



Special Education Advisory Panel (SEAP) Annual Report

July 2016-June 2017

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, 2016, through June 30, 2017. 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.

SEAP Chair Reflections

It was my sincere pleasure to serve in the role of Chair of the Special Education Advisory Panel (SEAP) for the 2016-17 academic year. Together with parents and professionals representing several different facets of special education (special education administrators, special education teachers, representatives of higher education, representatives from vocational rehabilitation services, county social services and homeless and highly mobile students; as well as members of Native American education and special education advocacy groups), we met several times throughout the year to discuss issues important to the lives of children and families with disabilities from birth to age 21. Some of the topics discussed included: secondary transition trends, the State Performance Plan (SPP)/Annual Performance Report (APR), State Systematic Improvement Plan (SSIP), Every Student Succeeds Act (ESSA), discussions around compliance of special education due process in the state of Minnesota, Positive Behavioral Intervention and Supports, family engagement and disproportionality in special education.

I would like to express my deepest gratitude to all members of SEAP for their commitment to attending our meetings and participating in our discussions. This year, under the leadership of both Robyn Widley and Kristin Oien, we worked to engage SEAP members in more meaningful ways. From mentoring teams introduced at our first meeting, to having Robyn frame each Minnesota Department of Education employee presentation around *why* this topic was important to SEAP, to allowing *time* after each topic for discussion and comments even if it meant going off the agenda. A big thank you to both

Robyn and Kristin for being so willing and open to these small changes. I think they had a big impact on our meetings. SEAP was successful because of your important leadership.

A big thank you to all of the Minnesota Department of Education employees who took time out of their busy schedules to present on their areas of expertise. SEAP members are more knowledgeable because of the information you shared. We appreciated your willingness to answer questions and to listen to our feedback. A special shout-out to Joua Lor for tirelessly organizing us and making sure notes were taken with careful attention. I would also like to thank SEAP co-chair Dawn Bly for her commitment to SEAP and to the children and families of Minnesota.

I sincerely believe special education services in the state of Minnesota are better because of the work of SEAP. I will be excited to hear about how SEAP continues to grow and change, as it continues to support students and families of children and young adults with disabilities in Minnesota. It is with great honor that I present this SEAP Annual Report.

In Sincere Gratitude,
Christine Peper, PhD
Chair, Special Education Advisory Panel (SEAP)

2016–17 SEAP Members

Name	Represents	Term Ends
Leesa Avila	Parent/Advocate	2019
Dawn Bly	Parent/Advocate	2018
Randy Bryant	Parent/Advocate	2018
Michael Caron	Parent/Advocate	2018
Beth Chaplin	Foster Care	2018
Deanne Curran	Parent/Advocate	2018
Sally Du	School Personnel	2019
Danelle Dunphy	Parent/Advocate	2018
Shannon Erickson	Community Advocate	2018
Dustin Hinckley	Parent/School Administrator	2018
Randean Miller	School Personnel	2019
Rebecca Neal	School Personnel	2019
Michelle Nelson	Parent/Advocate	2019
Christine Peper, Chair	Parent/Advocate	2017
Carrie Pfeifer	Higher Education	2019
Patty Popp	Juvenile Corrections	2019
Danny Porter	Parent/Advocate and School Personnel	2018
Roberto Reyes	McKinney/Vento Homeless Advocate	N/A
Kyle Rooker	Student Representative	2019
Leslie Sieleni	Parent/Advocate	2017
Stephen Tye	Parent/Advocate	2017

Name	Represents	Term Ends
Erin Wanat	School Administrator	2017
Katie Whitnah	Parent/Advocate	2019

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 Educational 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 SEAP:

Robyn Widley, Director, Special Education Division
 Christine Peper, PhD, SEAP Chair, 2016-17
 Kristin Oien, SEAP Coordinator
 Diana Miller and Joua Lor, Administrative Support
 Doug Gray, Communications Specialist

