



Special Education Advisory Panel (SEAP) Annual Report July 2019–June 2020

Preface

The annual report of the Minnesota Special Education Advisory Panel (SEAP) is respectfully submitted to the commissioner of the Minnesota Department of Education (MDE). The reporting period is July 1, 2019, through June 30, 2020. The annual report is a summary of the panel activities and recommendations during the reporting period. SEAP provides a broad base of input to MDE staff regarding policies, practices and issues related to the education of children and youth with disabilities ages birth through 21, and advises MDE’s Divisions of Special Education and Compliance and Assistance on the education of children and youth with disabilities.

Special Education Director’s Letter

Dear Colleagues:

It is with pride that the 2019–20 Special Education Advisory Panel presents their annual report.

SEAP is a federally-mandated committee that advises MDE on students with disabilities and their families. While this work involves reviewing and commenting on reports and updates, it frequently launches us into rich discussions and strategies to improve academic outcomes for all of our students. Our charge includes learning together, professional dialogue and heartfelt discussions centered on students with disabilities and their families.

Within the SEAP cohort, we have a wealth of knowledge and experience from across the state representing diverse communities. The various perspectives of parents and service providers keep us centered, provide meaningful input and drive us forward. From these vantage points, we journey together through murky concepts and ideas, seeking the best possible outcome for all students. The state deeply values the substance of these conversations, and they no doubt have a profound impact on all of our work.

MDE extends a genuine thanks to every panel member, guest and facilitator for guiding us in our work to serve students, families and educators.

Sincerely,
Robyn Widley
Director, Special Education Division
Minnesota Department of Education

SEAP Chair Reflections

I have been honored to serve as this year's Chair of our Minnesota Department of Education Special Education Advisory Panel. I have been continuously impressed with the level of passion and talent displayed by the staff at MDE; and humbled by the incredible knowledge of the professional, parents and other community members on the panel.

Our 2019–20 school year will be one for the history books. On March 15, 2020, Governor Walz directed Commissioner of Education Ricker to close all school buildings in Minnesota starting March 18. We were just then beginning to bear witness to how COVID-19 would disrupt every aspect of our lives. This pandemic has exponentially impacted our students with disabilities and special education staff. As I write this from the seclusion of my home, I wonder how this pandemic will change how we educate students with disabilities in the future.

The panel spent much of our time together focusing on equity in education for our students with disabilities in Minnesota. The vision of MDE is "Leading for educational excellence and equity. Every day for every one." As such, we focused much of our work on addressing disparity in educational results for our children with disabilities. We focus on these data points because we know that our responsibility is to improve student outcomes for all of our children with disabilities.

The need to educate our special education students remotely for the remainder of the school year has only amplified the disparity we already knew existed. Our special education students, and especially those in minority groups, face barriers to accessing a free and appropriate education. The COVID-19 pandemic uncovered countless new layers of problems with academic access that will need to be addressed. I am grateful that we have a strong special education leadership team at MDE leading us through this time. And I would like to specifically recognize all of our Minnesota special education administrators, teachers, paraprofessionals and support staff. They proved time and again this spring that together we can do hard things.

The SEAP met for three in-person sessions this year and one remote meeting in April during Governor Walz' executive order to stay at home. We spent our time focusing and advising on the State Performance Plan/Annual Performance Report (SPP/APR); the State Personnel Development Grant (SPDG); the State Systemic Improvement Plan (SSIP); and our state's Olmstead Plan, just to name a few

topics. SEAP members were regularly given updates, asked for feedback and given the opportunity to advise on each topic covered.

Special thanks go to Robyn Widley, Barbie Hogan, Kristin Oien, Holly Andersen and all of the MDE staff that were a part of the meetings this year. Their leadership and planning of efficient meetings allowed maximum time and opportunity for the panel to discuss important topics, give honest feedback and engage fully in the information presented.

I thank the 2019–20 SEAP members for their willingness to volunteer and serve on behalf of not only the communities they come from, but all students with disabilities. They put our students with disabilities first and that was powerful to witness. On behalf of the Minnesota Special Education Advisory Panel, I present this SEAP Annual Report.

