North Dakota IDEA Advisory Committee Position Statement on a Unified System of Education

North Dakota shall have a seamless education system that is responsive to the needs of all children, adolescents, and young adults, and their families. Parents and students must be given the opportunity to participate as full partners in all educational endeavors. We must build the capacity in general education for all children, while supporting each individual student’s rights and the gains made since the passage of federal legislation in special education. In such a system, all children reap the benefits of a free appropriate public education through effective, research based, instructional programs and practices based on equitable standards with accountability and high expectations for all.

Approved by the ND IDEA Advisory Committee on September 21, 2001.
ABOUT THE ADVISORY COMMITTEE

The purpose of the North Dakota Individuals with Disabilities Education Act (IDEA) Advisory Committee is to provide advice and guidance to the Department of Public Instruction with respect to special education and related services for children and youth with disabilities as required by the Individual with Disabilities Education Act (IDEA). The committee provides a forum for issues regarding potential unmet needs of students with disabilities. The advisory committee members are viewed as key agents in their efforts to improve educational opportunities for children with disabilities in North Dakota. One of the most significant contributions each member brings to the committee is his or her representation of a constituency.

The functions of the North Dakota IDEA Advisory Committee are to:

- Advise the Department of Public Instruction of unmet needs within the State in the education of individuals with disabilities;
- Comment publicly on the rules and regulations proposed by the Department of Public Instruction regarding the education of children and youth with disabilities;
- Advise the Department of Public Instruction in developing evaluations and reporting on data to the Secretary of Education under Section 618;
- Advise the Department of Public Instruction in developing a state performance plan and annual performance reports under Part B of the Act;
- Advise the Department of Public Instruction in developing and implementing policies relating to the coordination of services for children with disabilities; and
- Advise the Department of Public Instruction regarding the education of eligible students with disabilities in adult prisons, children with disabilities who are homeless, and children with disabilities participating in child welfare services.

MEMBERSHIP

The North Dakota IDEA Advisory Committee is formed of a broad representation of individuals with knowledge and expertise on needs of children with disabilities. Appointments to the committee are made by the North Dakota Superintendent of Public Instruction for a three-year term. In accordance with the regulations governing the implementation of the IDEA, the majority of members of the committee are parents of children with disabilities or individuals with disabilities. The remaining members of the committee represent a variety of stakeholders concerned with, and involved in, improving results for children with disabilities attending public schools in North Dakota, state supported educational programs, private schools, juvenile and adult correctional facilities, state human service agencies, and higher education representatives.
STATE ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN WITH DISABILITIES
2020-2021
CHAIR: Dr. Patti Mahar
VICE CHAIR: Jessica Howlingwolf

CONSUMERS (2)

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HIGHER EDUCATION REPRESENTATIVE (1)

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MEMBERS AT LARGE (1)
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STATE/LEA OFFICIAL HOMELESS ASSISTANCE (1)

*Also a parent representative.
COLLABORATIVE EFFORTS
In North Dakota, the lead agency responsible for services for children with disabilities from birth through age 2 (IDEA, Part C) is the Department of Human Services. The lead agency responsible for services for children with disabilities from age 3 through 21 (IDEA, Part B) is the Department of Public Instruction. Since September 2002, the ND Interagency Coordinating Council (IDEA, Part C) and the ND IDEA Advisory Committee (IDEA, Part B) have recurrently held joint meetings.

YEAR IN REVIEW
The IDEA Advisory Committee held regular quarterly meetings throughout the year. Complete minutes are available on the Department’s website.

Meeting Summary: September 10, 2020
John Copenhaver, TAESE held new IDEA Advisory member training.

Special Education Updates – Gerry Teevens

- ND Child Count
- COVID Resources
- Special Education Webinar Series
- Updates and Revisions of Office of Special Education’s Guidelines Comprehensive Literacy Grant Projects
- FBA/BIP Guidance Document
- Alternate Assessment Training

ND Child Count/NDDPI Dashboard – Emmanuel Mensah

As of December 1, 2019...
- The number of students ages 3–21 who were receiving special education & related services under the IDEA was 16,459.
- Representing over 14% of public school students.
- Accounting for 3.5% increase from the Dec. 1, 2018 count.
- Among students receiving special education services, over 27% had specific learning disabilities.


Striving Readers Comprehensive Literacy (SRCL) provided the funds for the revision of the Guidelines for Gifted and Talented – Lea Kugel

- Facilitators
- Kimberly Hutter (TAESE), Brenda Ehrmantraut (Academic Support), Lea Kugel (Special Education)
- Stakeholder group
- University personnel, GT Coordinators/Teachers, Parents, Tribal School
- Two virtual ‘face to face’ stakeholder meetings (4/21 and 7/30)

What’s Next
I. Rough Draft aligned with other ND Guideline Documents
II. Revision of Rough Draft
   a. NDDPI
   b. Stakeholder group
III. Rough Draft 2
   a. Revision from TAESE
   b. Revision from NDDPI
IV. Final Draft (June 30, 2021)
Guidelines for Other Health Impaired – Susan Gerenz

Contents of the Guidelines: What is a Other Health Impairment?

- What it Is and What it is Not.
- Differences vs. Disability
- Best Practices in Evaluations
- Key Elements in Individualized Programming
- Protecting Medically Vulnerable Students
- Evidence-Based Instructional Strategies
- Resources

Improving Foundational Literacy Through Self-Regulation Striving Readers Comprehensive Literacy Grant 2020-21 NDDPI Special Education – Susan Gerenz

Builds your Skills on the 5’s – Improve your
- Memory
- Self-Regulation
- Focusing
- Social-Emotional Learning
- Literacy

Set aside 5 minutes to build connections in the brain to boost Power to learn, while improving calm and focus.

Functional Behavioral Assessment/Behavior Intervention Guidelines:

- FBA/BIP - After data reviews from prior years the NDDPI staff recommended some changes to the Functional Behavioral Analysis (FBA) and Behavior Intervention Plans (BIP) forms in Tienet. Those changes were completed this summer. In addition to those changes a guidance document was edited and posted on the NDDPI website. Training on these updates and this document will be provided in a session of the webinar series. Document Link: https://www.nd.gov/dpi/sites/www/files/documents/SpeEd/Guidelines/FBA-BIP%20Guide%207.28.2020.pdf

Special Education Webinar Series – Gerry Teevens

- Webinar Series – as of Wednesday there were 278 teachers, administrators, related service provider and family & community agency staff registered for the bi-monthly webinar series that kicked off on Tuesday. Registration link: https://www.eventbrite.com/e/nddpi-special-education-webinar-series-tickets-117806411147

DLM Alternate Assessment Training – Michelle Woodcock

- Wednesday a webinar was held with the Dynamic Learning Maps staff. Around 70 teachers and administrators from across the state were trained in preparation for the testing window this year.

Michelle Woodcock – ND Alternate Assessment Coordinator

State Performance Plan (SPP) and Annual Performance Report (APR) – Gerry Teevens

SPP/APR Dashboard Reports are located https://insights.nd.gov/

- IDEA requirement for State Education Agencies Part B and Part C
- SPP is our state plan for improving educational results for all children with disabilities
  - Currently 17 indicators in our plan
• baseline data, measurable and rigorous targets, and improvement activities
• Data is collected from all districts
  • data is used to continuously improve state and school district activities

Thus improving results for all children with disabilities.

Components of Results Driven Accountability (RDA)

• Accountability Plan for State Special Education agencies is the State Performance Plan (SPP)
  o State Performance Plan/Annual Performance Report (SPP/APR) measures result and compliance to the 17 State Performance Plan Indicators
• Determinations reflect State performance on results, as well as compliance
  o Results and Compliance Matrix

Levels of Determination

• The Secretary annually reviews the State’s performance report submitted pursuant to 34 CFR 300.602(b)(2) and, based on the information provided by the State in the State’s annual performance report, information obtained through monitoring visits, and any other public information made available, the Secretary determines if the State:
  • Meets the requirements and purposes of Part B of the Act;
  • Needs assistance in implementing the requirements of Part B of the Act;
  • Needs intervention in implementing the requirements of Part B of the Act; or
  • Needs substantial intervention in implementing the requirements of Part B of the Act.

North Dakota Meets Requirements on the Feb 2019 submitted SPP/APR for Part B and Part C.

Jodi Webb, IDEA Advisory Committee member, provided a link to The National SAP SICC Workgroup also just put out a webinar on Meetings and Strategic Planning (including information for Annual Report etc). It can be found on their website: https://collab.osepideasthatwork.org/SAP-SICC

OSEP Part B and Part C COVID Q & A Dispute Resolution – Mark Ehrmantraut

• Encourage Communication and Collaboration
• Complaint Timelines are basically in effect. Sixty days to complete the investigation and provide a written report. Those timelines are in effect. Potential leeway if:
  • Exceptional circumstances (beyond a blanket COVID statement) or
  • Parent and Public Entity mutually agree to extend timeline
• Virtual meetings and discussions are permissible, and even encouraged when other options are available.
• Hearing Officers have some flexibility to extend timelines at the request of EITHER party. The hearing officer needs to document:
  • Length of extension
  • Reason for Extension

Brenda Ruehl brought a couple of concerns that she has heard from parents.

