirements related to technical assistance. Planning for special education systems is occurring for next year emphasizing clarity in what is required in IDEA. The goal is to ensure what requirements mean and how district can meet requirements of state and federal guidelines. The website is continually updated to ensure easier navigation as well as organize and streamline information. The goal is to better develop systems to support districts and families. Stakeholder engagement will be prioritized through the collaborative work of the Federation for Children with Special Needs.

Several questions were answered via discussion and in the chat during the question/answer period.

**9:45 a.m. – 10:30 a.m.**   **Megan Bowie, OASES Liaison**

Office of Approved Special Education Schools **Jannelle Roberts, OASES, Assistant Director**

Megan and Jannelle provided a brief overview of the monitoring process of approved special education schools and collaboratives and highlighted the functional use of their communication pod and monitoring portal. They presented the organizational chart. Currently, the department oversees approximately 78 agencies with 156 programs under them and 25 collaboratives across the commonwealth. The department monitors approved special education schools and collaboratives’ ability to sustain compliance with all the federal and local state regulations and law and reviews all policies and procedures to ensure all requirements are met. Reviews of policies and procedures occur every three years. Guidance is provided in the form of public advisories, and updates on policies and procedures that have changed to support schools. Technical assistance is given to ensure schools are in compliance. Each school operates differently depending on the students they serve, therefore supports are tailored to meet their individual needs.

The process of approval of new program or program reconstruction applications takes a year or more and the department continues to monitor the setting. All policies and procedures are monitored, and feedback is given to ensure there are no gaps in compliance. Program reviews are done by looking at policies and procedures, interviewing staff, looking at student and staff records, and tours of every facility used by students. Three years after the review, there is a mid-cycle, which is very similar to the review.

For reviews, schools conduct a self-assessment for compliance purposes, and highlight any changes made to policies, procedures and the department reviews these items to ensure nothing is missing. There may be questions or requests for more documents. Once everything has been submitted properly, there is an onsite visit. Reviews, mid-cycles, and any corrective action plans are public documents. If there is a need for corrective action, the district will submit their corrective actions plan, which may be revised by the department. The department monitors the progress of corrective plans through documentation, training, technical assistance, and unannounced visits to talk to staff, review records, etc. Parent surveys are done before the department goes on site and parents willing to be interviewed are interviewed. Data, such as restraint or complaint data, helps identify trends at schools as well as other needs, which are addressed.

The department works with other agencies such as EEC, DCF, DMH and the DPH collaboratively to share data, ensure consistency, and provide a holistic approach to serving the needs of students with disabilities. Notifications are received when there are allegations of abuse, neglect, or other complaints. The online system is now streamlined for all school communication including all submissions. The online site provides a system where everything is in one place. Schools and agencies are listed including timelines and status updates. Programs have access to a current live status update of student and staff rosters, policies, procedures, etc. The department is working on programming where information can be inputted, and the online system can identify which schools provide supports for the specific profiles of students through the online system.

Question and answer session followed.

**10:30 a.m. – 11:15 a.m.**   **Greg Toby, SEPP Educational Specialist**

Indicators 11, 12, 13 and 14

Greg provided an overview of indicators 11-14 for the most recent SPP/APR submitted for 2021/2022. Indicators 11-13 were reviewed collected by the office of public-school monitoring, tiered focus monitoring system using a rotating cohort system of 50-70 LEAs. These LEAs will collect indicators for 11-13 on a yearly basis.

**Indicator 11: Child Find Data**

This is the initial evaluation timelines calculated as initial evaluations completed within the state regulated timeline of 45 school working days. This is different from the federal regulations, which is 60 calendar days. Compliance for this indicator in the most recent SPP/APR for 2021/2022 decreased by 5.11%. The compliance was at 88.38% for this past year. Compliance indicators must have a target of 100% for indicators 11-13.

Some data points on indicator 11 reveal 71% of the students were determined eligible for services as a result of initial evaluations. Approximately 30% were determined not eligible. About 1% did not have their eligibility determined at the time the monitoring occurred. On average, the evaluations took 43 days to complete. For records that exceeded the timeline, the average was just under 19 days beyond the timeline when the initial consent was received.

One large LEA contributed to the noncompliant record. If the large LEA were removed from the compliance data, the rate of compliance would have improved to 94.18%, higher than last year’s compliance rate. Sixty percent of the noncompliant records came from the one LEA. DESE offers both technical assistance and professional development to ensure timelines are met.

Many LEAs reported the lack of staff availability as a reason for noncompliance; the other reason was scheduling conflicts. Both noncompliance issues are within the districts’ control and it is the responsibility of the districts to ensure they have systems, policies, and procedures in place to ensure initial timelines are met.