Melanie Van Roekel, Chair
Special Education Advisory Panel

2019–20 SEAP Members



Members of the 2019–20 Special Education Advisory Panel with Special Education Division Director Robyn Widley and staff

Name	Represents	Term Ends
Kimberly Baker	Parent Representative	2021
Deborah Beske Brown	Foster Care Services	2020
Christy Marie Caez Claudio	Parent Representative	2022
Adenike Chon	Parent Representative	2020
Amy Delgado	Parent Representative	2022
Korto Dixon	School/Related Service Personnel	2022
Shannon Erickson	Vocational Representative	2021
Eric Hill	Parent Representative	2022
Erin Hoffman	School Administrator	2021
Kelly Kausel	Parent Representative	2021
Rebecca Kottke	Student Representative	2022
Melanie Kray	School Administrator	2021
Kim Lemcke	Foster Care Services	2023
Mary Lindell	Higher Education	2020
Becky Miller	Parent Representative	2021
Maleenia Mohabir	Parent Representative	2021
Jazlynn Paige	School Personnel Representative	2020
Patty Popp	Juvenile Corrections	2019
Tony Porter	Parent Representative	2021
Roberto Reyes	McKinney-Vento Homeless Advocate	N/A
Lynette Rigsby	Parent Representative	2021
Leann Shore	School/Related Service Personnel	2022
Jennifer Sommerness	Higher Education	2020
Tracy Stuewe	Parent Representative	2020
Megan Ulrich	School/Related Service Personnel	2021
Melanie Van Roekel, Chair	Parent Representative	2020

Duties

As established in accordance with 34 CFR 300.167-300.169 (2006), the Special Education Advisory Panel (SEAP) of the state of Minnesota must:

1. Advise the State Education Agency (SEA) of unmet needs within the state in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities.
3. Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act.
4. Advise the SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act.
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

6. The SEA, after deleting personally identifiable information, must provide SEAP with the due process hearing findings and decisions and make those findings and decisions available to the public (34 CFR 300.513(d) and 300.514(c)).

Acknowledgements

MDE acknowledges and thanks the following staff for their contribution to this report and the work of the SEAP:

- Robyn Widley, Director, Special Education Division
- Melanie VanRoekel, SEAP Chair, 2019–20
- Holly Andersen, Kristin Oien, SEAP Coordinators
- Barbara Hess, Administrative Support
- Doug Gray, Communications Specialist

The SEAP is funded by federal funds obtained by MDE through Special Education — Grants to States CFDA 84-027A of the Individuals with Disabilities Education Improvement Act (IDEA 2004) and amendments thereto.