Parents are asking for IEPs and some schools are not getting back to them. Compliance issue? Parents are saying they don’t have access to the different virtual meetings. When schools are setting policy – like every special education child can only go to school certain days and no more. Some schools are sticking to that and they are worried about regression. Some districts will not move off the policy and say this is the way it is under COVID. Do you have any suggestions? Gerry reminded everyone that is it an individualized education plan and they need to look at each child individually.

Brenda also reported that in some schools if a student is in a certain LRE they can attend 5 days a week but if they are being served in a different LRE they can only attend two days. Some schools are saying that students with disabilities can’t attend certain activities because they can’t provide support with students with disabilities even though general education students are being provided those services. There are some school districts that are doing a wonderful job.
Part C to Part B Transition Part B Discussion - Angela McSweyn & Jacqueline Adusumilli

They would like to hear from the group regarding how they think transition process going during COVID and if there are any concerns. The group had no concerns at this time.

Part B SSIP – Updates to Reinvigorating the Plan/Discretionary Funds Projects – Mark Ehrmantraut

THE SSIP is a comprehensive, multiyear plan that focuses on improving results for infants, toddlers, children and youth with disabilities. This is indicator 17 of the Part B Indicators.

State identified Measurable Result (SiMR) – Improve 6-year extended graduation rate for students with ED.

Messaging – Dropping out is a process, NOT an Event.

TAESE facilitated a meeting in June to discuss how do we improve results for ED students with various office within DPI.

Early Warning Systems (Pilot Project)
- Attendance
- Behavior
- Course completion

Web-based Document prompts will be:
- Stakeholder Engagement
- Evidence-based practices
- SiMR Trends
- Professional Development
- Continuous Improvement Work

Question: Is there any data on those that do not graduate that go on to become parents? Are they connected to our early headstart, healthy families, right track and early intervention programs?

Mark replied “Literacy tells us that becoming a parent is a big reason females drop out of high school. We don’t have good data yet, but we are working on it”.

2020-21 Discretionary Grant

Invitation: Improving graduation rates for students with disabilities through the use of evidence-based practices at the middle and high school levels.
- Funded activities will enhance and expand personnel capacity to implement one or more of the following evidence-based practices:
  a) Early Warning Systems
  b) Functional Behavior Analysis leading to effective Behavior Intervention Plans
  c) Work-Based Learning
  d) Mentoring Systems, and/or
  e) Engagement of parents, families, private and public organizations, and community members in supporting students at-risk for not graduating.
- Up to $15,000 per award
- 17 applications
- 16/17 funded to date
- Sum: $232,974

The projects that we funded:
• Community Wraparound
• Early Warning Systems
• Attendance improvement
• Student engagement
• Rural transition work experience
• FBA/BIP
• Transition Planning

Annual Dispute Resolution Report – Mark Ehrmantraut

Below are the options a parent can choose to resolve a dispute.

• IEP Facilitations
• Mediations
• Investigations
• Due Process

Last year ND had:
• IEP Facilitations – 6 (1)
• Mediations – 4 (1)
• Complaint Investigations – 10 (3)
• Due Process Hearing -1 (1)

19-20 Dispute Resolution Themes
• Assistive Technology 3
• Behavior 7
• Evaluation 3
• Placement 3
• IEP 8

2019-20 Themes
• Communication
• Relationships
• Trust

COVID into 2020-21
• COVID
• Distance Learning/Hybrid Learning
• Contingency Plans
• Getting the full complement of services
• Individualization

Encourage:
• Communication
• Individual decisions
• Good faith efforts
• PWN – communication
• Reconvening if necessary

Brenda Ruehl asked if we have mediators and IEP facilitation available during this time. DPI Special Education Office has had one virtual mediation during COVID.

There were no issues or concerns presented.
The committee approved the June Minutes. Penny Viet-Helteveit made the motion to accept the minutes and Jacqueline Adusumilli seconded the motion.

Public Comment: Vicki Peterson said she hears a lot from parents that they do not understand the difference between contingency plans and IEP’s and the connection. What guidance is going out to teams to explains this? The is no guidance for contingency plans. Some schools are looking at the mode of learning that the district is in there may be some modifications of services being provided so some schools are writing contingency plans. Some schools are just writing what the goal will look like in the hybrid method. I do want to add to my question that I am hearing in IEP meetings that contingency plans are requirement and what I am hearing from Gerry is that is not true. I just wanted to add my comment to that. So, if a parent does not want a contingency plan that would count as part of the IEP team.

Contingency plan is a team decision and the team have to be in agreement. Contingency plans are not a requirement in IDEA.

Patty Cummings – the need that we still have an IEP. The contingency plan is a document for a plan in the event services or activities that were identified in the IEP that are not able to be provided in the current learning mode the child is participating in. IEPs would address everything as typical and school was operating as normal.

OSEP is saying that schools can still provide FAPE when students are participating in Distance Learning. Schools and families must work together to provide FAPE and procedural safeguards are still in place.

Agenda Items for December meeting:

- Update on COVID Cases
- Update on Disputes
- SPP/APR Data
- Neglected and Delinquent Portfolio and programmatic changes and targets – Beth Larson-Steckler

Meeting Summary: December 8, 2020 – Due to COVID meeting was held virtually

Special Education Office Updates – Gerry Teevens

DISCUSSION

COVID (Gerry)

- Assistance to schools during the COVID-19 Pandemic is available on this website on DPI

COVID19 Funding

- ESSER Relief Funds Funding
  - March 13, 2020 – September 30, 2022
- Education Corps Funding
  - July 1, 2020 – December 30, 2020
- Broadband Assistance Grant
  - July 1, 2020 – December 30, 2020
- GEER Funding
  - March 13, 2020 – June 30, 2021
- Resiliency Grant Funding
  - July 1, 2020 – December 30, 2020

Patty Cummings brought us some concerns regarding some of the funding. If districts wanted to purchase additional technology, you had to have the items physically on your property in order to use the funding. Companies were backlogged and unable to meet those parameters. Gerry said that the parameters and guidelines were set by the federal government. Gerry indicated that the parameters around the use of the money and who could apply for it was set by the federal government. When the money was distributed to the districts the special education unit was expected to confer with the district for special education needs. DPI made it known to the Governor’s office that Special Education Units
are known as LEAs in the state with the hope that special education units would receive a GEER Funding grant if they applied.

**SRCL-“On the 5’s” Resource Guide -Susan Gerenz**
- **In just five minutes,**
- You and your child can build connections in the brain to
- boost the **POWER to learn,** while improving **calming and focusing skills.**
- **Decide what times work best,** then set aside 5 minutes each hour to take a Brain Break.
- **Set your phone,** timer, or watch on **One of the 5’s**. The average individual is awake 16 hours, thus 16 opportunities for
- Brain Breaks each day.
- **Do hourly Brain Breaks** when you are with your child. Then **partner** with your teacher or caregiver to **keep your child “On the 5’s”** when you are apart.
- Movement, Sensory, Distraction and Calming Skills

**OHI Training “Save the Date” -Susan Gerenz**
- Save the date: NDDPI training January 12, 2021: 4:00 – 5:00 p.m. CST

**Community of Practice for Students with Social-Emotional-Behavioral Disorders -Michelle Woodcock**
- The Office of Special Education plans to have an application out to people who may be interested in participating in this group. This would be a statewide community of practice for those working with children and youth with Social-Emotional-Behavioral Disorders. This Community of Practice has not met yet. The first meeting will be held at the end of January. Renee Wetzsteon would like to participate in this group.

**Special Education Webinar Series – Michelle Woodcock**
- Special Education webinar series – have created bimonthly webinars that started in September. More than 400 participants from across the state. We are sharing evidence-based practices, IDEA compliance information and creating a platform for educators to share resources and have discussions. Upcoming webinars include Social Emotional Learning, Self-Regulation, Assistive Technology and Fading Adult Support. If you would be interested in listening to upcoming webinars, register here: [https://www.eventbrite.com/e/nddpi-special-education-webinar-series-tickets-117806411147](https://www.eventbrite.com/e/nddpi-special-education-webinar-series-tickets-117806411147)

**Professional development on writing Transition IEPs – Lea Kugel**
*Graduation/Dropout and Writing Transition IEPs Virtual Training | North Dakota Department of Public Instruction*

**Update on Dispute Resolutions: Mark Ehrmantraut**
- Questions – Failure to Implement
- Facilitations
- Mediations
- Complaints
- Due Process

**2020-21 Dispute Resolution**
Facilitation – 1
Mediations – 0
Complaints – 6
- 1 Not IDEA
- 4- Individual IDEA
- 1- Systemic (the complaint we received made numerous allegations against a unit. The systemic complaint we received is still under review to determine the appropriate next steps).
Due Process - 1

13
Corrective Action Plans – CAP

CAP MUST Address:
- Individual issue(s)
- Ensure the violation isn’t part of a larger systemic issue

3 Main Areas to get Correction
- Professional Development
- Compensatory Education
- File Review

Consistent Message:
- Communicate
- Relationships (Trust)
- Good Faith Efforts
- Individualize
- Prior Written Notice (Communication Tool)

If student not making progress: 4 R’s (Lenore Knutson)
- Reconvene
- Review
- Restrategize
- Revise

State Performance Plan (SPP) And Annual Performance Report (APR) Update – Emmanuel Mensah

- IDEA requirement for State Education Agencies Part B and Part C
- SPP is our state plan for improving educational results for all children with disabilities
  - Currently 17 indicators in our plan
  - baseline data, measurable and rigorous targets, and improvement activities
  - Data is collected from all districts
  - data is used to continuously improve state and school district activities

Thus, improving results for all children with disabilities.

