

Annual Report

Montana State Special Education Advisory Panel

September 1, 2019 – July 30, 2020



**Prepared by the Montana Office of Public Instruction
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Special Education Advisory Panel Meeting Minutes
September 12-13, 2019

Members in Attendance: JP Williams, Millie Armstrong, Darrel Hannum, Ron Ream, Jody Bartz, Mandy Countryman, Chad Berg, Tina Blair, Shawn Sonsteng (Thursday only), David Richards, Wendy Studt (Thursday morning only) and Heather Denny

Excused Members: Kyla Rock, Robin Farrell

Non-Members in Attendance: Frank Podobnik, Dick Trerise, John Copenhaver, Jule Walker, Anne Rainey, Danni McCarthy, Jenifer Cline, Allyson Alexander, Jennifer Nettleton, Annette Young, Kelley Brown

Thursday, September 13, 2018

Welcome:

Heather Denny, incoming Chair, was excused for the beginning of the meeting. No other executive team members were present. In absence of an executive team member, Frank Podobnik called the meeting to order at 8:37 a.m. The Panel members and guests introduced themselves. Dick Trerise explained that we needed to hold elections immediately in order to have a presiding officer. He asked them to change the draft agenda to reflect moving the elections to immediately after the Call to Order and Introductions.

The Panel reviewed the Proposed Agenda. Dave Richards moved to accept the Proposed Agenda with the change of moving elections, Darrel Hannum seconded the motion and the motion passed.

Elections:

Dick gave a brief overview of the positions that needed to be elected. Jody Bartz noted that she is not interested in serving in a position right now. Dave Richards nominated JP Williams for Vice Chair, Jody Bartz seconded the motion, and the motion passed. Darrel Hannum nominated Tina Blair for Secretary, Jody Bartz seconded the motion, and the motion passed.

JP Williams, as the newly elected Vice Chair, began presiding over the meeting.

Welcome cont.

The Panel reviewed the minutes of the May 2-3, 2019, meeting. Tina Blair noted that she was listed as both present and excused, she asked that she only be listed as present as the excusal was for the January meeting. Dave Richards moved to accept the minutes with that change, Jody Bartz seconded the motion and the motion passed. The minutes were approved with the change of removing Tina Blair from the list of excused members.

Dick explained that normally the elections happen in June, but because of Marlene being out sick, and his surgery, the June meeting didn't happen.

Review of Office Functions/Activities

Frank Podobnik informed the Panel that there is an ongoing change within the office, which includes some reorganization. He explained that what used to be the Special Education Division is now the Student Support Services Division, and encompasses Special Education, Gifted and Talented, and the newly created Early Childhood Division.

Frank and Dick gave a background on the office, and distributed a handout of Student Support Services Activities.

The List of Division Activities is included with the minutes.

Advisory Panel Orientation

John Copenhaver, Executive Director, Technical Assistance for Excellence in Special Education (TAESE), Utah State University, conducted the Montana State Special Education Advisory Panel Annual Orientation.

John reviewed the agenda and materials for the orientation with the Panel members. Following are the items included in the orientation:

- Purpose for the Advisory Panel under IDEA
- IDEA Regulations Regarding the Advisory Panel
- Required Membership of the Panel
- Working as an Advisory Panel, not an Advocacy Group
- Major Functions of the Panel under IDEA
- Panel Meeting Procedures—Open Meeting Requirements
- Engaging Members Who Are Participating Virtually
- The Panel's Role Regarding SPP, APR and SSIP, and Results Driven Accountability
- The Relationship between Part C of IDEA and Part B of IDEA
- Hot Topics in Special Education and their Possible Impact on the Advisory Panel
- Establishing Annual Panel Priorities and Strategic Planning

At the close of the orientation, the meeting closed for the day.

Friday, September 14, 2019

Heather Denny, Chairperson, called the meeting to order at 8:30 a.m. The Panel members and guests introduced themselves.