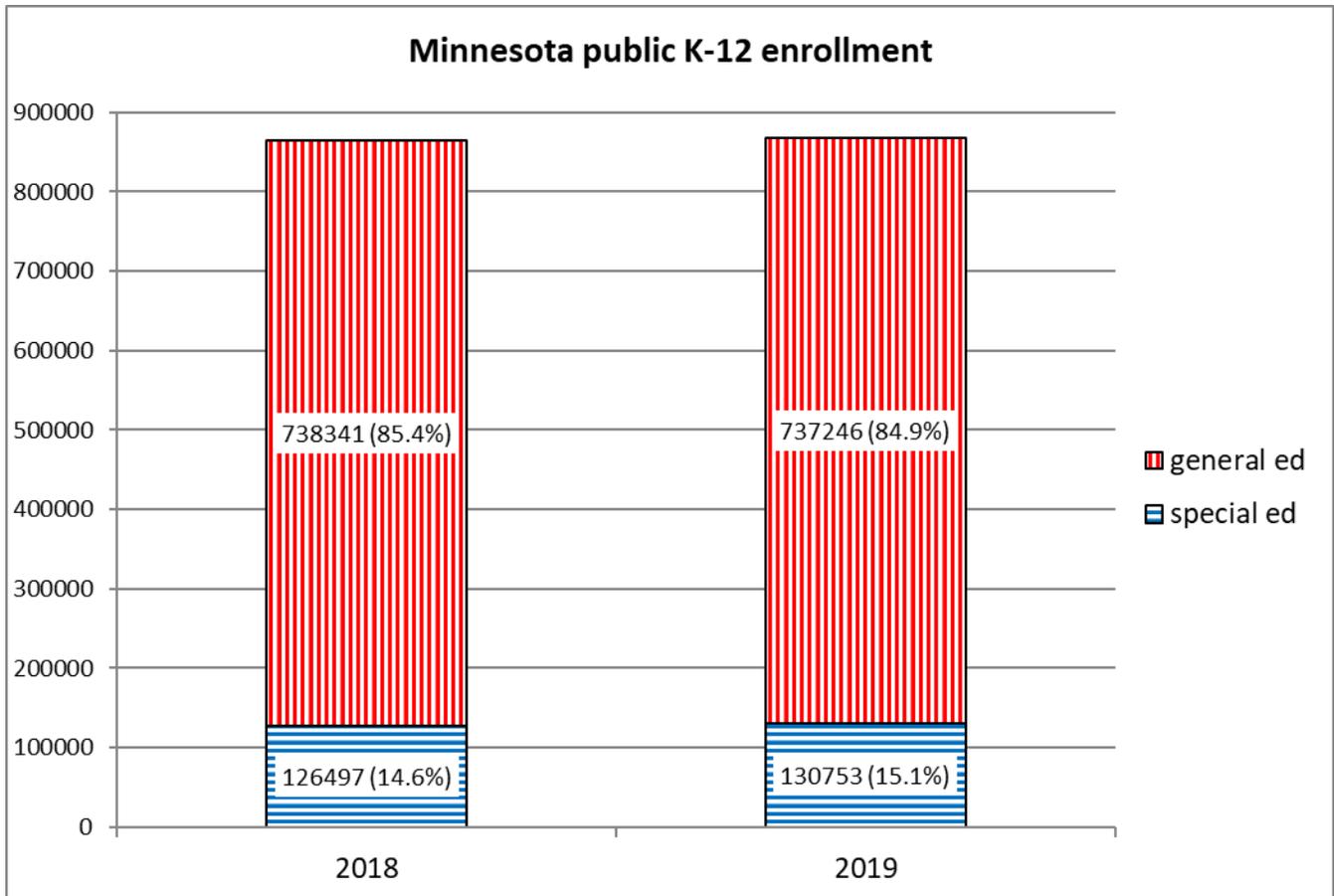
Overview

SEAP provides policy guidance for MDE’s divisions of Special Education Policy and Compliance and Assistance with respect to special education and related services for children and youth with disabilities in Minnesota. IDEA and state law establish SEAP and outline its duties. SEAP members are appointed by the Commissioner of Education as the governor’s designee. SEAP members include parents, individuals with disabilities, educators, teacher trainers, advocates, special education directors and staff from MDE and other state agencies, bringing their diverse perspectives together to make recommendations on special education issues

Special Education in Minnesota

By federal law, public schools must provide individualized special education and related services to eligible children with disabilities. Special education is specially designed instruction, provided at no cost to parents, to meet the unique needs of a child with a disability. It may include instruction in the classroom, home, hospitals, institutions and other settings.

On December 1, 2019, 152,016 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of 3.0 percent from the 147,604 Minnesota children receiving special education services in 2018–19. Of those, 130,753 were enrolled in grades K-12 in Minnesota public schools, 15.1 percent of the total statewide public school K-12 enrollment of 867,999.



Compared to December 1, 2018, there were increases in the number of students in nine of the 14 disability categories: Deaf-Blind, Autism Spectrum Disorders (ASD), Severely Multiply Impaired, Specific Learning Disabilities, Developmental Delay, Emotional Behavioral Disorders (EBD), Speech/Language Impaired, Blind-Visually Impaired, and Other Health Disabilities. The number of students in the categories of Deaf/Hard of Hearing, Physically Impaired and Developmental Cognitive Disability-Severe/Profound remained relatively stable. There was a decrease in the number of Minnesota students in the Traumatic Brain Injury and Developmental Cognitive Disability-Mild/Moderate categories.