IDEA ’04 State Performance Plans
- Plans must establish measurable and rigorous targets.
- States must annually collect data in these priority areas to analyze the performance of each LEA.
- Each state must report annually to the secretary on its performance under its performance plan.
- States must report annually to the public on the performance of each LEA on the targets in the state’s performance plan.
- plan.

Public Information on District Performance
- Insights of North Dakota (nd.gov)

Objectives
- Review SPP/APR indicator data.
- Examine trends, discuss progress and slippage (if any).
- Suggest/recommend activities or actions for improvement.

State met target on these indicators
- 2 Dropout Rate
- 4A Suspension/Expulsion Rate, Overall
• 4B Suspension/Expulsion Rate by Ethnicity
• 7A1 Social-emotional Skills GROWTH
• 7B1 Acquisition & use of Knowledge & Skills GROWTH
• 7C1 Use of appropriate behaviors GROWTH
• 8 Parental Involvement
• 9 Disproportionate Representation of Race/Ethnicity
• 10 Disproportionate Race/Ethnicity, Disability Category
• 12 Early Childhood Transition
• 13 Secondary Transition
• 14B Post-School Outcomes: Competitive Employment or Higher Ed

State didn’t meet target on these indicators
• 1 Graduation Rate
• 5A Inside the regular class 80% or more of the day
• 5B Inside the regular class less than 40% of the day
• 5C In separate schools, residential facilities, or homebound/hospital placements
• 6A Preschool Regular Classroom Setting
• 6B In separate classroom, school, or facility
• 7A2 Social-emotional Skills FUNCTIONING
• 7B2 Acquisition & use of Knowledge & Skills FUNCTIONING
• 7C2 Use of appropriate behaviors FUNCTIONING
• 11 Evaluation Timelines
• 14A Post-School Outcomes: Higher Education
• 14C Post-School Outcomes: Competitive Employment, other employment, or Higher Ed or education or training program
• 17 State Systemic Improvement Plan (SSIP)

State slipped on these indicators
• 5B Inside the regular class less than 40% of the day.
• 14C Post-School Outcomes: Competitive Employment, other employment, or Higher Ed or education or training program

Who is Most Likely to Graduate?
Based on the 4-Year Adjusted Cohort for 2018-19

- **Environment**
  - ✓ Students in regular classroom: 80.28%

- **Primary Disability**
  - ✓ Specific Learning Disability: 81.10%
  - ✓ Other Health Impairments: 76.09%

- **Ethnicity**
  - ✓ White: 76.02%
  - ✓ Asian: 87.50%

Who is Least Likely to Graduate?
Based on the 4-Year Adjusted Cohort for 2018-19

- **Environment**
  - ✓ Students in separate school: 20%
  - ✓ Spec Edu in Homebound/Hospital: 28.57%
  - ✓ Regular Class < 40% of Day: 41.18%

- **Primary Disability**
  - ✓ Intellectual Disability: 56.16%
  - ✓ Emotional Disturbance: 56.48%

- **Ethnicity**
  - ✓ Black or African American: 58.14%
Trends in On-Time Graduation Rates for All Students, Students with IEPs, and ED
- ED Students – 56.60%
- All Students – 88.30%
- IEP- All – 73.40%

Reasons SWD didn’t Graduate
- Did not like school
- Anxiety – social skills, being bullied, school phobia, difficulty being in public
- Pursuing GED
- Work
- Lack of family support
- Disabilities got in the way
- Could not complete course requirements
- Failed required classes

Early Warning Systems
- Attendance
- Behavior Incidents
- Course performance

Participation and Achievement of SWD on State Assessment for 2019-20 – no data. Schools did not administer the NDSA due to COVID.

Disproportionate Representation in Specific Disability Categories
- Two districts identified with disproportionate representation of racial and ethnic groups in specific disability categories

Indicator 11 - Child Find
- 3102 number of parental consent to evaluate
- 3090 of children whose evaluations were completed within 60-day timeline
- Rate of 99.61%
- Target 100%

Indicator 12 - Early Childhood Transition
- 514 children who have been served in Part C and referred to Part B for eligibility determination
- 514 children referred by Part C prior to age 3 who were found eligible for Part B, and who have an IEP developed and implemented by their 3rd birthdays
- Rate – 100%
- Target – 100%

Indicator 13 – Secondary Transition
- Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs.
- There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. (20 U.S.C.1416(a)(3)(B)).
- 395 youths with IEPs aged 16 and above on sample
- 395 that contain each of the required components for secondary transition
- Rate: 100%
- Target: 100%
**Indicator 14 Post School Outcomes**

- Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:
  - Enrolled in higher education within one year of leaving high school
  - Enrolled in higher education or competitively employed within one year of leaving high school
  - Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school

- 747 total in sample
- 333 total interviews completed
- 44.6% response rate
- Ready for Life after High School – 72% Yes – 28% No
- COVID – laid off from job – 24%
- 34.8% hours were reduced as a result of COVID

**Indicator 17 – SSIP - Improve 6-year extended graduation rate for students with ED.**

2020-21 – 5 Focused Areas

1) Messaging – Dropping out is a Process, Not an Event
2) Early Warning Systems
3) Web-Based Document – Help with:
   - a) Planning
   - b) Implementing
   - c) Evaluating
   - d) Reporting

(Based on OSEP’s 7 elements taken straight from the measurement language
Based on creating systems that develop and sustain Continuous Improvement)

4) Aligning Continuous Improvement Efforts
5) Middle / High School Effective Practices (Graduation and Dropout)

Beth commented that such a critical point dropping out is a process. Beth wonder if Mark has presented to family groups that dropping out is a process. We have monthly calls with the parent support and advocacy groups but Gerry thinks that is a good suggestions and Gerry said NDDPI will look at reaching out to Family Voices, Federation of Families, and Pathfinders, etc. to see if there is interest. Again, relationship is everything – engagement, true engagement.

Decreasing the dropout rate for students with disabilities was a priority that the IDEA Advisory Committee decided to focus on this year.

Patti Mahar made a comment that hybrid mode of learning has been wonderful for a student she is working with. He went from D and Fs to A and Bs. Removing the social aspect from him has enabled him to do so much better in academics. The student is really excelling with the hybrid and he doesn’t want to go back face to face.

Some kids are doing better not being in the classroom. We hope that the hybrid option stays available after COVID.

Jacey Enget – Do you think the child having general an education teacher that they enjoy effects the dropout rate? I know I will never forget the impact my third-grade teacher had on me.

**CONCLUSIONS**

Jessica Howling Wolf – Is the credit recover not yet active. Still in the developmental stages? Yes, developmental stages. She said that it is a great idea and way to help the students be successful in obtaining HS Diploma.

Beth Larson-Steckler discussed that NDDPI is looking at a Diploma 2 (GED) option that may be available to students.
SPP/APR: Parent Survey – Emmanuel Mensah

Indicator 8: Parental Involvement
- 5,446 parents of students with disabilities ages 3 to 21 to whom survey questionnaires were mailed or links to survey sent
- 687 (12.61%) Response rate
- 73.14% respondents who indicated that the school facilitated their involvement
- Target – 73.10% - target was met
- 162 of districts who participated in the survey
- Questions 4 & 6 get the most disagree
- Question 4 – I am asked about how well special education services are meeting my child’s needs
- Question 6 – My child’s school follows her/his special education plan.

Gerry said that the state doesn’t look into the individual district data unless we are focusing monitoring or if a complaint is filed. The districts are given this data and it is their responsibility to look and review the data.

Nationally and in ND, COVID revealed not only significant inequities in education but deepened them.

Karyn Chiapella: “After speaking to several directors four questions came to me”:
- What is the PURPOSE of the survey?
- Who sees the results?
- What are the results used for?
- How does the survey drive CHANGE (local and state level)?

