



Minutes

July 11, 2016

10:00 a.m.

TN School for the Blind
115 Stewarts Ferry Pike
Nashville, TN 37214

Members of Council in Attendance

Chip Fair, Chair
Alfred M. Hacker
Catherine Knowles
Cleatrice C. McTorry
David Craig
Dawn Bradley
Gayle Feltner
Margaret Spickard
Mary Meador
Patricia Valladares
Paula Brownyard

Members Not in Attendance

Brian Brown
Chantal Hess-Taylor
Darlene Walden
Hillary Sims, Vice-Chair
Shannon Streett
Shannon Taylor

TDOE Employees in Attendance

Alison Gauld
Bill Wilson, Office of General Council
Evans Murray
Gary Smith
Hillary Knudson
Paul Fleming
Sylvia Flowers
Tabatha Siddiqi, AC Contact
Theresa Nicholls
Tie Hodack

Visitors in Attendance

Angela Webster
Bill O'Donnell
Cathy Brooks
Ned Andrew Solomon
Sherry Wilds

Objective

- ✓ **To provide policy guidance with respect to Special Education and Related Services for children with disabilities in TN**

Welcome/Introductions

Chip Fair, Chair

Approval of Current Agenda and Minutes (AC Goal 7)

See AC website for agenda

- **Action Item**
Council chair, Chip Fair, requested the addition of a bylaws amendment discussion/presentation. Council member, Alf Hacker, made a motion to approve the agenda, with the additional bylaws presentation. The motion was seconded by Council member, Mary Meador.
- **Final Action Taken**
The Council voted unanimously in favor of approving the July 11, 2016 agenda with the addition of the Program Committee discussion.

Approval of April 11, 2016 Meeting Minutes

See AC website for October minutes

<http://www.tennessee.gov/education/article/special-education-advisory-council>

- **Action Item**
Council member, Alf Hacker, made a motion to approve the April 11, 2016 minutes. The motion was seconded by Council member, Catherine Knowles.
- **Final Action Taken**
The Council voted unanimously in favor of approving the January 11, 2016 minutes.

Report of the Chair Person

Chip Fair

- ❖ Lost two members – Jeff Ker and Jason Vance
- ❖ One new member – Margaret Spickard
- ❖ 17 members total
- ❖ Would like to gain two more members with disabilities. Recommendations welcome
- ❖ Council elections at the October 10 meeting

Public Comments (as applicable)

Chip Fair

- ❖ None

Advisory Council Member Spotlight

David Craig

- ❖ Has worked at Kings' Daughter School for the past 30 plus years
- ❖ Kings' Daughter is a private, residential school which deals with a mix of intellectual disabilities and/or autism.
- ❖ Goal is to help students return to public school system
- ❖ Deal with a fraction of 1% of students in custody = 40 out of \$8,000

- ❖ Center for Autism – students come from all over the country.
- ❖ Only residential school for autistic students in TN
- ❖ TN has one of only two or three in the USA
- ❖ All students are non-verbal
- ❖ 120 students and 195 staff
- ❖ State funded
- ❖ State approved in Tennessee, California, and Illinois

Committee Reports

Council

- ❖ Submit questions, concerns?
- ❖ These suggestions will guide the agenda for future meetings

