IDEA Advisory Meeting

MINUTES   SEPTEMBER 14, 2023   9:00 AM – 4:00 P.M.   VIRTUAL MEETING

MEETING CALLED BY	Mary McCarvel-O'Connor
TYPE OF MEETING	IDEA Advisory Meeting
FACILITATOR	Mary McCarvel-O'Connor
NOTE TAKER	Michelle Souther
ATTENDEES	Mary McCarvel-O'Connor, Michelle Souther, Jacqueline Adusumilli, Brenda Ruehl, Colette Fleck, Jennifer Withers, Andrea Johnson, Dean Sturn, Michael Neztloff, Debbe Poitra, Barb Burghart, Jodi Webb, Michelle Pfaff, Jodi Webb, Mariah Hill, Danielle Hoff, Jodi Hulm, Carolyn Kueber, Angela McSweyn, Missi Baranko, Matt Nelson, Kelli Ulberg, Maggie Williams, Boully Holden, John Copenhaver, Shantelle Petroff, Eric Gault, Tracy Klein, Patti Mahar, Tina Bay, Karrie Morris, Valerie Kuntz

Agenda topics

IDEA/ICC COMMITTEE TRAINING		JOHN COPENHAVER
DISCUSSION	John Copenhaver from TAESE held new IDEA/ICC Advisory member training.	

IDEA ANNUAL REPORT		DR. PATTI MAHAR
DISCUSSION	The IDEA Advisory Committee approved the annual report. Jacqueline Adusumilli made the motion to approve, and Tracy Klein seconded the motion.	

OSEP LEVELS OF DETERMINATION PART B & PART C		JACQUELINE ADUSUMILLI & MARY MCCARVEL-O'CONNOR
DISCUSSION	Annually, the Secretary reviews the State's performance 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 the State's Level of Determination. • Meets Requirements • Needs Assistance • Needs Intervention • Needs Substantial Intervention IDEA-Part C Level of Determination – North Dakota Meets requirements on the February 2022 submitted SPP/APR for Part C. Every year, OSEP asks for clarification, and this year, we had no clarification, which means the data was clear and concise. IDEA-Part B is in Needs Assistance for the second year. The following is what ND Part B lost points on. Results: Students with Disabilities • Participation in 4th and 8th grade NDSA-Reading and Math • Dropping Out • Graduating with a High School Diploma Compliance: • Secondary Transition What are some reasons students with disabilities are not participating in NDSA? • Teachers could be presenting it as an option to opt-out or not participate in the NDSA/NDAA • Significant behaviors could prevent participation • Student Absence • Student refusal to participate	

- Parent Awareness of their options
- Some parents feel that results of this type of assessment are not a valid or accurate indicator of their child's true abilities (ie; child may not be fully engaged, vested in, or understanding of the connection of this test to their education/educational implications)

Solutions to get students with disabilities to participate in the NDSA
- Preparation tools for students, guidance on what the tests would look like for parents and students to prep
- Parent and student education and explanation of relevance and importance by their team
- The teachers amp the test up and it produces anxiety in students How to educate to teachers the importance of the test but without invoking the anxiety in kids.
- Some schools use an "incentive" that if students test proficient in certain areas they can opt out of an end of semester exam at the high school level without understanding the pressure this places on those students who have anxiety.
- Some students are non-verbal and maybe the test is not applicable for those students.For students with significant cognitive impairment we have the Alternate Assessment test.
- Some children have test anxiety and the way some districts could potentially be "promoting" this test in a way that exacerbates that anxiety.

DLM Parent Information - IE (dynamiclearningmaps.org)
DLM At-Home Teaching Resources (dynamiclearningmaps.org)

Reasons students are not graduating and dropping out
- Absences
- Disengagement of course and they don't obtain the credits for that course so they drop out.

Solutions for graduation and dropout
- Possible solution – different types of schools – more virtual options
- Maybe more options for gaining credit that the student felt comfortable with would assist in gaining/obtaining credit
- Sometimes I have assisted students in obtaining credit through NDCDE for specific courses they had not passed when agreed upon by the team which is more appropriate than individualized pull out courses
- I think one big solution would be to individualize types of education. With the emergence of technology, the individualization (much like the Virtual Academies, etc) makes this so much easier.
- How do we connect the student to one person in the building that students could go to? Mentor?
- Study skill type classes - executive functioning skills. If schools were a little more flexible and give that one one-on-one support.
- Build a robust community of mentors within our school buildings.
- The one drawback of choice would/could be a possible significant increase in a need for resources differently than what a school would typically provide for those students to be able to access FAPE - just a view to consider - I have typically been in favor of supporting students however I could when I was in the classroom.
- Legislation now is allowing you to enroll in any school in ND. You can now open enroll in a virtual school. The barrier is when the new school accepts that open enrollment request and the student is a long distance away the responsibility of FAPE now falls on the new district and how do you provide those supports virtually if that isn't appropriate for the child?
- Making referrals and parents aware of DD services. Region 5, we get DD and VR people to the table. Parents are always aware what those process are when they should be starting the process.
- Am I remembering correctly that there was free tutoring through a state agency once upon a time? I agree that parents are not necessarily aware of all of the potential services that are available. Also, connection and relationships are so important. Students are much more likely to stay in school if they feel connected - yet it is not always easy to establish connections and relationships for all teachers for a multitude of reasons - it is easier in smaller schools to help support and connect with students (my opinion).
- Grand Forks has a mentoring center that has afternoon sessions. It is so popular that they are limiting to two times a week so they can offer it to more students.
- The 68th Legislative Assembly has secured funds to provide Amira Learning at no cost to students, families, and school districts through June 2025.
- Pocket guides, or magnets for fridge to reference to with resource information could work..