Seek ways of change
- Could we go to some of our minority schools and ask them how best to meet the needs of their culture
- We need to engage in meaningful dialogue with these stakeholders who know their communities best
- Get resources/advocacy groups to connect with families
- Piggyback on them to build relationships in the community and ensure they know our purpose for the survey is to DRIVE change
- We must seek help/ideas to get more creative in our surveys while still protecting identities
- Partner with agencies (Indian & Multicultural affairs; tribal communities, etc.)
- Develop an action plan

Comments and Suggestions:
Amanda Meier - How do case managers have the opportunity to provide insights to their districts or units? One director reached out to their case managers and asked that they email the survey to the parents indicating to the parents that it would be meaningful data to her/him as far as how they could support the student and families better. That unit had an 80% response rate by doing that.

Debbe Poitra is happy to see that districts are reaching out to the tribal schools. Trust is a factor and that needs to be created by the schools and parents. It is even difficult for us to get parents to response to parent surveys. Parents need to feel they matter and are valued. You need to do it throughout the year not just the end of the year. You need to be talking to them on a regular basis. They want to know the value of the survey. They want to know if changes are going to be made if they respond. This is good for all parents but especially for Native American parents.

Trust and use of data (what will come out of this survey) is super important for all parents.

What ideas do you have to help get parents fill out surveys? Parent liaison are going out in the field and looking for the children.

Can parents receive the survey at an IEP meeting? One of the schools has done that. They setup a separate room with a computer to allow parents to fill out the survey at the time of the IEP meeting.
Are the results of the survey compiled in a report and shared with parents? Results along with action plan items might help bridge communication for some. – Melissa Casteel

Our report is public knowledge and the IDEA Advisory Committee was given a copy. The district report would depend on the district giving that to the parents because some districts may have small numbers.

Jessica Howlingwolf said that a lot of Native American communities have a lot of grandparents raising kids and they don’t have the technology experience to fill out an electronic survey. Townhall, BBQ are good examples of community options for those hard to reach communities.

CSI on New Town – maybe that would be an option to have discussions there. Beth Larson-Steckler

Fort Totten volunteered to send out their surveys this year and increased their response rate using email and text.

**Conclusions**

Renee would like to know if NDDPI goes back to the district/school that had a negative response for training? Emmanuel said the state could look at the data and see if there is a specific district that had negative responses and go back to them for training.

Is there a way for the schools to be held accountable? -Nicki Kehr

Jacqueline Adusumilli - would be curious if the results are broken down by age group at all. I'm wondering if there are a large number of parents who feel this way their first years after transitioning from Early Intervention. Since Early Intervention is extremely parent driven, are they feeling a shift in how services function in EI vs. a school setting? We are experiencing the same struggle in EI with our family surveys -some programs have huge response rates some have very small response rates. Even though the procedure is the same, the way in which it is implemented and the importance that is placed on the survey by the program will influence the response rate

Is there any disciplinary actions taken against those schools? I worry about the small town schools. – Jacey Enget

I think it very much depends on the individual school and the administration/leadership there. I would guess there are patterns/trends in certain schools (parent perspective) – Melissa Casteel

On the same note when student transfers to another district. Different team members, hindsights, insights… I agree depends on individual schools and leadership plays a factor. – Jessica HowlingWolf'

Is 5,000 the total of families with kids on IEPs – No, this is a sample of the total child count. 12% is a really low response rate and it is hard to make assumptions about parent option overall based on that response rate. – Melissa Casteel

Beth is wondering if there is any feedback from the parent involvement groups. Do they attend the meetings with the parents?

Melissa Casteel said if she hadn’t sought out the resources on her own, she wouldn’t have known about any parent advocacy groups that were available to help parents. In my experience schools are not sharing any of what Beth has mentioned as an option for parents. Those that doesn’t have the means to know where to look for help are falling through the cracks. I’m resourceful and it took me a while to find help and support/resources.

Victoria Johnson said she was unaware of resources available. She feels this is a big issue for parents and where to find resources. Is the information come in different languages or just English? That is a local school decision.

We discussed it with the units, and some have paid for translators for IEP meetings and having some of their documents translated into different languages.
Patty Cummings indicated Fargo Public Schools is using some interpreters so parents can have full participation in the education process.

NDDPI tries to share information. Our office has calls once a month with the parent support and advocacy groups and we try to get information out but is it getting to the parents? Our office did share information on the family groups at the IEP 101 webinar this year. We will continue to try and spread the word through professional development. NDDPI has recordings if you register and can go back and watch the previous webinars. [https://www.eventbrite.com/e/nddpi-special-education-webinar-series-tickets-11780641147](https://www.eventbrite.com/e/nddpi-special-education-webinar-series-tickets-11780641147)


Gerry: Family Voices and Pathfinders do host webinar sessions for parents. If you have a particular topic in mind, we can certainly work with the parent groups to see how best to have that information can be provided.

**Neglected and Delinquent Portfolio and Programmatic Changes and Targets**

How many people are aware the neglected and delinquent program? Many of the youth that are in the program have IEPS or 504s. last year we lost five facilities in ND.

State conducted needs assessment:
- Needs Assessment
- Family engagement
- Transitions

Transitions:
- Entry into facility
- Residency
- Exit
- After Care

School District:
- Assign an individual
- Invite participants identified by youth, family
- Access needs as well as strengths
- Actively engage in transition meetings (starts day one)
- Make sure accommodations that assisted youth in being successful are in place

Questions contact [dpiies@nd.gov](mailto:dpiies@nd.gov)

**Dates for Future Meetings -Patti Mahar and Gerry Teevens**

Discussion: Joint IDEA/ICC meeting in September 15, 2021. Mark said that September 16-17 is our Northern Plains Law Conference so that would affect a number of special education staff. The committee suggested September 14, 2021. Jackie will go back to the ICC to see if that date works for them.

**Issues and Concerns in our State:** No issues were presented.

The committee approved the September Minutes Jacqueline Adusumilli made the motion to accept the minutes and Victoria Johnson seconded the motion.

**Public Comment:** No Public Comment
March meeting is scheduled for: March 10, 2021.

Agenda Items for March meeting:

- Updates on COVID
- Updates on Dispute Resolution
- Updates on Legislative Session
- Continue discussion on Parent Surveys
- State Systemic Improvement Plan final version for submission

Meeting Summary: March 10, 2021

Special Education Updates – Gerry Teevens

COVID (Gerry)
- Assistance to schools during the COVID-19 Pandemic is available on this website on DPI COVID Resources: https://www.nd.gov/dpi/familiescommunity/nddpi-updates-and-guidance-covid-19

COVID19 Funding
- EANS Funding
  - Emergency Assistance for Non-Public Schools
- ESSER I Funding
  - March 13, 2020 – September 30, 2022
- GEER Funding
  - March 13, 2020 - June 30, 2021
- EDUCATION CORPS FUNDING
  - July 1, 2020 – June 30, 2021
- Broadband Assistance Funding
  - July 1, 2020 – June 30, 2021
- Resiliency Grant Funding
  - July 1, 2020 – June 30, 2021
- ESSER II Funding
  - March 13, 2020 – September 30, 2023

ESSER Funds Supporting Special Education
- Invitation to Special Education Units to complete application for $11,500. for COVID related special education programming needs.
- Para to Practice Scholarships Minot State University.

Legislative Update: Gerry Teevens

- HB 1131 – Dyslexia Credential relating to credentials for specialists trained in dyslexia.
- HB 1188 – Special Education Technicians relating to services provided by special education technicians; and to amend and reenact section 15.1-02-16 of the North Dakota Century Code, relating to a certificate of completion for special education technicians.
- HB 1089 – Removes the Autism Voucher Program – this looks like a do not pass bill.
- HB 1091 – Relating to shelter care services, foster care for children, foster care. Expand another level of shelter care. Allow up to 7 days when there is crisis.
- HB 1416 – Brings 0-5 programs under one roof. Transfer of full-time equivalent positions (includes 619 coordinator). It would transfer our Early Learning Office to Dept of Human Services. It passed the House and is being heard in the Senate this morning. There will need to be an MOU created between DPI and DHS.
- HB 1466 – Establishes four-year old program grants. Grants for 4-year-old programs.
- S2039 – Membership on the Brain Injury Advisory Council. This bill allowing up to 5 members that would be survivors of Brain Injury or a family member of someone with a brain injury.
• SB 2256- Legislative management study of the state’s community-based services waiver for individuals with ID and DD.
• SB 2269- Transitional program payments for eligible students enrolled in a postsecondary transitional program within the state. These dollars could go with the student even though they have a signed diploma.
• SB 2332 – Out-of-state alternative certification program. Special Education was removed from this bill. This bill is going to the Senate now so special education could be added back in.
• SB 2147 – If a school district’s board approves it, parts of the GED assessment, when passed, may be used to help fulfill graduation requirements. This bill has passed in the Senate is now in the House.