DESE created one-page reviews for indicators 11-13 to assist district in adhering to compliance. This information can be found on the website and the one-pagers can be found on the individual indicator webpages. It gives a breakdown of what the indicator is, why it is important, and how it is calculated. DESE provides information and steps LEAs can take to meet timeline requirements, what happens when compliance fails and how the LEA can correct noncompliance. This information is available for district use and public consumption.

**Indicator 12: Early Childhood Transition Timelines**

Indicator 12 is calculated on a calendar day basis, not a school working day basis. Compliance increased by 7 points from last year from 57.5% to 64.5%. Indicator 12 has been refined to make the information clearer to districts in terms of what is an acceptable and reasonable cause for a delay versus unacceptable reasons for delay. Some delays were the result of staffing, scheduling, referrals to programs, and extended evaluations. Delays due to weather were taken out of the system for upcoming years as it is not a federal reason for delay and is an unacceptable reason for delay. Acceptable reasons include parent scheduling conflicts, when a child is not made available for an evaluation, or if the child has moved in or out of the district. This is aligned with the federal definition of acceptable delays in cases where the parent has not made the child available for evaluation.

**Indicator 13: Secondary Transition**

For ages 14 and above with measurable annual IEP goals, appropriate transition assessment, services and courses, compliance decreased slightly this year by 2.72%. There are seven (7) main checklist items for indicator 13. Most fell within 98% or above. One transition planning item that was well below the average was in the area that states, “when appropriate agency personnel have been invited to the IEP Team meeting.” Defining appropriateness depends on the student’s age, level of disability, and their need for transition services. Inviting agency personnel would not be appropriate in all cases and there was some confusion on how to answer this in the checklist. DESE provided training last Fall/Winter with the hopes that the compliance response will improve next year. Three large LEAs comprised a significant portion of the noncompliance record in this area. If the three LEAs were removed from the compliance record, the compliance would increase to 98.85%. These LEAs are provided technical assistance and professional development. Also, the department has constructed a one-pager on indicator 13 as a support for districts.

**Indicator 14: Post School Outcomes**

This is a performance indicator that measures outcomes for students who have exited education by graduating or dropping out in the school year 2000/2021. The students are surveyed one year after leaving high school with inquiries about their post-school outcomes. Three measures were gathered for 2700 former students who exited. Of the 2700 exit surveys, 921 responses were received, which amounted to a response rate of 33.67%. This was lower than the previous year. The targets and results follow:

A) enrolled in higher education. Target = 42%, Result = 29.64%

B) higher education and competitively employed. Target = 74%, Result = 71.23%

C) higher education and competitively employed or some forms of postsecondary education and/or employment. Target = 80%, Result = 77.31%

DESE previously used a (4) cohort model; the cohort model ended in 2022. Moving forward beginning this year, DESE has moved to a census model. Every district will be surveying their exiting students every year with the hopes that it will provide better alignment with other indicators in the SPP/APR, such as indicator 1, graduation rate, and indicator 2, dropout rate. This will provide a more comprehensive picture of outcomes for students with disabilities across the state on an annual basis to better assess trend data.

District reports will help districts breakdown data demographically and in engagement types for the purpose of making programmatic decisions or changes in high schools to better serve students with disabilities and achieve higher engagement rates. Methodologies have been expanded to ensure surveys reach more exiting students and to increase response rates.  COVID 19’s lingering effects have likely impacted surveys. The department is continually assessing how to improve outcomes given the survey responses and results.

Question and answer session followed.

**11:15 a.m. – 12:15 p.m.  Jamie Camacho, SEPP Director**

IEP Form **April Rist, SEPP**

The IEP is in its final version after some technical changes. DESE commits to look at the form regularly although no changes will be made at this time. The Department is also committed to make changes as needed in the future. Schools and districts are given choices to customize their rollout with various options for training and professional development. Training plan includes three office hours which includes general questions and answers for those implementing in 2023/2024; June office hours are for anyone implementing the upcoming year. Participants are asked to register in advance and submit questions to frontload targeted support and information participants are seeking. There were 60 participants in April 2023. More participants are expected in the following months and marketing is focuses on 2023/2024 and 2024/2025 adopters. The sessions are tailored to district and school staff who will be implementing the new IEP.

Office hours will continue to be offered to provide guidance throughout the 2023/2024 school year to all adopters. The next school district facing training for adopters will be a symposium. There will be a series for trainers of trainers for a total of 6 hours, including a roll out plan. Next year, there will be three regional train-the-trainer professional development sessions and districts will be able to support school staff, parents, guardians, and others.

The IEP forms will be in the 16 most used languages and will be posted within days. The online PDF is not fillable, but the fillable PDF will also be online shortly. IT platforms will be provided for adoption as well. The department projects that a skeletal version of the IEP process guide will be posted and disseminated sometime in June 2023. Resources and materials will be added to help with specific portions of the IEP.