SEA Update / Action Items

Various

ACT Task Force and Update

Jerre Maynor

- ❖ Postponed to a future meeting

State Board Submissions

Joanna Bivins

- ❖ Council request – send final draft of standards to Council members and add them to the packet at the next meeting
- ❖ Question: At the end of the autism category, you have “Other considerations”. Is that going to be in the standards?
- ❖ Answer: Yes.
- ❖ Crosswalk and final standards will be emailed to the council, prior to the next meeting.
- ❖ Question: Are these standards that schools would go through to assess Autism if there is no medical diagnosis.
- ❖ Answer: Yes.
- ❖ Question: Is there language, in the Autism spectrum disorder standard, that says all of the characteristics must be met before a diagnosis is determined?
- ❖ Answer: Yes. The definition clearly describes the Autism characteristics and the standards provide a means to measure severity.
- ❖ Question: Would it be helpful for the council to have all of the comments other organizations had to say about the proposed disability standards?
- ❖ Answer: Comments can be sent to Chip Fair and he will share with the other council members.
- ❖ Deaf/blindness was included. Deafness was not.
- ❖ Question: There was discussion about changing the term Emotional Disturbance (ED)? What was the rationale for not changing it to something else?
- ❖ Answer: Because federal IDEA identifies one of those disabilities as Emotional Disturbance. If TN General Assembly decided they wanted to change the term, they would need to amend 49-10-102b.
- ❖ The standard, which states students must exhibit ED for six months before an evaluation/diagnosis, has been changed to two to nine months.
- ❖ Gifted score has been raised from 118 to 123.
- ❖ Question: Would students be uncategorized after the 123 score is approved?
- ❖ Answer: This will be determined after further discussion.
- ❖ Question: How many children would fall between the 118 and 123 score?
- ❖ Answer: Unknown.
- ❖ Question: In regard to intellectual Disability, will these standards revisions allow more students to be identified, or less?

- ❖ Answer: Potentially more.
- ❖ Question: DOE is currently working to get the legislation changed in a way that says TN has a functional delay and you foresee a functional delay category, some or all, meeting under the newly revised disability standards?
- ❖ Answer: Yes.
- ❖ Question: Is there a way to look at the number to see if there are students who slip through the cracks?
- ❖ Answer: Based on the criteria itself, students shouldn't be able to fall through the cracks, unless they were incorrectly assessed the first time.
- ❖ Question: In Orthopedic Impairment, an educational evaluation component would now be required?
- ❖ Answer: Yes.
- ❖ Question: If you're assessing for Developmental Delay (DD), will there be language included, formally or informally, which will address cognition?
- ❖ Answer: If you're assessing for DD, you have to include cognition. If you're assessing for other disabilities, you have to follow their requirements.
- ❖ Question: How did a one year delay go into effect?
- ❖ Answer: It's a general rule for most speech pathologists and their peers.
- ❖ Question: In regard to the national review of disability standards and evaluation procedures, there was disappointment in that it looked like the only states they were checking were Mississippi and Alabama. Is that correct?
- ❖ Answer: Initially, each task force was asked to look at three different states. Their recommendations led to the 50 state review.
- ❖ Question: Do you, the council, feel comfortable approving this proposal today or do you want to have time to review the proposed changes and revisit this discussion in October.
- ❖ Answer: Would prefer to review and approve in October.
- ❖ Options of the council, in regard to the submittal of the proposed standards, to the State Board of Education, include approve (proposal would be submitted to the State Board on July 22), disapprove (not enough information to disapprove), or defer until December (proposal would be submitted at the State Board meeting in October).
 - **Action Item**
Council member, Alf Hacker, made a motion to defer action to consider the standards proposal at the October meeting. The motion was seconded by Council member, Patricia Valladares.
 - **Final Action Taken**
The Council voted unanimously in favor of deferring action to consider the standards proposal at the October 2016 meeting.

Lunch (provided)

Dyslexia Guidance and Law

Theresa Nicholls

- ❖ Dyslexia bill requires school districts to look for certain characteristics in their response to intervention practices and provide appropriate intervention if those characteristics are identified.
- ❖ Requires the department create an advisory council.
- ❖ Department is in the process of assembling the council.

ESSA Feedback

Eve Carney

- ❖ Paul Fleming and Sylvia Flowers presented
- ❖ Significant progress on NAEP scores, TCAP, graduation rates
- ❖ Students who go straight into the work force, without post-secondary education, earn an average of \$9,000 per year.
- ❖ Goal is district empowerment
- ❖ Question: If all means all, what are we doing to improve the situation for students who will not graduate with a high school diploma? Is language being added to include them?
- ❖ Answer: Work is happening around the Occupational Diploma, discussion around what it means to have graduation range, a lot of definition and discussion behind the scenes which will hopefully lead to more inclusive language in future.
- ❖ Question: Will the high quality CORE instruction cover special education teachers, as well?
- ❖ Answer: Yes.
- ❖ Question: Has the state ever considered working legislation that would require institutes of higher education turning out a better product?
- ❖ Answer: Actually, there is a lot of work being done right now to evaluate performance.