FFY 21 IDEA Application Due May 21, 2021

• Public Comment: March 16, 2021
• Application posted on the NDDPI Website: Special Education/Compliance and Reports: Annual State Application Under Part B of the Individuals With Disabilities Act As Amended in 2004 For Federal Fiscal Year 2020 (MS Word)

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Final allocations for the fiscal year 20-21 are posted on the NDDPI Website

2021 APR Submission & New Cycle– Emmanuel Mensah

Updates on the FFY 2019 SPP/APR

- ND successfully submitted the FFY 2019 SPP/APR for indicators 1-16 (by the Feb 1 due date).
- The team is working on finalizing the SSIP report.
- Local special education teams are reviewing their respective private report cards.
- Following the completion of the review process, the public version of the report will be made available on the dashboard.
- OSEP has released new measurement table for the FFY 2020-25 SPP/APR.
- States are required to:
  - Set new targets for all results indicators
  - Establish baseline for new components
  - Involve stakeholder groups in the process of target setting and establishment of baseline.
- FFY 2020 SPP/APR submission (due Feb. 1, 2022) will include targets and baseline data for the FFY 2020-25 SPP/APR.

Indicator 1: States must use the data reported under Section 618 of IDEA.

Indicator 2: States must use the data reported under Section 618 of IDEA.

Indicator 3: Participation and proficiency rates are to be reported separately for grades 4 and 8 and high school. Data reported separately in reading and math categories.

Indicator 5: The only change is percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served.

Indicator 6: An additional is 6C receiving special education and related services in the home.

Indicator 13: Secondary Transition - Indicator language revised
…if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

Indicator 17: State Systemic Improvement Plan (SSIP) - Beginning with the FFY 2020 SPP/APR due February 1, 2022, States will be required to report Indicator B17 within the SPP/APR reporting tool.

OSEP’s Expectations for SPP/APR FFY 2020-25 Targets
- Must be rigorous yet achievable
- Must show improvement over baseline
- Must be set with the advice of stakeholders

Update on Dispute Resolutions - Mark Ehrmantraut
Facilitations – 3
Mediations – 1 (1)
Investigations – 7 (5i) (3 ca)
Due Process – 1

IEP: June/August – 2 in scheduling
Mediation: Successful
Investigations: 7 filed; 5 investigated; 3 violations resulting in Corrective Actions

20-21 Dispute Resolution Themes to Date
- Provision of Services – 9 (COVID related and more)
- Failure to Implement
  - Number of Minutes
  - Type of Service Delivery
  - Overall IEP
- Communication - Multiple
- Lack of Progress - 5
- Assistive Technology - 3
- Behavior - 3
- Evaluation
- Related Services

Corrective Action Plans (CAP)

CAP must address
- Individual Issue(s)
- Ensure the violation isn’t part of a larger systemic issue

3 Main Areas to get Correction
- Professional Development
- Compensatory Education
- File Review

If student not making progress – 4 R’s
- Reconvene
- Review
- Restrategize
- Revise

Jacey asked if you think the behavior issues you saw last year were more because of COVID instead of a person’s diagnosis? Every day was different and changed. Student’s on IEPs like predictable and this year there hasn’t been a lot of predictable. It is not only change for the student but parents and school staff which brings stress to everyone. The
bigger concern was student’s mental health issue. There is a bill in the legislative that would allow virtual learning to continue for some students. Some students thrived in distance learning versus in person schooling. Brenda said they received many calls from parents needing behavior invention help while students were distance learning. The struggle we are having is getting the student back to school 5 days a week. What did we learn and how do we use it to be better now? Distance learning helped some parents understand how difficult it can be to teach students and have more understanding for the teachers. Teachers liked distance learning because they had fewer students and it helped teachers be able to help students more individually. Classroom being smaller created the entire environment of the school—hallways, entering the school, regular ed and special education to be calmer.

Federal Grants Proposals – Mary McCarvel-O’Connor & Lea Kugel

EXCEL Project
February 9, 2021
- Personnel Development to Improve Services and Results for Children with Disabilities--Improving Retention of Special Education Teachers and Early Intervention Personnel (CFDA 84.325P)
  - **Goal 1:** Recruit high school students to obtain a degree in a special education field
  - **Goal 2:** Increase retention rates of special education teachers
  - **Goal 3:** Collect and analyze data to evaluate recruitment and retention in special education field

High school students would be able to take college courses and have a mentor at the college level.

March 9, 2021
- State Personnel Development Grant (SPDG) (CFDA 84.323A)

Goal 1: Teachers select activities that meet individual needs to improve results for students with disabilities.
- SDI and MTSS
- CBE and SDI for MTSS
- Virtual platform

Goal 2: Pilot, implement, and scale-up PD activities reflecting SDI and MTSS
- REAs Train the trainer
- PD for general education and special education through pilot program
- Share SDI content and training materials with teacher preparation colleges

The last SPDG grant was 2012-2017 which focused on the RTI process to create MTSS statewide.

Community of Practice for Students with Social-Emotional Behavioral Disorders: Michelle Woodcock

- Mission: To support students who have social-emotional-behavioral challenges through a community of educators, administrators, families and community partners by collaborating with each other in the use of evidence-based, research-based, and promising practices, with a goal to create a community that can support students learning in their least restrictive environment and enable them to graduate choice ready.
- Currently at 50 members
  - Educators
  - Administrators (equal mix of general education & special education)
  - Families
  - Community Partners (including prior students, behavioral health, university staff, juvenile justice, and more)

SRCL—“On the 5’s” Resource Guide -Susan Gerenz

Hardcopies are available through the REAs, human service centers and local special education units.

www.nd.gov/dpi/special education/resources

Improving Literacy through Self-Regulation: On the 5's: a Practical Guide for Caregivers
Special Education Webinar Series – Michelle Woodcock

- 443 People Registered
- 80-125 attend monthly
- 13 Completed Webinars
- Live attendance = 1,131
- Remaining Topics:
  - Section 504 & the IDEA
  - Fading Adult Assistance for Students
  - Explicit Instruction
- Plans for next year
  - Summer Institute 2022
  - Once a month online webinar
  - Additional trainings/webinars on topics of interest
  - Café credit offered

The webinars focus is aimed at professionals, but anyone can attend. Pathfinders has parent friendly resources available on their website. Brenda had some parents attend the special education webinars and they raved about them.

Family Engagement – Angela McSweyn

Key Accomplishments

- Superintendent’s Family Cabinet
- Collaboration with schools as they seek to engage families in education
- Continued professional development
- Outreach and sharing of statewide opportunities

What’s Going Well

- Innovative strategies are being created.
- Many families and educators are connecting in ways they never have before.
- Many families have a greater understanding of what students are learning.
- Greater respect for both families and educators.
- Pockets of excellence.
- Greater understanding of Social Emotional Learning
- Greater awareness for equity issues.

Struggles

- COVID and Distance Learning Fatigue
- Attendance Concerns
- Ensuring continuity of special education services
- Teacher and staff burn out
- Increased need for mental health supports
- Learning recovery
- Adapting to face to face and virtual learning and putting health and safety measures in place.

Weekly Town Hall Meetings

- ND Healthy Return to Learning town halls’ goal is to provide K-12 schools timely and relevant resources, processes, clarification, and strategies as the situation with COVID-19 evolves. These virtual Town Hall meetings take place every other Tuesday, 12:00 p.m. through 12:45 p.m., through the end of the school year.
- Town halls are hosted by the North Dakota Healthy Return to Learning Team (Dr. Fran Rodenburg, Keith Johnson and Dr. Guy Tangedahl) along with key collaborating state agency partners from NDDPI, NDDoH, and NDDHS.
- Q&A from our audience (K-12 teachers and administrators) or panelists

IDEA Advisory Committee Priority – Drop Out Prevention & Closing the Achievement Gap – Mark Ehrmantraut
Dropping out is a Process, not an Event.
Across ages – PK-grade 12
Ultimately outcome – ALL students graduating Choice Ready
Effective early childhood education must a difference
Early Literacy – if a student isn’t reading proficiently by third grade, they are on the path to dropout,

**December Child Count**

As of December 1, 2020...
- The number of students (ages 3–21) who were receiving special education & related services under the IDEA was 16486.
- Representing over 14% of public-school students.

Mostly likely to dropout
- Emotional Disturbance: 30.56%
- Speech/Language Impairments: 28.13%
- American Indian or Alaskan Native: 24.68%

Brenda was wondering what the numbers look like for students with ED. How many students with ED are in a more restrictive environment compared to other disabilities? Emmanuel ran a three-year trend educational environment compared ED to state average. Students with ED in Resource Room setting – 64%, state average 73%. Students with ED in a more restrictive environment separate school 7%.

Michelle Woodcock said that Community of Practice is looking into this topic and see how culture may play into this.

$300,000 - $500,000 impact – 1 Dropout
For every 1% of Graduation Cohort who Drops Out ~ $25,000,000
\(76 \times 400,000 = 25,000,000\) conservatively
- Reduced Earning Power
- Reduced Spending Power
- Increased interaction with Community Systems

ND’s 4 Year Graduation Rate = 88%
- Missing too Many Days
- Think Easier to get GED
- Poor Grades / Failing School
- Don’t like School
- Can’t Keep Up with School Work
- Pregnant
- Work
- Not Get Along / Don’t Feel Like I Belong
- Etc.