Announcements

Dick Trerise told the Panel that Parents, Let's Unite for Kids (PLUK) has permanently closed. The Parent Center from South Dakota will begin providing services to Montana families in October, and a new grant will be issued sometime in the spring.

OPI Up-Date

Jule Walker, Deputy Superintendent for Operations, presented an OPI Up-Date for the Panel. Frank gave a brief introduction of Jule, mentioning that she is his direct boss, and that we are blessed to have her on our team as she is a terrific ally.

Jule thanked Frank for his service, and the Panel for their commitment to education and students with special needs.

Jule said that the district/school SBAC Reports will be released at the end of the month, and ESSA Report Cards should be out in December.

She mentioned that Title is having an Audit by the US Dept of Education – the first one in seven years.

Perkins V will be rolling out next fall, which will have implications for CTE.

Jule discussed HB 351 – Transformational and Personalized Learning and HB 387 – Advanced Opportunities.

She talked about the DPHHS Rules about Lead in the water for schools, and mentioned that the OPI had put out a survey to schools. The OPI is working closely with DPHHS on how to move forward.

She mentioned that there was discussion at the Interim Committee about the “opt out” option for Statewide Testing. She made it clear that in Montana, we do not have the option to opt out, except for a medical emergency.

Chad Berg asked her about HB 640 – reporting Child Sex Abuse. He mentioned that it is now a felony not to report, and asked Jule if OPI was going to be issuing any guidance or statements about it. Jule did not have any information to provide at the time, but would find out and let the Panel know when she had any information.

Special Education Division Report

Frank Podobnik gave an update on the CTE and Social Studies standards that are being written – he encouraged the Panel to be a part of the groups that are reviewing those. He discussed the Transformational Learning bill, and that it initially removed the ability to monitor Charter Schools (which we do not have currently in Montana), but said that language did not make it into the Transformational Learning Plan.

Frank said the Dyslexia bill is in effect. Special Education is working jointly with the CSI division to ensure information about screening tools is getting disseminated.

The Division has multiple new staff. Chris McCrea is a School Improvement Specialist, Allyson Alexander is working on MTSS and is our Gifted and Talented Specialist, and Jennifer Nettleton is a Special Education Content Specialist. It was announced that Marlene Wallis is retiring in October. Frank also announced that he is leaving at the end of September. His position was advertised and closes on September 17.

Call for Public Comments

Heather Denny, Chairperson, made the Call for Public Comments. There were no public comments.

Level of Determination, Differentiated Monitoring Report, State Systemic Improvement Plan

The Annual Performance Report (APR) is submitted in February of every year. It will be discussed at the January meeting. Based on the data reported in the APR, and various other data points, the Office of Special Education Programs (OSEP) makes a determination on whether the state is meeting the requirements of IDEA. Montana met requirements. The letter is included in the packet.

Dick gave a brief overview of the Differentiated Monitoring Report, which is included in the packet.

Dick discussed the current State Systemic Improvement Plan (SSIP), and talked to the Panel about Montana's Student Identified Measurable Result (SiMR). Currently, Montana's SiMR is to improve the high school completion rate for Native American students. That has become an integral part of the ESSA plan as well, and is now an office wide initiative. He talked about the fact that OSEP is proposing to start including the SSIP in their determinations. If they do that, Montana may look at changing their SiMR. Frank mentioned he would like to see the focus shift to Early Childhood Education. He would like the panel to think about what they would like to focus on. Dick asked for a motion to encourage the office to explore changing the SiMR. Darrel Hannum made the motion, and Chad Berg seconded. The vote was taken and the motion passed unanimously.

Frank mentioned that Montana is really well thought of by OSEP.

Meeting Dates

The next meeting is scheduled for January 23-24, 2020.

Adjourn

Chad Berg moved to adjourn the meeting, Tina Blair seconded the motion and the motion passed. The meeting adjourned at 11:41 a.m.