The vendor for professional development will create IEPs for students of certain ages and disability types to give users an example of how the forms will look when they are completed. Changes in the IEP will be highlighted so users are aware of how the new form has been modified.

Funding support, which has been received from OSEP, will be offered to schools, including approved special education schools and collaboratives for training and software allocation.

Jamie gave a quick tour of the form while highlighting the significant changes such as the elimination of PLEP A & B, which has been combined with current levels of academic achievement and functional performance, and split into multiple areas as well as the postsecondary planning forms, which has been embedded in the form. The tour was followed by a questions and answer session.

**12:15 p.m. Carmen Pimentel, Chair**

Wrap-Up

**List of Materials Provided Electronically**

**Next Meeting: June 13, 2023**

***Respectfully submitted by:***

Edith Bazile

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| **Special Education Advisory Council Attendees**  |  **Meeting Date:**   |
| **Member Name**  | **Org** | **present** | **absent** | **Member Name** | **Org** | **present** | **absent** |
| Carmen Pimentel, *Chair*  | Everett | x |  | Cynthia Mahoney  | Florence | x |  |
| Edith Bazile, *Co-Secretary*  | Randolph | x |  | Susan Rees | MA Urban |  |  |
| Kristen Britton  | Westborough | x |  | Alpha Sanford | MA Urban | x |  |
| Ruth Diaz  | FCSN | x |  | Lisa Sheehy | DPH | x |  |
| Beth Doyle  | DDS |  |  | Janine Solomon  | MAC | x |  |
| Susan Farrell  | Central Mass Collab, MOEC |  |  | Jean Spera  | ASE | x |  |
| Omar Irizarry | DMH | x |  | Thomas Stewart  | Georgetown  | x |  |
| Carla Jentz  | ASE | x |  | Renée Toth  | Triton | x |  |
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| **Special Education Advisory Panel Attendees**  |  |  |  |  |  |  |  |
| **Member Name** | **Org** | **present** | **absent** | **Member Name** | **Org** | **present** | **absent** |
| Kate Anderson |  |  |  | Nathan Jones  | BU | x |  |
| Lora Barish  | Worcester | x |  | Nina Kagan  | Person with a disability | x |  |
| Elizabeth Becker/Amanda Kala | MAAPS | x |  | Jenny Klein Sosa |  | x |  |
| Paul Bottome  | New Bedford PS |  |  | Amy LaBarge  | Leominster | x |  |
| Seetha Burtner |  | x |  | Lizabeth Lane Morse |  | x |  |
| Mary Dennehy-Colorusso  | DPH | x |  | Laurie Mason  | Brockton PS |  |  |
| Jennie DunKley  | South Easton | x |  | Laurie McCarron  | Chelmsford | x |  |
| Courtney Edman |  | x |  | James Morrison  | DCF | x |  |
| Atiaya Elon |  |  |  | Sara Nelson | Public Charter Schools | x |  |
| Jennifer Fellows- Gardner |  |  |  | Christine Palladino-Downs  | Boxford | x |  |
| Angela Grella |  |  |  | Lisa Sirois  | DYS |  |  |
| Roxann Harvey |  | x |  | Sarah Slautterback   | DESE Homeless Ed | x |  |
| Ariella Hellman |  |  |  | Andrea Stolar  | Chicopee PS |  |  |
| Judy Hurlburt  | Evergreen Ctr, MAPPS |  |  | Aubry Threlkeld  | Endicott | x |  |
|  | MRC |  |  | Shannon Woishnis  | Agawam | x |  |
|  |  |  |  |  |  |  |  |
| **Guest Name** | **Org** | **Public Comment** | **Guest Name** | **Org** | **Public Comment** |
| Sarah Hendrick |  |  | Katharina Elbert |  |  |
| Barbara Hecht |  |  | Ashley Balaconis |  |  |
| Kym |  |  | Sarah Nelson |  |  |
| Marge Sunners |  |  | Leslie Leslie | FCSN |  |
| **DESE Staff** | **present** | DESE Staff | Present |
| Jamie Camacho  | x | Bob Hanafin  | x |
| Jon Thomas Bujold | x | Caitlin Hogan | x |
| Tracy Collins  |  | Nina Marchese  |  |
| April Rist | x | Yu-Ping Mao | x |
| Martha Daigle  | x | Holly-Anne Neal  | x |
| Lisa Hanafin  |  | Greg Tobey  | x |
| Zhaneta Liti | x | Etse Oriakhi | x |
| Jannelle Roberts | x |  |  |
| Karen Brann | x |  |  |
| Megan Bowie | x |  |  |
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