Policy Areas of Interest

Minnesota's Olmstead Plan

Minnesota's Olmstead Plan is a broad series of key activities to ensure people with disabilities are living, learning, working, and enjoying life in the most integrated setting. The plan will help Minnesotans with disabilities have the opportunity, both now and in the future to:

- Live close to family and friends.
- Live more independently.
- Engage in productive employment.
- Participate in community life.

The goal of Minnesota's Olmstead Plan is greater inclusion of people with disabilities, including students with disabilities, in all aspects of daily life. For students, this means, for example, that all members of the Individualized Education Program (IEP) team are focused on the true needs of the student.

In January 2013, Governor Mark Dayton issued an executive order establishing a subcabinet to develop and implement Minnesota's Olmstead Plan. As part of its primary role of providing direction and oversight of the development and implementation of the plan, the subcabinet has a particular responsibility to monitor the impact of the activities being undertaken by state agencies and delivery agents such as counties and providers. The subcabinet meets publicly each month.

SEAP members heard from MDE specialists about progress in and changes to aspects of the Olmstead Plan in the department's areas of responsibility. The definition of competitive integrated employment for Olmstead Plan purposes now conforms with that of the Workforce Innovation and Opportunity Act (WIOA): "full-time or part-time work at minimum wage or higher, with wages and benefits comparable to those without disabilities performing the same work, and fully integrated with co-workers without disabilities." They also learned how programs such as assistive technology work in concert with the Olmstead Plan.

including assistive technology, maltreatment and person-centered planning. They offered comments and suggestions on those areas and ways to help local districts achieve and recognize progress toward the plan's goals, including through programs they are already implementing.

State Performance Plan (SPP), Annual Performance Report (APR) and State Systemic Improvement Plan (SSIP)

In 2019, the U.S. Department of Education's (ED) Office of Special Education and Rehabilitative Services (OSERS) released state determinations on implementation of IDEA Part B and C for fiscal year 2017. IDEA requires each state to report annually to ED on its performance under its State Performance Plan (SPP). Specifically, each state must submit an Annual Performance Report (APR) providing information

on the progress made in meeting the targets established in its SPP. IDEA details four categories for determination: meets the requirements and purposes of IDEA, needs assistance, needs intervention, or needs substantial intervention.

Starting in 2014 and continuing the past five years, ED weighted compliance and results data equally in making each state's Part B determination. Beginning in 2015, ED used both compliance and results data for Part B and Part C state determinations. ED used multiple outcome measures that include students with disabilities' participation in state assessments, performance in reading and math on the National Assessment of Educational Progress (NAEP), and graduation and dropout rates. The use of student testing and other outcome measures was a major shift in 2014 from years past and affected many states' standings related to their overall determination. OSERS expected that, by implementing the Results Driven Accountability (RDA) framework, it would bring into focus the educational results and functional outcomes for students with disabilities while balancing those results with the compliance requirements of IDEA.

In fiscal year 2017, 20 states and territories met the "Meets Requirements" determination, Minnesota being one of them again for Part B. Minnesota also met the "Meets Requirements" determination for Part C, making us one of only 14 states to meet in both areas, an increase from 13 states last year. Minnesota continues to have much to celebrate about the quality work teachers and administrators are doing across the state for students with disabilities.

In 2014 ED's Office of Special Education Programs' (OSEP) new SPP/APR cycle also incorporated Indicator 17 requiring states to develop a State Systemic Improvement Plan (SSIP). The SSIP focuses on improving results for students with disabilities in three phases over the six-year period. Phase I was completed in April 2015 where MDE identified in its report to OSEP that six-year graduation rates for American Indian and Black students with disabilities was the focus area for improvement. In addition, MDE reported our overall goal of the SSIP was to increase the capacity of district programs to implement, scale up and sustain evidence-based practices that will result in improved graduation rates and outcomes for students with disabilities. In 2015, the Duluth, Minneapolis, Osseo and St. Paul school districts became partners in the work and participated in a process to identify and select an evidence-based practice that, when implemented with fidelity, would support improved outcomes for students with disabilities. All district teams selected Check & Connect as the evidence-based practice to be implemented at selected schools during the 2016-17 school year and beyond. MDE also designed the current State Personnel Development Grant (SPDG) to support SSIP implementation work with the University of Minnesota's Institute on Community Integration supporting Check & Connect training and coaching and PACER as a partner supporting family engagement.