STATE SPECIAL EDUCATION ADVISORY PANEL MEETING **MINUTES**

January 23-24, 2020

Chairperson Heather Denny called the meeting to order and introductions were made.

Members present: Darrel Hannum, David Richards, Tina Blair, Kyla Rock, Shawn Sonsteng, Ron Ream, Wendy Studt, Heather Denny, Jody Bartz, Mandy Countryman, Chad Berg, JP Williams, Robin Farrell, Millie Armstrong, Jason Butcher.

Non-Members present: Dick Trerise, Jenifer Cline, Anne Rainey, Ty House, Jule Walker.

There were no visitors present.

The panel reviewed and approved the meeting agenda as well as the minutes from the September meeting.

Jenifer Cline discussed changes to OPI staff, new hires and open positions that need to be filed.

Jule Walker, Deputy Superintendent, discussed legislation that would impact OPI. Highlighting the work OPI is doing to help children and families all throughout the State. Health enhancement division posted about school safety with the legislature. Working to get financial aid relief for state special education cooperative groups.

OPI's Jule Walker introduced OPI updates: Health enhancement division posted about school safety with the legislature. DPHHS rules and impacts to school districts. OPI is working on a unified threat assessment procedure for schools and to create instruments for schools to use.

Jule Walker and Jason Butcher were excused at 9:38.

The Advisory Panel Reviewed the State Performance Plan and Annual Performance Report. OPI sets targets based on data from previous years. Slippage of data results requires explanation. After the data is provided OPI gets a report card and is graded as a State. Data comes from a variety of sources; majority comes from a statewide student system managed by AIM.

Anne Rainey went over the 17 indicators packet provided to the Panel.

Mandy Countryman & Wendy Stuts did not attend the afternoon session.

Continued to discuss State Performance Plan and Annual Performance Report after the lunch break.

Motion to end the day and continue tomorrow made by Chad Berg was approved.

3:00-Meeting adjourned

Friday, January 24, 2020

A Call for Public Comments was made but no comments were made. Should a public commenter appear the comments will be accepted?

Dick Trerise followed up on the division report, OPI grant funding, and grant timetables.

Panel discussed setting targets for the next State Performance Plan and Annual Performance Report.

On item number 8 Heather Denny proposed changing wording from Parent/Guardian involvement as the title to say Family/Guardian.

Motion to approve
Ron Ream proposed
Chad Berg seconded
Motion passed.

Annual Performance Report—Letter supporting submission

Motion to support
JP Williams motion
Darrell Hannum seconded
Motion passed.

Discussed remote access to panel meetings. Dick responded could try. Wendy stated has success with remote meeting for shorter meetings. Will set date for meeting and then decide on remote access.

Jenifer Cline personally thanked everyone on the panel for their time and support.

JP Williams stated it is important how we celebrate the successes we have to the staff and schools to create a positive buzz about Special Education.

Panel Member Information Sheets, Travel Claims, and Certificate of Renewal Units were distributed.

Motion to adjourn: JP Williams
2nd David Richards
Meeting adjourned

11:45-Adjourn

STATE SPECIAL EDUCATION ADVISORY PANEL MEETING
MINUTES
Friday, May 8, 2020

JP Williams was acting chair for this meeting as Heather Denny was unavailable.
JP Williams called the meeting to order.

JP Williams motioned to approve agenda for this meeting

Jody Bartz 2nd

Approved

David Richards motioned to approve minutes from last meeting

Jodi Bartz 2nd

Approved

Updates on OPI were provided by Jenifer Cline, Dick Trerise and Mandi Gibbs.

The Stakeholder meeting was cancelled. The purpose of the meeting is to collaborate and give stakeholders accountability and involvement in federal reporting. The governor closed schools due to Covid-19 which has led to a traumatic impact on families, schools and employees. The sudden closure created the need to do quick thinking. Challenge estimates that 25-50% of households had no access to internet to support virtual on-line learning. OPI had to brainstorm, how to serve those children. Services provided are even more limited for children with disabilities who are limited in their ability to use technology.