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

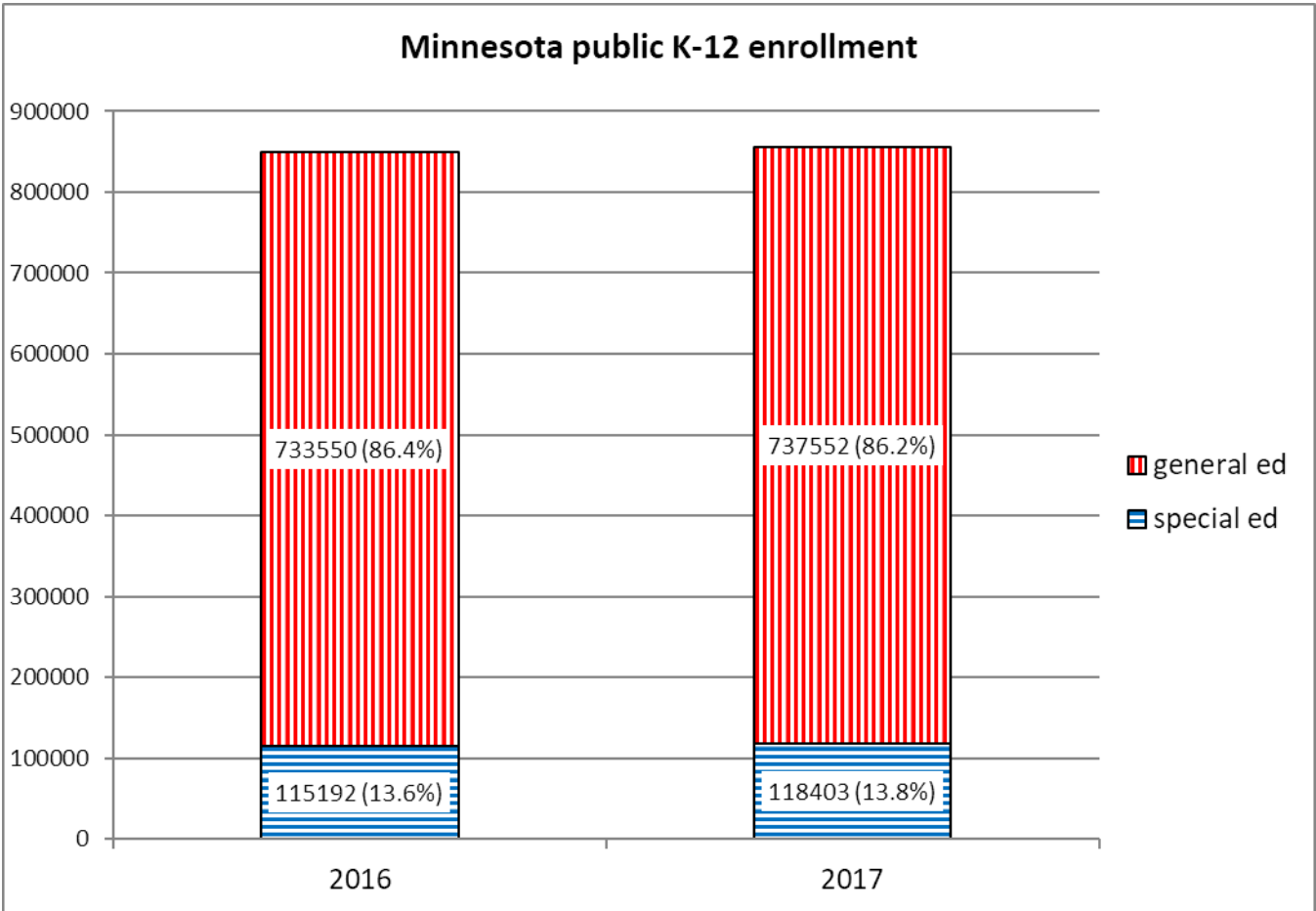
SEAP provides policy guidance for MDE's divisions of Special Education Policy and Compliance and Assistance with respect to special education and related services for children and youth with

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, 2016, 137,601 Minnesota children and youth from birth to 21 years old received special education services. This represents an increase of 2.9 percent from the 133,742 Minnesota children receiving special education services in 2015-16. Of those, 118,403 were enrolled in grades K-12 in Minnesota public schools, 13.8 percent of the total statewide public school K-12 enrollment of 855,955.