OSEP DIFFERENTIATED MONITORING AND SUPPORT (DMS)	JACQUELINE ADUSUMILLI & MARY MCCARVEL-O'CONNOR

| DISCUSSION | North Dakota Part B and Part C are in Cohort 2 2024-2025 for monitoring by OSEP. We will be getting a virtual or onsite visit in January 2025. OSEP wants the state department to monitor the school districts every six years. The state currently does a data drill down to determine the units/districts that need to be monitored based on data. Pathfinders will reach out and gather some focus groups when OSEP starts monitoring with ND. |

	New General Supervision Guidance [State General Supervision Responsibilities under Parts B and C of the IDEA (ed.gov)](ed.gov)

ANNUAL DISPUTE RESOLUTION REPORT	LEA KUGEL

DISCUSSION	Annual Report for IDEA Dispute Resolution ND Department of Public Instruction Facilitated IEP – Three requests received. • Two were successful and • One was withdrawn. Mediation – Five requests were received. • One mediation agreement • One partial agreement, • Two withdrawn and • One did not result in a meeting due to parties not agreeing to move forward. State Complaint Investigation – Ten requests were received. • Four led to complete investigations • Two were forwarded to OCR • Two were withdrawn • One did not provide allegations/violations • One currently being investigated Due Process – Three requests were received. • One included parties reaching an agreement • Two hearings were completed Nationally, disputes declined during COVID-19, and an uptick is occurring to match data from before COVID-19. ND really did not see things that other states reported.

HOW TO SUPPORT PARENT PARTICIPATION IN MEETINGS	MATT NELSON

DISCUSSION	I want to know what happens with the IDEA Advisory Committee. We are trying to find out what parents are supposed to do on the committee. Do you pay parents for their time? Do you have ways to ease them in once they join? Do you have meetings before the meetings to discuss the agenda so they know what to expect? Mary has been trying to get parents to participate more. Mary has been asking other states how do they get parents to participate more. Pathfinders asked how do parents know that these meetings are happening. Is it possible for the parent organizations to get that information and they will post in newsletters to let parents know that these meetings are happening and how they can provide public comment? P&A pushes out the info on the Executive Director's weekly email communication on meetings. We were posting on our website, but I will have to check to make sure it is posted. We need to do more. Missi Baranko said I think we need to find out how to pay parents. The investment we put into parents being equal partners on these committees, we need to pay them for their time. Stipends and training for parents whether it be disabilities or mental health, etc. Pathfinders is going to ask if there are other states or national training available for parents. Mary said we were looking at forming more committees to create/update our website, flyer and make information more parent-friendly. It is not just the compensation. It shows that they have value as being part of the committee. Better marketing could bring in the people that need to be on the committee versus someone that someone knows serving on it. Houle, Katie E. <khoule@nd.gov> is the contact person for Systems of Care Grant. They have a focus on Family Support and trainings for parents. Also, as the OSEP funded PTI we would be happy to create resources related to parent roles on the SAP/SICC. We could also bring this idea to the EAC group. That group has a group of parent groups https://osepideasthatwork.org/resources-grantees/sap-sicc https://osepideasthatwork.org/sites/default/files/2021-10/SAP-SICC_WorkgroupInfoFlyer.pdf Patti asked for volunteers to look at our website and creating a parent-friendly brochure. • Chris Larson would be interested in helping both website and parent friendly brochure • Jodi Webb would be interested in helping both website and parent friendly brochure • Brenda Ruehl – would be willing to help with either or both

	• Possible parent

DISCUSSION	• **Promoting Progress through Specially Designed Instruction** - SDI (nd.gov)
	• Specially designed instruction is what is "special" about special education.
	    IDEA Sec. 300.39 (a) (1): special education means specially designed instruction
	
	Andrea Johnson had a comment - PCBL and Mastery Learning can be examples of specially designed instruction as curriculum, instruction, and learning is tailored to individualized student needs that enable students to engage in and participate in the regular education while learning is tailored to students' needs - however, we still some some "push" from some educators whose schools have adopted PCBL and Mastery Learning for students to be individualized or pulled out.
	
	Regression Analysis Tool
	
	It takes five to six years for students with disabilities to graduate versus four years for their non-disabled peers. We found that attendance rate is the strongest predictor.
	