What do we do about it? We CAN move the needle!

**Communities of Practice**
Transition Community of Practice – Established and ongoing Social / Emotional / Behavioral Community of Practice – New – one organizational gathering statewide

**Discretionary Funds**
(Focused on Improvement in Graduating Choice Ready)
- ‘Regular’ Discretionary Awards – Up to $15,000
- Transition Discretionary Awards – Up to $10,000
Alignment Efforts (Time, Energy, Money, People, Partnerships, etc.) – Leverage for progress and transformation
NDDPI Special Education / VR / CTE / Job Service
Focused Monitoring / TSI
Across NDDPI Departments – Internal SSIP Leadership Team

Additional Partnerships
Family Engagement (2nd most predictive)
Striving Readers Funding
On the 5’s
Closing the Achievement Gap
REAs
FBA/BIP Work
NDMTSS
Early Warning Indicators

Webinar Series
Spurring Innovation and/or Best Practice Engagement
Data Tables for individual schools
Early Childhood (Data Quality, Early Literacy, Community Wraparound, Family Engagement)
Pilot Projects
New Tools

National Technical Assistance Centers
NDPC, NTACT:C, IDC, TAEESE, etc.

Legislation
Example: SB 2147

These are a list of some examples

Conclusions
Pathfinders will be holding a Drop Out Prevention webinar: Collaborations & Connections March 25th 7:00 – 8:00 pm
Will hold all three of the Drop Out Prevention webinars in April: Triggers & Cues, Organization is Key and
Collaborations & Connections
https://www.facebook.com/PathfinderParentCenter/ or you can get on our constant list by emailing: info@pathfinder-
nd.org

Parent Early Intervention Process training will be March 15 at 12:00 p.m.
https://psnd.co/event.php?e=360

SSIP Final Version Submission – Mark Ehrmantraut
State Systemic Improvement Plan (SSIP)
• US Department of Education – Individuals with Disabilities Education Act (IDEA) (Federal Special Education
  Law)
• Every State MUST have a SSIP
• Continuous Improvement Process – Improve Results for Students with Disabilities
• Started 8 Years Ago
  • Stakeholders across ND – Determine ND’s Focus (SimR)
  • Report Quarterly to this stakeholder group (IDEA Advisory Council)

ND’s SSIP Goal
State Identified Measurable Result (SiMR)
Improve 6 Year Graduation Rates for Students identified as having an Emotional Disturbance

2020-21 Message:
Dropping Out is Process, not an event
2021-22:

All students have
hope and dreams

How do we leverage this, to support students in making progress on the pathway to graduating from High School Choice Ready? Brenda wonders about the correlation with ED students and when they enter a more restrictive environment.

Are you seeing more success in BPS with the peer to peer program and how can we get a program like this into other schools around ND?

There is a consortium of special education units – check and connect that is an evidence-based practice a student has an intentional adult that they check in with.

Building and Leveraging Partnerships
- Partnerships Across the State
  - Public/Private partnerships
  - Public/Public partnerships
- Alignment Examples - (Time, Effort, Funding, Messaging, etc.)
  - Families
  - Agencies
  - Schools
  - All Stakeholder groups

There is a pilot program going on with three high schools. Early warning and early invention system.

Early Warning Systems
- Attendance (missing 20 days of school or 10% or more of instructional time)
- Behavior (1-2 infractions)
- Course Completion

Why Do Students Drop Out?
- Missing too Many Days (A)
- Think Easier to get GED (C)
- Poor Grades / Failing School (C)
- Don’t like School (B)
- Can’t Keep Up with School Work (C)
- Pregnant
- Work
- Not Get Along / Don’t Feel Like I Belong (B)

Effect Sizes on Dropout Rate
- Career Development/Job Training - .81
- Family Engagement - .67
- Mentoring - .63
- Behavior Intervention - .46
- Literacy Development - .42

Evidence-Based Practice Findings
Check and connect [https://checkandconnect.umn.edu/](https://checkandconnect.umn.edu/)

**Web-Based Document**

PIERs Tool

Over Time, Intentional, Sustainable Efforts:
- Planning
- Implementing
- Evaluating
- Reporting

**Unit Focused Monitoring Process this Year – Residential Facility Monitoring – Mary McCarvel-O’Connor & Susan Gerenz**

This year we team up with Office of Education, Equity, and Support to identify districts in the second year of targeted support because of the subgroup population of students with disabilities. The monitoring will be completed this week and reports will be going out soon after.

Monitoring has been conducted virtually this year. We started using an IEP rubric that was created by a resource center out of Connecticut. This rubric helps to measure the quality of IEP development in the present level of performance, levels of support, IEP goals and objectives and types of support and placement. Through utilization of this rubric we are hoping it will help change outcomes for students with disabilities.

Annually, we also monitored Residential Facilities that have schools. This year Dakota Memorial School (Bismarck, Fargo and Minot) was monitored. The team is in the process of finalizing the report.

**SSIP Report Submission – Mark Ehrmantraut**

- Indicator 17
  - The comprehensive, multi-year plan to improve results for students with disabilities.
  - ND – Focused on Improving 6 year extended graduation rates for students with ED.
- Phase III, Year 6
- Due April 1st, 2021

**Overview and Historically – Now new template**

- Previously Structured SSIP reports
- Last year’s – Tell the story – Continue to build it
  - Past
  - Present
  - Future
- New OSEP Template

**NEW OSEP Template**

- 3 Main Areas
  - Section A: Data Analysis
  - Section B: Implementation, Analysis, and Evaluation
Section A: Data Analysis

- **SiMR**
  - North Dakota's State Systemic Improvement Plan (SSIP) State identified Measurable Result (SiMR) is focused on improving the extended six-year graduation rate for students identified as having an emotional disturbance.
  - FFY2019: SiMR = 56.4%
  - INCREASE from 53.1% last year

- **ND has not changed the SiMR**
  - FFY2019: SiMR = 56.4%
  - INCREASE from 53.1% last year

- **Progress Toward the SiMR**
  - Return to positive trend line (Extended 6 Year Grad Rates)
  - Not meet Target (66.72%)
  - 4-year grad trends positive until COVID (43.3%, 52.1%, 56.5%, 53%)

Patty asked why is our target at such a high rate? Our baseline for ED students was in the 60s and so we gradually increased that target. We can’t set the target lower than we were before.

Next Steps

- Strengthen Alignment Efforts / Leverage Partnerships
- Expand 2019-20 Efforts
  - Messaging (Dropping Out is a Process to All students have hopes and dreams)
  - Alignment (Further Gap Analysis Work / Work to Close the Achievement Gap)
  - EWS (5-8 more high schools)
  - Middle/High Practices (NDPC and NTACT:C) (next page)
  - PIER Tool (Planning, Implementing, Evaluating, Reporting)
- Structure a targeted Graduation Improvement Project?

Stakeholder Engagement

- IDEA Advisory – Primary Stakeholder Group
- Special Education Leadership
- Family Support Leadership
- Communities of Practice
- NDDPI Across Office Personnel
- REA’s
- Anyone interested in visiting about Graduation/Dropout/Improving Outcomes

Biggest Concern – COVID Impact?

- Impact of Distance Learning
- Student Engagement
- Mental Health Questions
- Slowed or Interfered with new launches and/or scale ups

How do we all support the teachers? COVID fatigue for all stakeholders. Counselors, social workers, teachers, and everybody in those school settings that were trying to reach out and help families.
Issues and Concerns in our State:

Victoria Johnson asked how other school districts are providing the online services. They are receiving calls from parents regarding online distance learning and the school is not providing para support for students. Principals are saying they don’t need para support online. There is no IEP meeting being scheduled to discuss the option.

Parents should request an IEP meeting and if the school says they don’t need one the parent should contact the special education director in their district.

Jodi Webb has received calls from parents also and it is case by case scenario. It is a matter of talking to the school and seeing what accommodations can be made.

Jacey Enget asked about the kids that are having issues with online. Is tutoring services available for these students?

Renee Wetzsteon said that the students are not considered homebound, so tutoring services are not available, and the parent doesn’t want someone from the outside in their home due to COVID.

Are you asking if the school is providing a tutor or if the parent is getting a tutor on their own for their child? Every school district is going to be different and it would be based on an individual basis.

Homebound services and choosing virtual are very different. The district is only required to provide services in the home if the child qualifies under IDEA for homebound.

Action Items:

The committee approved the December minutes Victoria Johnson made the motion to accept the minutes and Jodi Webb seconded the motion.

Brenda Ruehl motioned, and Jodi Webb seconded the meeting adjournment at 3:00 p.m.

Public Comment: No Public Comment

June meeting is scheduled for: June 3, 2021. Office of Special Education will send out a survey to find best date for the June meeting.