Restraint Task Force Update

Alison Gauld

- ❖ Still working on district data entry procedures and accuracy
- ❖ Some states don't track IEP transfers
- ❖ Question: How many years do you anticipate it taking to have enough accurate data?
- ❖ Answer: After three to four years and we are beginning year three.
- ❖ Question: Will the data tell you in which areas, or which counties, need more work?
- ❖ Answer: Yes, through the SSIP. Specifically indicator 4.
- ❖ Question: Have you been looking that closely, at the student level?
- ❖ Answer: No. At this point, it's been a random selection. Now we're beginning to look at the data on a student by student basis.
- ❖ Question: Have you been using interns, from outside agencies, helping with that?
- ❖ Answer: Interns have been calling state and asking for their restraint data.
- ❖ Question: When you talk about how we compare to other states, what does that tell us?
- ❖ Answer: If we have an idea that we are restraining or isolating at a higher proportion of our students, than other states, we will be able to evaluate why. Is there something we're doing that is encouraging that, not providing coping strategies or escalation strategies? If we're lower than other states, what are we doing well and how can we continue to build on that strength?
- ❖ Next task force meeting is in December.
- ❖ Other states' may have best practices which we may find helpful.
- ❖ Question: Is all of the data being gathered from school systems?
- ❖ Answer: No. Teachers fill out a form, give it to their supervisor, and they put in the form.
- ❖ Question: Is there any method or process for parental recording directly into the data system?
- ❖ Answer: No. Parents can't enter the data but they can ask for the report.
- ❖ Question: Does a copy of the report have to be available at the IEP meeting?

- ❖ Answer: Yes. Regulations require that a copy of the report be addressed to the Director of Special Education, to be included in the student's educational record.
- ❖ Question: Special Education Supervisors are supposed to be entering the isolation data and no one else?
- ❖ Answer: Yes. You need to have a certain user permission and that's who it's given to in the IFP world of codes, specific to one person.

Educational Interpreter Update

Alison Gauld

- ❖ The revised policy passed with no new revisions or changes.
- ❖ New policy states that any school system hiring an educational interpreter, with the new qualifications, must pay them at a certain rate. Rutherford County has a good model for a sliding scale.
- ❖ Question: Does the state have plans to tackle underpaid educational assistants or educators?
- ❖ Answer: Not aware of any task force related to that.
- ❖ UTK and Maryville are providing training for Educational Interpreters.
- ❖ Right now, we have approximately 237 students who require an educational interpreter and we don't have that many.

New Business/Additional Items

Chair

- ❖ By-laws will be discussed, and possibly amended, at the October meeting.
- ❖ Change wording of Section 1. Meeting Scheduling and Section 4. Regular Meetings.

Call for future meeting suggestions

Chair

- ❖ Give suggestions to Chip after the meeting or email them to him for review by the program committee. The program committee will use the suggestions to determine the agenda items for the next meeting.

Proposed meeting dates for FY17

Tabatha Siddiqi

- ❖ Dates of October 10, January 9, April 10 were proposed and accepted for FY17 quarterly meetings
- ❖ Need a quorum at the October meeting because of elections

Closing Remarks/Adjourn

Chip Fair

- **Action Item**
Council member, Alf Hacker, made a motion to adjourn. The motion was seconded by Council member, David Craig.
- **Final Action Taken**
The Council voted unanimously in favor of adjournment.

Upcoming Date(s)

Next Meeting: October 10, 2016

Location: TN School for the Blind

Topic: Ongoing Council procedures/activities

Additional copies available upon request to department liaison....Kristi Harris.