	• **State Systemic Improvement Plan –** SSIP Action Plan Update - NDSSIP Action Plan and Timeline
	    o All student graduation rates above 95%
	    o Peace Garden – 95.34%
	    o Rural Cass – 97.74%
	    o East Central – 97.01%
	    o Southwest – 97.30%
	    o Northern Plains – 97.67%
	    o Pembina – 98,04%
	    o West River – 95.05%
	    o James River – 95.70%
	    o GST – 97.74%
	    o Upper Valley – 95.73%
	    o CREA (Lonetree) – 95.24%
	
	Students with Disabilities Graduation Rate Higher than 95%
	    o Rural Cass
	    o South Central Prairie
	    o Northern Plains
	
	Four Units Higher Than Expected Rates
	    o Peace Garden
	    o Rural Cass
	    o Northern Plains
	    o Minot
	
	Three units that Surpassed Targets
	    o Fargo
	    o West Fargo
	    o Grand Forks
	
	Educator Pathway – This was started with ESSER funds. To give high school students interested in entering the teaching field the opportunity to take dual credit while still in high school, which will count towards both graduation requirements and college credit. We have five courses now. We are working with five universities. The courses are online classes.
	
	Indicator 4 Suspension/Expulsion – suspension/expulsion of more than 10 days. We look at all students with disabilities, and we get a state rate. Any unit/district that is above five percent, the state looks into. ND needs to look into this and create a stakeholder group to help identify a methodology that will be approved by OSEP. If you are interested in being on this group, please let Michelle Woodcock know. Brenda Ruehl, Jessica Howling Wolf and Jodi Webb would like to be part of this stakeholder group.

DISCUSSION	Deaf Hard of Hearing (nd.gov) • The Office of Specially Designed Services recently updated NDDPI's Informational Paper on "Deaf and Hard of Hearing Students in ND School".

	• The informational paper includes updates that align with NASDSE's "Optimizing Outcomes for Students who are Deaf or Hard of Hearing: Educational Service Guidelines".
	• The paper highlights the role of the TODHH, the Expanded Core Curriculum for SDI, and the benefits of a Communication Plan.
	• The paper also includes the ND Deaf Child Bill of Rights (HB1366 from 2015) and interpreter EIPA score requirements (EIPA score of 3.5). A score of 4.0 or above is optimal for interpreting in the educational setting. NDDPI will work with TAESE to provide IMET Mentoring.
	
	Students with Visual Impairment in ND Schools Informational Paper
	Visual Impairment Document (nd.gov)
	
	• The Office of Specially Designed Services recently updated NDDPI's Informational Paper on "Students with Visual Impairments in North Dakota Schools".
	• The informational paper includes updates in response to OSEP's National TA Call from November 17, 2022, clarifying:
	  • Letter to Kotler from November 12, 2014 (modifier)
	  • Memo 17-05 from May 22, 2017 (two-step process)
	  • Ocular Motor Impairments (convergence insufficiency)
	• NDVS/SB will also host a virtual ND TVI Training on Thursday, September 21 from 3-4 p.m. to discuss considerations for students with Convergence Insufficiency.

<div align="center">

EARLY CHILDHOOD UPDATES   ANGELA MCSWEYN

</div>

DISCUSSION	Children ages birth-5 in North Dakota. Early childhood services – currently 1,781 students. Best in Class – 50 programs. Four-year-old program- 113 programs approved. Waterford Program –978 students enrolled. Early Childhood transition – IDEA-B and Part C. Part C – it's not just an IDEA, It's law! FAPE by 3 is the ultimate goal. Part C of the IDEA requires that children and their families participating in early intervention programs who are potentially eligible for the IDEA preschool special education program experience a smooth and effective transition to those preschool programs. Each child who is eligible under Part B must have an Individualized Education Program (IEP) developed and implemented by age 3. Part C and B Joint Transition Guidance Understanding Transition: Statewide C & B Survey 95 professionals responded! Next Steps: • State Workgroup • Member Selection • Seeking Family Representative • Provide recommendations to the State for updated guidance and policies. **North Dakota Preschool Development Grant (PDG)** Preschool Development Grant Birth-Five | Health and Human Services North Dakota • Updated Needs Assessment • Family Engagement • Kindergarten Transitioning • ECCE Standards • Workforce • Pyramid Model

SUGGESTIONS SUMMARY		
Issues and Concerns in our State: No issues.		
ACTION ITEMS	**PERSON RESPONSIBLE**	**DEADLINE**
The committee approved the April minutes. Jodi Webb motioned to accept the minutes, and Jacqueline Adusumilli seconded the motion. The committee voted and approved the minutes. The meeting adjourned at 4:00 p.m. Brenda Ruehl made the motion, and Tracy Klein seconded the motion to adjourn.		

Public Comment: No Public Comment. Jessica Howling Wolf is stepping down from Vice Chair, and Chris Larson volunteered to serve as Vice Chair. Chris Larson was voted vice chair for the IDEA Advisory Committee by the committee. The December meeting is scheduled for December 14, 2023. The meeting will be virtual. Agenda Items for the December meeting: • School Based Medicaid program • Suspension/expulsion more often. Parents are being told to move their students to homebound.		