Compared to December 1, 2016, there were increases in the number of students in seven of the 14 disability categories: Deaf-Blind, Autism Spectrum Disorders (ASD), Blind/Visually Impaired, Developmental Delay, Emotional Behavioral Disorders (EBD), Other Health Disabilities (OHD) , and, Specific Learning Disabilities. The number of students in the categories of Speech/Language Impaired, Developmental Cognitive Disability-Severe/Profound, Severely Multiply Impaired, Deaf/Hard of Hearing (DHH), Developmental Cognitive Disability-Mild/Moderate and Traumatic Brain Injury remained relatively stable. There was a decrease in the number of Minnesota students in the Physically Impaired category.

Policy Areas of Interest

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

The Individuals with Disabilities Education Act (IDEA) requires each state to report annually to the U.S. Department of Education (ED) on its performance under its State Performance Plan (SPP). Specifically, each state must report in its Annual Performance Report (APR) the progress it has 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 three 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. This Results Driven Accountability (RDA) framework includes both educational results and functional outcomes for students with disabilities and results with the compliance requirements of IDEA.

This year, 25 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 12 states to meet in both areas, a decline from 16 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. We acknowledge and thank you for all the work you and your staff put in each day to serve all students and appreciate your continuing efforts.

The new SPP/APR cycle also incorporated a new indicator 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 our report to ED's Office of Special Education Programs (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. The Duluth, Minneapolis, Osseo and St. Paul school districts became partners in the work to identify and implement evidence-based practices to improve graduation outcomes for these two student groups.

During the 2015-16 school year teams from MDE and each of the districts met together to go through a process of identifying and selecting an evidence-based practice that, when implemented with fidelity, would support improved outcomes for students with disabilities. By the end of the school year, 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 ([learn about Check & Connect on the University of Minnesota website](#)). 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.

Once the selection process was finalized, partner districts completed their first District Capacity Assessment (DCA), which is 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. This specific administration of the DCA was to determine each district's 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 guided districts in developing individualized action plans to address areas of need while building on existing strengths. Partner districts, along with their MDE teams, continued that work through the following year. The winter 2017 DCA administration provided feedback to districts and teams regarding areas of growth and change to then inform the next cycle of action planning.

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. Phase III was submitted in April 2017, providing a summary of the key activities completed by partner districts and MDE teams as we began to develop the infrastructure necessary to put organizational supports into place and create and install the supports needed to improve outcomes for American Indian and Black students with disabilities. During the 2016-17 school year, partner districts and MDE teams made significant progress in infrastructure improvements as districts planned to install Check & Connect, including ensuring administrative support for implementation, solidifying mentor selection processes, and delivery of training and coaching in, as well as measuring fidelity of implementation of, Check & Connect.

When OSEP provided feedback to MDE this August about the Phase III report, OSEP shared that, overall, they were pleased with the work and progress Minnesota made over the last year. They were especially impressed with MDE's collection and use of implementation and fidelity data, how MDE used data to help address barriers to implementation, and evidence that MDE was working to change systems to sustain and scale-up evidence-based practices.

In the end, OSEP said that **"Minnesota is a shining light of SSIP work and an example for the field."** Being able to report this outcome 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 expressed interest in the goal-setting process for the SPP/APR/SSIP reports. With the spotlight on graduation outcomes at the national, state, and local levels, there is focus and energy regarding graduation expectations for all students. Both MDE and SEAP are aware of the challenges across our state to increase graduation rates and will continue to identify opportunities to build district capacity to improve outcomes for students with disabilities and to make graduation a reality for all Minnesota students.

Minnesota's Olmstead Plan/Person-Centered Planning

SEAP and its members continued to provide valuable insight and input during the ongoing implementation of Minnesota's Olmstead Plan, especially those efforts centered at MDE. Minnesota's Olmstead Plan documents what will and what needs to happen to ensure individuals with disabilities receive services in the most integrated setting appropriate to their needs.

Olmstead work plans that have been developed and approved with the help of multiple partners, including SEAP, set goals for ensuring students and individuals with disabilities have opportunities to participate in the life of their communities. These goals include:

- Increasing the number of students ages 19-21 with developmental disabilities who enter into competitive employment to 763 by June 2020.
- Increasing by 1,500 the number of students with disabilities receiving instruction in the most integrated setting by December 2019.
- Increasing by 250 the number of students who enter into an integrated postsecondary setting within one year of leaving secondary education by October 2020.
- Drastically decreasing the number of students receiving special education services who experience emergency uses of restrictive procedures.
- Increasing access to children's mental health services and ensuring that if it is necessary for them to leave school they will return to school in a timely fashion.