Agenda Items for June meeting:

- Continue discussion on COVID and the rest of the school year goes
- Federal Allocations and ESSER funds
- Legislative Session Updates
- ED graduation rates and are they over-represented
- Early Learning Office Legislative Update
- IDEA Advisory Committee Annual Report
- September Joint Meeting with ICC

Meeting Summary – June 3, 2021

Office of Special Education Updates – Gerry Teevens

Special Education Office Updates – Gerry will be retiring in August. Emmanuel Mensah will be leaving in July. Karyn Chiapella will be leaving in June. We have hired a new special education regional coordinator Haley Lang. She will be joining us in June.
December Child Count  
As of December 1, 2020...

- The number of students ages 3–21 who were receiving special education & related services under the IDEA was 16489.
- Representing over 14% of public PK-12 Enrollment for 2020-21.
- Accounting for <1% increase from the Dec. 1, 2019 count.
- Among students receiving special education services, over 27% had specific learning disabilities.

There was only a difference of 27 students being served on IEPs as compared to a year ago from Dec. 1, 2020. We are unsure if this is because of COVID. The largest increases were in the categories of Autism, OHI, and ED.

Legislative Updates – most education bills that were approved take effect August 1, 2021. The exception are appropriation bills, which take effect July 1, 2021.

Administrative Rules Process

- NDDPI in the process of making several updates to administrative rules to align with bills passed during the session
- Public comment hearing – June 9, at 9:30 am in the Peace Garden Room at the State Capital. (Virtual option also available).
- After hearing, a 10 – day public comment period will take place. Oral or written comment may be provided on any of the drafts of proposed rules. Comments can be sent to Jim Upgren at NDDPI.

Summary of Rules:

- HB 1188 authorizes NDDPI to write rules regarding a Certificate of Completion for a Special Education Technician. A draft of proposed rules has been written by a stakeholder team.
- HB 1416 transfers the work being done in early learning from the NDDPI to the North Dakota Department of Human Services. Admin Code 67.01-01 is being updated to reflect that the Office of Early Learning will no longer be a part of NDDPI.
- HB 1436 removed the requirement of summer school at the elementary level being only for remediation. Admin Code 67-24-01 is being updated to align with the new language.
- Admin Code 67-23-01 (regarding special education) is being updated to include modern terminology. There is some concern regarding the language saying cognitive and this language doesn’t match what we have in Tienet and how we report data to OSEP. Public Comment was urged.

NDDPI is on the process of writing proposed rules with stakeholder teams regarding the following topics from bills passed during this legislative session.

- Certificate of Completion for School Health Technicians (as called for in HB 1013)
- Dyslexia Credential (as called for in HB 1131) - Gives the Superintendent of Public Instruction authority to issue credentials for specialists trained in dyslexia and the Superintendent may adopt rules. Administrative Rules will be developed.
- Virtual Learning. Adding two chapters of rules on virtual learning. One chapter on using virtual learning on a storm or emergency day (as called for in HB 1232, and another bill regarding Virtual Academies (as called for in HB 1388).
- Reading Curriculum for Grades K-3 (as called for in HB 1388)
- Learning Experiences Outside of the Classroom (as called for in HB 1478)
- HB 1188 – Special Education Technicians- Gives the Superintendent of Public Instruction authority to issue “certificates of completion” to special education technicians, and to adopt rules to govern the issuance of those certificates.
- HB 1416 Early Childhood Education Programs. Shifts the administration of early learning programs for 0-5 under the Department of Human Services.
- HB 1466 - Establishes a “best in class” early childhood grant program to benefit 4-year-olds. Programs are eligible for a $120,000 grant annually. Directs that the Department of Commerce’s early childhood education grant program be transferred to the Department of Human Services.
- SB 2269- Requires the Superintendent of Public Instruction to provide payments to postsecondary transitional programs for eligible students enrolled in a postsecondary transitional program within the state. Eligible
student means a student with a documented intellectual or developmental disability who is at least eighteen years of age but has not reached the age of 21, and who has graduated from high school.

- SB 2332 – Out-of-state alternative certification program. Establishes teacher certification criteria that must be met by alternative teacher certification programs. Brings Special Education back into the areas that an Alternative Certification may be obtained. Abolishes a July 1, 2023, sunset clause for teacher licensure criteria. Requests an interim Legislative Management study of alternative teacher licensure.
- SB 2147 – If a school district’s board approves it, parts of the GED assessment, when passed, may be used to help fulfill graduation requirements.

COVID19 Funding

- EANS Funding
  - Emergency Assistance for Non-Public Schools
- ESSER I FUNDING
  - March 13, 2020 – September 30, 2022
- GEER FUNDING
  - March 13, 2020 - June 30, 2021
- EDUCATION CORPS FUNDING
  - July 1, 2020 – June 30, 2021
- Broadband Assistance Funding
  - July 1, 2020 – June 30, 2021
- Resiliency Grant Funding
  - July 1, 2020 – June 30, 2021
- ESSER II Funding
  - March 13, 2020 – September 30, 2023
- ESSER III Funding
  - March 13, 2020 – September 30, 2024

State ESSER I Funds Supporting Special Education

- Early Childhood ESSER Funds Invitation – up to $3000.
  - 30 Units applied and received this funding
  - Funds must be expended by June 30, 2021
  - Examples of use of funds:
    - Assessments and training
    - At home learning toolkits
    - SEL Learning
    - Parent training on technology
    - Early Learning TEACCHing and Mullins Scale
    - Mini Learning Centers
- Special Education Units ESSER Funds Invitation - $11,500 for COVID related special education programming needs.
  - 24 Units applied and received funding.
  - Funds must be expended by Sept. 30, 2022.
  - Examples of use of Funds
    - Learning Recovery and recovery assessment tools
    - Visual assessment equipment
    - OT training, sensory room supplies
    - Trauma training
    - Mentors
    - Staff for Summer reading intervention
    - Behavior training and assessments

- The special education office had a contract with Minot State University to train paraprofessionals where they could continue to work as a para while working toward getting a teaching degree. We received additional funding to go toward the Para to Practice Program at Minot State University because of the high demand for recruitment and retention.
NDDPI is extending the deadline to apply for ESSER II funding to **June 30, 2021**. This will allow school personnel to attend the ESSER training hosted by NDCEL on June 3, 2021, and use information learned to make any adjustments to their ESSER II application. Also, stakeholder input is required for the ESSER II applications. The extended due date for the applications will enable districts to get additional input from stakeholders on the use of the ESSER II funds.


**North Dakota ARP ESSER State Plan (ESSER III)**

- This North Dakota ARP ESSER State Plan defines our state’s approach of using ARP ESSER funds with transparency, effectiveness, equity, inclusive engagement, and strong fiscal safeguards. The plan outlines how these funds will be utilized in North Dakota, describes how we have addressed COVID-related issues over the past year, shares data, and outlines how we have collaborated with numerous stakeholder groups.
- The USED requires states to provide all districts and interested parties in the state with notice and a reasonable opportunity to comment on this state plan. We are distributing this statewide notice in the following ways: by email via the NDDPI distribution lists, the Weekly Blast, a press release, and posting the **ARP ESSER plan on the NDDPI website**.
- Anyone wishing to provide public comment can email their feedback to dpiasstsupt@nd.gov or call Laurie Matzke at (701) 328-2284.

**American Rescue Plan Act**

**ESSER III Funds:**

- March 13, 2020 – September 30, 2024

**Guidance has been sent out and is posted on the NDDPI website. Recorded trainings are also posted on the NDDPI website.**

**IDEA ARP Funds**

- Estimated ARP IDEA Supplemental Grant Allocation
  - 611 $6,871,953
  - 619 $441,974
  - Part C $1,040,479

**Guidance forthcoming from OSEP. Allocation tables are expected this week.**

**FY 2021 Estimated Federal Allocations**

- IDEA B Total Allocation $34,969,508
- Allocations to Units 31,024,465
- State Administration: 1,125,890
  - State Set aside 2,819,153
  - Preschool 619 Total Allocation 872,429
  - Allocation to Units 827,971
  - Administration 44,458

Final allocations for the fiscal year 21-22 will be posted when we receive notice from the Department of Education.

**Dispute Resolution – Mark Ehrmantraut**

IEP Facilitation – 4 Filed; 2 Facilitations Completed; 1 in August
Complaints – 8 Filed; 6 Investigated; 3 Corrective Action Plans

1 Complaint: Allegations = No Violations; General Supervision Requirements – Corrective Action Plan

**Written State Complaints**

Investigations

- Individual Complaints – If violations identified – Required to ensure a systemic concern isn’t the cause of the violation
• May find:
  • No violation
  • No violation with recommendation(s)
  • No violation, but corrective action plan under General Supervision requirements
  • Procedural violation, not resulting in denial of FAPE
  • Violation, requiring corrective action plan

General Supervision
  • Over the course of an investigation, if substantial violations noted outside of the allegations, the SEA must
    address it (34 C.F.R. 300.151(b))

2019-20 Prepandemic
1. IEP Issues
2. Behavior
3. Evaluation, Placement, AT
4. Other

2020-21 Pandemic/COVID
1. Failure to Implement
   a. Service Minutes Dropped
   b. Contingency Plans – SDI
   c. Individualization
2. Parent Participation

*Anticipated: Full Complement of Services – units really seemed to work through this

Encourage:
  • Communication
  • Individual Decisions
  • Good Faith Efforts
  • Prior Written Notices – Communication
  • Reconvening if Necessary

Victoria commented on that the teachers did a wonderful job this year teaching virtually.