The challenges of staff working from home without all the access to office equipment was discussed. Developing work arounds and maintaining privacy and security requirements. He stated that OPI staff have proven that they can work remotely, and many employees have indicated they would prefer to continue to work from home at least part time.

The panel viewed resources on the website designed to assist districts through the Covid-19 shutdown specifically addressing Special Education needs.

Emergency relief funds approved by the federal government were discussed. OPI expects 40 million for the state of MT from the Covid-19 relief. The formula for title 1 funds is the formula that will be used to determine the amount of aid districts will receive. A portion of the funds are discretionary and will potentially go to Special Education and rural communities.

How to be effective in a virtual environment, get the most out of virtual learning, and websites that could be helpful for educators. National organizations or assistant programs funded by OPI.:

- Learning Hub has 100 of online classes available.
- Virtual learning resources has tools districts might find valuable

- Director calls

During this time of school closures, it is important for educators to document due diligence and best efforts when parents are non-responsive. Documenting all attempts to provide services.

There are currently 75 special education directors in the state of Montana. Most belong to MCASE, which sets up weekly calls with directors with an agenda of new directives or questions that are relevant. The calls are well attended.

Questions regarding Covid-19 and Special Education being routed to a centralized email box, where questions are documented. Angie Griner monitors the email inbox and directs questions to Dick Trerise, where he can respond unless the question has bigger implications. If needed he forwards on the question to others within OPI to discuss so an appropriate consistent message is provided. Mandi Gibbs investigates the legal ramifications. OPI staff then will either send a response to just the individual or post to the website as guidance. This has allowed for a fast response to inquiries. OPI is also fielding questions outside of school closures.

Child Find organizers are trying to do what they can for now and improve and offer more when they can. Some of the challenges of assessing a child remotely are, legal and FERPA. There is guidance on the OPI web site. Grading guidelines have changed as a result of the challenges of school closures.

The annual performance report was submitted the 1st of April as required. Some clarifications of the report were required.

Call for public comment was made by JP. There were no comments made at this meeting at this time.

The State Personnel Development Grant offers states funds for professional development in the area of students with disabilities. This is a 5-year grant that OPI has received for the past 25 years and is set to end September 20th. The OPI team is working on the application for this grant. The team consists of Shelia Lovato, Allyson Chance, Tom Manthy, Marty Blair and Terry Barkley. OPI is looking at district level coaching, implementation of initiatives and increased sustainability of initiatives through this grant this grant. Hopeful OPI will be awarded this grant again but might not because OPI has been awarded the grant 5 times in the past.

Special Education Endorsement project status was updated for the panel. Program 4 teachers can get a special education endorsement and teach Special Education while they pursue the endorsement. Discretionary grant was awarded to MSU and to support students participating. There are no plans to end this program. Susan Gregory is the MSU contact person.

Discussed current weekly and Bi-weekly agency calls aimed at giving guidance to districts and other organizations across the state attached to education, regarding Covid-19. On these calls, OPI gives updates and then other agencies discuss what they are doing. These calls have opened up communication and help to create a consistent message and help address issues coming from constituents and as a resource for how to address issues from constituents.

Superintendent wants to create a task force to represent stake holders to look at how to support schools going back to on site learning. OPI Special Education wants representation

on that task force. Applications to be on that task force are now available. Dick Trerise suggested a Special Education director apply for the task force.

Coronavirus Aid, Relief, and Economic Security Act or the CARES Act is Federal money, given to states for districts to address costs due to COVID. Montana received 40 million with 10% being discretionary. Working on getting money out to the districts is a top priority. The superintendent will decide where the 10% is spent. There is money for private schools. All monies must be spent on costs due to Covid-19.