SEAP kept informed of developments to improve outreach to individuals with disabilities, parents and community members regarding Minnesota's Olmstead Plan including the formation of the Olmstead Community Engagement Workgroup. This workgroup will provide feedback on best practices for

community engagement, communications, accessible documents and inclusive, accessible public meetings.

SEAP input will also be valuable to aligning person-centered practices with the Olmstead Plan. Person-centered planning encourages professionals to see people as unique and whole individuals with potential and gifts to share. The person along with the support team identifies effective support and services that will help the person live, learn, work and participate in the community on his or her own terms.

Significant Disproportionality

ED released new regulations on significant disproportionality for IDEA Part B in December 2016. These are aimed at addressing issues related to significant disproportionality in identification, placement and discipline of students with disabilities based on race or ethnicity. States are not required to comply with these regulations until July 1, 2018 or to include children ages 3 through 5 in the review of significant disproportionality with respect both to the identification of children as children with disabilities and to the identification of children as children with a particular impairment until July 1, 2020.

The rules establish a standard methodology for how states calculate significant disproportionality in special education and might impact Coordinated Early Intervening Services (CEIS).

MDE and SEAP will analyze the regulation to assess how it will impact our local education agencies and school districts. SEAP members expressed particular interest in examining the threshold for significant disproportionality which the advisory panel initially established several years ago.

Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) was signed in December 2015 as the nation's new pre-K through grade 12 federal education law. Replacing No Child Left Behind (NCLB), the new ESSA law requires states to identify achievement disparities among students and work with underperforming schools to create individual plans that strategically address disparate outcomes. MDE will submit the state's ESSA plan in the fall of 2017 following over a year of input from hundreds of public meetings and thousands of individuals.

SEAP members were included in MDE's ESSA focus group and actively took part in the process of developing Minnesota's ESSA plan. MDE plans to continue to include SEAP and other advocates for students with disabilities in its focus groups for the new law and provide information on ongoing implementation of ESSA to them and other stakeholders in multiple channels.

Positive Behavioral Interventions and Supports (PBIS)

Positive Behavioral Interventions and Supports (PBIS) helps schools select and organize evidence-based behavioral interventions into an integrated continuum that maximizes academic and social behavior outcomes for all students. As of August 2015, 543 Minnesota schools have started or completed PBIS training. Our initiative now includes more than one in four Minnesota schools, which together serve over 247,000 students.

Key features of PBIS include setting clear, consistent positive expectations for students that are taught and practiced throughout the entire school; systematically recognizing when the expectations are being demonstrated well; being clear about the continuum of consequences; and reviewing school disciplinary data regularly to guide effective implementation. Schools that implement PBIS with fidelity have teaching and learning environments that are engaging, responsive, preventive and productive; address classroom management and discipline issues; and improve supports for students who need specialized assistance.

SEAP members updated on Minnesota's PBIS efforts pointed out the continuing need for cultural awareness on the part of school staff developing and implementing PBIS, especially toward Native American students. As MDE continues to expand PBIS for Minnesota schools, it will continue to seek feedback and suggestions from SEAP and SEAP members on this and other areas of concern such as parent and community engagement in the PBIS process.

Compliance/Individualized Education Programs (IEPs)

SEAP members welcomed information on MDE's outreach efforts to inform especially parents of children receiving special education services of their rights and recourses under their students' IEPs. These efforts were particularly concentrated on English learners and other underrepresented populations. SEAP will continue to keep its members informed about trends in this and other compliance and assistance areas.

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 2016-17

Friday, September 16, 2016

Friday, November 18, 2016

Friday, January 20, 2017

Friday, March 24, 2017

Friday, May 12, 2017

SEAP meetings in 2016-17 were held at the Minnesota Department of Education Conference Center. SEAP meetings were scheduled from 9 a.m. to 4 p.m.

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

For questions about SEAP please contact Kristin Oien at 651-582-8843 or kristin.oien@state.mn.us.