2020-21 Discretionary Funds
  • The application process just closed May 28th.
  • 14 - Discretionary Proposals Funded
    • $232,974.00
    • The grants were up to $15,000.00
  • 9 – Transition Discretionary Proposals Funded $90,000
  • The target is specific to transition activities on improving graduation rates. These proposals are $10,000.00.

Early Warning Systems
  • Working with pilot schools to see if students are on the path to graduating. Implement inventions and
    monitor to see if those inventions are working.

NCD Guidelines
Non-Categorical Delay Guidelines Workgroup Comprised of a multidisciplinary group of professionals
  • In process of completing a final draft
  • Will be edited and reviewed by state team
  • Guidance planned to roll out Fall of 2021

SPP/APR New Cycle Baseline and Target Setting – Emmanuel Mensah
Expected Outcomes

- Review indicator changes and review data on:
  a) Graduation
  b) SSIP-SiMR
  c) Dropout
- Examine baseline and target options
- Discuss and select new baseline and targets—Group activity
- Recommend baseline and targets.

Overview of FFY 2020-25 SPP/APR Requirements

- OSEP has released new measurement table for the FFY 2020-25 SPP/APR.
- States are required to:
  I. Set new targets for all results indicators
  II. Establish baseline for new components or revise existing baseline where there are changes
  III. Involve stakeholder groups in the new baseline and target-setting process
- FFY 2020 SPP/APR submission (due Feb. 1, 2022) will include targets and baseline data for the FFY 2020-25 SPP/APR.

Indicator 1: Graduation Rate

- Percent of youth with IEPS exiting from high school with a regular high school diploma.

New baseline Options for Graduation Rate for SWD

- Option 1 - FFY 2018 - 75.24%
- **Option 2 - FFY 2020 - 76.12%**
- Option 3 - Long-term goal Under ESSA - 71.00%

Jodi asked if we were to go with Option 1 baseline, would we lose the increase observed in 2020? How would the effects of COVID be observed and would that data remain accurate? Emmanuel wasn’t sure how COVID will affect the 2020-21 data. He said we expect that we will stay the same or have a slight decline. The pandemic is part of this process. We see similar trends in the dropout data.

Brenda picked Option 2 given this sets the percentage for several years. Will they be considering COVID? I assume the SP Ed units thought this was attainable even with COVID. Jodi recommended going with Option 2 for baseline and Option 2 for target. Barb asked if we picked Option 2 and didn’t make the target what happens. There are several indicators that we don’t make targets on. If we don’t make the target or we slip, then we must explain on how we are going to adjust those targets. Renee thinks we should use Option 1 because 2020 was also very much affected by COVID.

Target Setting: Additional Questions and Considerations

OSEP’s Expectations for SPP/APR

FFY 2020-25 Targets

- Must be rigorous yet achievable
- Must show improvement over baseline
- Must be set with the advice of stakeholders

The IDEA Advisory Committee picked Option 2.

Indicator 17: State Systemic Improvement Plan

North Dakota’s State Systemic Improvement Plan (SSIP) State identified Measurable Result (SiMR) is focused on improving the extended six-year graduation rate for students identified as having an emotional disturbance (ED).

New targets options for Indicator 17 Extended 6-Year Graduation Rate for Students with ED

- Option 1 – 62.72%
- **Option 2 - 62.47%**
- Option 3 – 62.22%
Patti, Barb, Jodi, and Brenda picked Option 2.

The IDEA Advisory Committee picked Option 2.

Indicator 2: Dropout Rate
Considerations for New Baseline for Dropout Rate for SWD
- Option 1 – FFY 2018 - 19.46%
- Option 2 – FFY 2020 - 18.38% and FFY 2025 - 16.38%

Debbe, Jodi, Brenda and Patti picked baseline Option 2 and Target 2 as well.

The IDEA Advisory Committee picked baseline Option 2 and Target 2.

SSIP Updates 2020-21 in Review and Looking Ahead to 2021-22 – Mark Ehrmantraut
- US Department of Education – Individuals with Disabilities Education Act (IDEA) (Federal Special Education Law)
- Every State MUST have a SSIP
- Continuous Improvement Process – Improve Results for Students with Disabilities
- Started 8 Years Ago
  - Stakeholders across ND – Determine ND’s Focus (SiMR)
  - Report Quarterly to this stakeholder group (IDEA Advisory Council)

ND’s SSIP Goal
State Identified Measurable Result (SiMR)
*Improve 6 Year Graduation Rates for Students identified as having an Emotional Disturbance.*

Mark asked the committee what they thought the 2020-21 graduation rate will look like. Patti thinks the percentage will have decreased due to the pandemic. A lot of college and high school students dropped out because they couldn’t do the online. Mark hopes to have the data for the September meeting.

Students identified as having a Speech-Language Impairment 4 years in high school you are 20% more likely to dropout.
Students that are in homebound/hospital or in a residential facility are more likely to dropout.

Dropping out is a process, NOT an event.

All students have hope and dreams.

Last year 36% graduated from high school choice ready.

Why Students Drop Out
- Push – issues from within the school environment that lead to dropout
- Pull – factors from within the student’s environment that lead to dropout
- Falling Out – student gradually disengages over time, a “side-effect of insufficient personal and educational support” that leads to dropout

Mostly likely to dropout
- Students with Emotional Disturbance: 30.56%
- Students with Speech/Language Impairments: 28.13%
- Students who are American Indian or Alaskan Native: 24.68%

Brenda asked why is a student with speech-language more likely to drop out? If a student is identified with speech-language in high school, school might be hard, and it might be easier to withdraw. Socially they may withdraw. There
really is no good answer. Brenda asked does it make a difference with the bigger districts – more resources versus small districts.

Native American – 30% graduation rate – SWD -

Mark is going to be graduation and dropout data for the September meeting.

**Community Financial Impact of Dropping Out**

$300,000 - $500,000 impact – 1 Dropout

For every 1% of Graduation Cohort who Drops Out ~ $25,000,000

\[
(76 * $400,000 = $25,000,000 \text{ conservatively})
\]

- Reduced Earning Power
- Reduced Spending Power
- Increased interaction with Community Systems

ND’s 4 Year Graduation Rate = 88%

Moving from 20-21 to 21-22 ND’s SSIP

- Messaging
- Alignment Efforts
- Pilot Project – Early Warning Systems
- Continue Transition into MS/HS Practices
- Web-Based Document

The goal is to:

- Identify on track / straying off track
- Match interventions
- Monitor intervention success
- Success is getting back on the pathway to graduation

3 high schools last year in the pilot

This year invite in anyone else that want to explore if this is right for their school.

**Why do Students Drop Out?**

- Missing too Many Days (A)
- Think Easier to get GED (C)
- Poor Grades / Failing School (C)
- Don’t like School (B)
- Can’t Keep Up with School Work (C)
- Pregnant
- Work
- Not Get Along / Don’t Feel Like I Belong (B)

3 R’s

- Relevance
- Relationships
- Rigor

NTACT

23 Predictors of Success

Education / Employment / Independent Living
Do Hopes & Dreams Intersect with these Concepts?
- Self-Determination/Self-Advocacy
- Self-Realization
- Goal setting
- Psychological Empowerment
- Youth Autonomy/Decision-Making

Who talks at Teacher-Led IEP Meetings?
- 50% Sp Ed Teacher
- 15% Family
- 4% Student
- 9% Administrators
- 9% Gen Ed
- 6% Support

PIER Tool – the local special education units will be using this web-based document.

Over Time, Intentional, Sustainable Efforts:
- Planning
- Implementing
- Evaluating
- Reporting

**IDEA Advisory Committee Annual Report – Patti Mahar**

The IDEA Advisory Committee want to have DPI continue to create the annual report for the committee approval.

**Issues and Concerns in our State**: No issues.

**Action Items**: The committee approved the March minutes. Victoria Johnson made the motion to accept the minutes and Renee Wetzsteon seconded the motion.

Brenda Ruehl motioned that the committee vote whether to be in person or virtual for the September meeting Renee Wetzsteon seconded the motion. The committee voted for virtual.

The meeting adjourned at 2:43 p.m.

**Public Comment**: No Public Comment

September meeting is scheduled for: September 15, 2021. This will be a joint IDEA/ICC Committee meeting. The new IDEA/ICC member training will be in the morning. Gerry will contact TAESE to set that up. ICC members will participate as well.

**Agenda Items for September meeting:**
- SPP/APR Baseline Target Discussion
- Approval of IDEA Advisory Committee Annual Report
- Impact of COVID Discussion
- Summer School Attendance Numbers (ESY)