Montana Parent Information Center wrote joint letter to families about flexibility and communication. OPI gives update in their monthly letter. Struggling with exactly what should be contained in the newsletter. Would love feedback from sped directors on what should be in the newsletter. Have written about resources on the OPI website and helped address grades and graduation.

LFC Education Subcommittee working on draft bill to include SPED into the base allocation. Talk in past 6 months how are we funding co-ops, and do we need to do something different to increase stability. Sped funding is not included in the base allocation. Needs to be approved separately and has caused issues with sped keeping up with general education.

19-20-year-old funding for special education services will come up in legislature but will probably have a hard time gaining traction.

Dave Richards commented DRM liked working with OPI and product was helpful. Dick agreed collaboration was great for sped students.

Early learning monies discussions are on going to support and fund preK. Subcommittees are meeting. Finishing up in depth subcommittee meetings and moving into action. They may bring up during the legislature session but not sure. Waiting to see what is decided so we know what the next step will be for special education students.

Next Advisory Panel meeting proposed for the beginning of July since fiscal year ends in June and OPI will know if the application was approved. Proposed date is: Thursday July 9th. 8:30-11:30.

Fall meeting dates, TBD.

In June we will discuss end of year data from districts.

JP motion to adjourn

Chad Berg motion

Dave Richards 2nd

Adjourned

STATE SPECIAL EDUCATION
ADVISORY PANEL MEETING
Thursday, July 9, 2020

Heather Denny started with a Welcome and Introductions.

Advisory Panel Members in Attendance: Heather Denny, Ron Ream, Mandy Countryman, Tina Blair, Dave Richards, Wendy Studt, Darrell Hanum, JP Williams, Nicole Thuotte, Millie Armstrong, Jodi Bartz, Chad Berg, Kyla Rock, Shawn Sonsteng, Millie Armstrong, Robin Farrell.

OPI Staff in Attendance: Kristie Sears, Dick Trerise, Jenifer Cline, Sheila Lovato, Marla Swanby, Ty House, Allyson Chance, Chris McCrea, Danni McCarthy, Jennifer Nettleton, Dale Kimmet, Mandy Gibbs, Yvonne Field, Anne Rainey, Doug Doty, Cheryl Allen

Guests in Attendance: Angie Watson, Rebecca Richards

Dick thanked all attending and advised the panel that the meeting is being recorded. The May Stakeholders meeting was cancelled due to Covid-19 and ended up being a phone call instead. The minutes from that meeting were sent to the panel. Dick stated there would be a slight change to the agenda with an update from Cheryl Allen, the Deputy Superintendent, on OPI reopening plans that were released to the public. Jenifer mentioned Cheryl will also discuss bringing a request for flexibilities to the state board of education.

Approval of Proposed Agenda with the addition of Cheryl Allen providing an update
Proposed: Darrell Hannum
Seconded: Dave Richards
Approved

Approval of May 8, 2020 Minutes
Proposed: Darrell Hannum
Seconded: Jodi Bartz
Approved

Update from Cheryl Allen
Superintendent, Elsie Arntzen has created a Covid-19 task force designed to support schools through this time and aid with how to reopen. There is special education representative on the task force.

Student Support Services Update
Jenifer introduced new employee Sara Bailey who joined the OPI team under Dale Kimmet. Dale introduced Sara to the panel.

Sheila Lovato was introduced to discuss MTSS spending and applying for the SPDG grant. Closing out the school climate grant. Sheila stated, we are currently in a no cost extension year. A grant committee has been formed to write a new SPDG with a district focus on database coaching. Jen stated we are working on closing out the school climate transformation grant.

Interim committees – MT legislature meets every other year. During the off year OPI is involved with the educational and fiscal subcommittees, where the legislature lays out plans for the next sessions. OPI is working to get Special education allocations under the regular school annual inflation increase. Special education funds fall behind because they do not get the annual inflation increase. It looks like the legislature is considering the education allocation inflation increase for Special Education but not the monies to make up the difference in monies that the Special Education has lost out on by not getting the inflation increases.