For the past four years partner districts have completed the District Capacity Assessment (DCA), an action assessment designed to guide school district teams to align efforts and resources around practices intended to impact student outcomes. The DCA organizes implementation data into the areas of organizational, competency and leadership drivers in order to leverage the impact of evidence-

based/informed practices on student outcomes. Each DCA administration helps district teams understand their current level of functioning to facilitate building-level implementation of Check & Connect, identified by systems, activities and resources needed by schools to successfully adopt and sustain Check & Connect as a district practice over time. The DCA results then guide districts in developing individualized action plans to address areas of need while building on existing strengths. Over the past four years, all four districts have shown an increase in their capacity to implement Check & Connect.

In April 2016, MDE submitted our Phase II report describing MDE's plans for department infrastructure changes, supporting district implementation of evidence-based practices, reporting progress and results and evaluating the plan. In the past three subsequent years (2017, 2018 and 2019) MDE submitted Phase III reports describing partner district and MDE progress in infrastructure improvements as districts installed and implemented Check & Connect over time, including ensuring administrative support for implementation; solidifying mentor selection processes; and delivery of training and coaching in, measuring fidelity of implementation and the scaling-up of Check & Connect. The reports also describe the changes and infrastructure necessary to put organizational structures into place to create and install the supports needed to improve outcomes for American Indian and Black students with disabilities.

In fall 2019, OSEP provided feedback regarding the 2019 SSIP Phase III submission. OSEP staff shared that they continue to be pleased with Minnesota's progress and the sustained collection and use of implementation, fidelity and scaling data. They also shared that they were impressed by the presentation shared at the OSEP Conference earlier that summer, especially related to the collection and use of scaling data which does not occur often from other states. In the end, OSEP said, "...We think you've been doing great work, and give you tremendous kudos for what you've done." Being able to continue reporting these outcomes is due to the hard work of our district partners, MDE teams and external partners and we look forward to continuing our efforts in the coming year.

SEAP members learned about and provided valuable input toward MDE and local efforts to meet the challenge to increase graduation rates. Plans are to continue to identify opportunities to build district capacity to improve outcomes for students with disabilities and undertake collective and committed efforts to make graduation a reality for all Minnesota students.

Online Learning

Even before the distance learning implemented in response to coronavirus, SEAP members informed themselves about the landscape for online learning in Minnesota. MDE specialists informed SEAP about the various kinds of services offered by Minnesota's 36 approved online learning service providers, supplemental course offerings, E-learning days and needed accommodations, modifications and progress monitoring for students with IEPs.

Compliance and Assistance

MDE Division of Compliance and Assistance director Marikay Canaga Litzau and her staff continued to provide valuable information to SEAP members. This year, SEAP members heard about the dispute resolution process and results of recent due process hearings. SEAP appreciates the insight it receives into MDE's efforts to help schools and districts comply with the requirements of state and federal law around special education in Minnesota.

Going Forward

SEAP is a broad-based constituency group that plays an active and influential role in improving the education of children and youth with disabilities in Minnesota. SEAP members participate on other state and local committees and task forces such as the special education teacher licensure task force and the MDE special education higher education forum. As a result of their membership on other groups, there is opportunity to communicate priorities and make connections. Working together helps all our efforts move forward. SEAP will continue to recommend improvements in the special education service system to improve outcomes for students.

SEAP Meeting Schedule 2019–20

Friday, September 20, 2019

Friday, November 22, 2019

Friday, January 24, 2020

Friday, April 17, 2020

SEAP meetings in 2019 and January 24 were held at the Minnesota Department of Education Conference Center. The April 17, 2020 SEAP meeting was held online due to the COVID-19 pandemic. SEAP meetings were scheduled from 9 a.m. to 4 p.m.

For information about SEAP [visit the Advisory Council's website](#).

For questions about SEAP please contact [Holly Andersen](#) at 651-582-8668.