Darrell Hannum questioned if data is available for how many special education students participated in online learning? Dick stated there is no current data because each district had their own approach and challenges. Dick believes there will be more assessments going forward.

Jennifer invited Chad Berg to address how his district is dealing with offering online sped services.

Jenifer discussed the OPI reopening guide that is posted to the OPI website and stated that schools are going to need to be flexible as safety guidelines are lifted or increased.

Jenifer shared an article with the panel, Common Sense Media. Looking across the nation at how many students have access to technology. 35% Native American's do not have internet access. When you compare MT to nation, we are between 30-35% so we are still on the high side of states with connectivity issues. We have systemic connectivity issues that need to be addressed.

Darrell Hannum asked How will OPI address the connectivity in rural MT. OPI is looking for resources to assist schools and parents.

Dick informed the panel that OPI are all working remotely at this time. Assured panel that remote work has been highly effective.

Heather Denny, Chairperson made a call for public comments. No comments were made at this time.

Monitoring Update

Dale Kimmet the compliance unit manager gave a report on the previous year's monitoring results. The OPI monitors schools every 5 years, and supported organizations every 3 years. The schedule of monitoring is on the website. Monitoring is not only for compliance but also used for providing technical assistance. 650 files statewide were reviewed. The report is posted to the website annually.

Early Assistance Program Update

Mandi Gibbs, Early Assistance director at OPI stated that OPI is obligated under IDEA to offer dispute resolution. Mediation is a dispute resolution tool parents and schools can use to resolve disputes. Anyone can file a complaint with the OPI alleging there has been a breach in services offered. See Attached Form.

Additional Updates from the Superintendent's Office

Cheryl Allen presented regarding regulation changes needed during Covid 19. The OPI is looking at what needs to be asked of the Feds for waivers regarding ESSA, funding from the legislature, and aggregate hours for students' waiver. New bills were discussed to support flexibility in licensure, and accreditation process, assurances and performance data. There is no performance data for the 2019-2020 school year. Propose use of 2018-2019 data. Accreditation element is coming up on its term for a complete review. Licensure, the 5-year review is up. Recommending Emergency operations to allow teachers to fill in an area they are not certified and repurpose teachers into high needs areas.

The Panel discussed the Covid-19, Flex Task Force. The task force was designed to look at what information school districts need when reopening. Details of Flex Task Force are on the website and are constantly being updated and are not static documents.

See here: <http://opi.mt.gov/Portals/182/COVID-19/Reopening%20MT%20Schools%20Guidance-Final.pdf?ver=2020-07-02-114033-897>

Jenifer shared a report that is a good summary of all the activities that the division took part in. See attached.

Superintendent has restricted travel until Jan. 1st. CSPD's are impacted. Any OPI activity be offered virtually until January.

The Panel discussed the challenges of providing Special Education Services during school closures.

Panel addressed the election of new officers.

Motion of nomination for Vice Chair
Heather Denny nominated - Chad Berg
2nd - Ron Ream

No other nominations

Unanimously approved in Zoom chat.

Chad Berg agreed to serve as Vice Chair for 2020-2021 school year.

Motion of nomination for Secretary
JP Williams nominated – Tina Blair
2nd – Dave Richards
No other nominations
Unanimously approved in Zoom chat.
Tina agreed to serve for 2020-2021 school year

Panel members serving their last term were recognized. Kyla Rock was the only 3-year member and will come back for a 2nd term. We will carry forward with an October meeting with an orientation for new panel members.

Panel members were asked for agenda items they would like to see in October.

Jenifer Cline stated that she appreciates the time of the panel and their willingness to have open discussions. JP Williams wanted to congratulate the group on excellence in providing sped services throughout the state and thank Heather Denny for her work as chair.

Jodi Bartz would like to revisit getting a student on the panel.

Motion to Adjourn: Darrell Hannum
2nd: Ron Ream
Adjourned