

**SUMMARY MINUTES ARE DRAFT UNTIL  
APPROVED AT THE OCTOBER 19, 2023, MEETING**



**KENTUCKY DEPARTMENT OF EDUCATION (KDE)  
State Advisory Panel for Exceptional Children (SAPEC)  
MEETING SUMMARY**

**THURSDAY, JULY 13, 2023**

*KDE Offices, Hybrid Meeting Format.*

**MEMBERS PRESENT:** Alison Amshoff, David Bradley, Tiffanie Clark, Jonathan Tal Curry, Tonika East, Zachary Stumbo, Cora McNabb, Daniel Slaton and Brian Lovell (resigned at opening of meeting), Gretta Hylton (ex-officio), Traci Brewer, Jeni Bolander, April Miller

**MEMBERS ABSENT:** Ashley Barlow, Christa Bell, Lacheena Carothers, Jeffrey Coles, Amy Beth Crump, Emily Fox, Tammy Gilles, Jason Jones, Kent Kelsh, Maria Kemplin, Brittany Kleiner, Chadwick Noel, Krista Payne, Cassie Jo Robinson, Esther Hayslett, Michelle Morgan

**Agenda Item:** Welcome and roll call of members. Called meeting to order at 9:03 a.m. ET.

**Presenter:** Chair Lovell.

**Summary of Discussion:** Lovell noted there was no quorum present, so no official action can be taken. Lovell has accepted a position with KDE, so he will resign his position on this panel, but he indicated he cherished and appreciated all the involvement. He will submit his resignation for the official record. Dr. East will serve as acting chair now.

**Feedback:** n/a

**Follow-up Required:** n/a

**Agenda Item:** Roll call

**Presenter:** Chair East.

**Summary of Discussion:** Attendance noted above

**Feedback:** n/a

**Follow-up Required:** n/a

**Agenda Item:** Minutes general discussion

**Presenter:** Chair East Page 3, Hylton is misspelled. Technical Assistance Centers are SERTACs. Some typos in that first paragraph. Page 4 content clarification – in summary, ‘we were awarded,’ that was GOEC not KDE. Presenters, name misspelled. Other small typos, but no content changes.

Tal Curry noted some changes needed to his statement regarding live streaming of meetings.

Hylton noted other corrections to be submitted in writing.

Motion was made by Bradley, McNabb seconded - motion was to accept minutes, with revisions. Motion passed that corrections and revisions will go to KDE, and then resend those out to the panel.

**Summary of Discussion:**

**Feedback:** n/a

**Follow-up Required:** n/a

**Agenda Item:** Membership Update

**Presenter:** Melody Cooper, Policy Advisor, OSEEL

**Summary of Discussion:**

Cooper – Update is that there is no update. Waiting for information from the Boards and Commissioner’s office and governor’s office. With Brian Lovell’s resignation, we will be reaching back out to their office again.

We have 14 vacant spots right now. It would be helpful that any members who are going to resign let us know, in both email and letter. The governor’s office wasn’t sure about some of the vacancies.

**Agenda Item:** Public Comment

**Presenter:** Dr. East

**Summary of Discussion:**

East asked if there were any parents, educators, other entities in person or online. No one was attending for the public comment.

Stumbo shared a story about a young individual he is interacting with. It’s not often that we talk about the homeless population. Engaged with a young person who was transitioning, and they

needed some assistance with letter of recommendation. This young person has some vocational passions, and I just wanted to share that inspiring story.

Hylton shared that the Office of Special Education and Early Learning (OSEEL) received our annual determination from the United States Department of Education. It's our report card. It is the work that occurs at the local level, 17 indicators used as well as results for students, like graduation. Things you don't measure on a test score. We did receive a 'meets' score, which sounds anticlimactic, but it is the highest score. This is the 14<sup>th</sup> year KY has received that level. Not many states have performed at that level. 23 received that 'meets' score, out of 60 (including states and territories).

We were recently awarded \$5.6 million to focus on transition for students with disabilities. Shout-out to Jason Wheatley for that work, and his team. They are now submitting another grant in the amount of \$10 million, so these two grants can be game changers.

**Feedback: n/a**

**Follow-up Required: n/a**

**Agenda Item:** Letter of Resignation

**Presenter:** Dr. East

**Summary of Discussion:**

Bradley made a motion to accept Lovell's resignation. Curry seconded. Motion carried without objections.

April Miller needed to leave the meeting (attending virtually), so the vote happened before she left.

**Feedback: n/a**

**Follow-up Required: n/a**

**Agenda Item:** American Rescue Plan Project Presentation

**Presenter:**

Jason Wheatley, OSEEL, Post-Secondary Transition Specialist

Lynn Petrey, OSEEL, Post-Secondary Transition Specialist

Bill Bates, Exceptional Child Education Consultant for Career & Technical Education (CTE), OSEEL

All presenters are with the ARP team at KDE.

**Summary of Discussion:**

Jason Wheatley. We are talking about pandemic dollars from the American Rescue Plan. We have those funds through September 2024. This presentation focuses on post-secondary transition.

The first lens we use is the notion of transition education. We work to center Kentucky's efforts around nationally recognized efforts. Transitioning is the fundamental basis of education. We then look at Career and Technical Education. United We Learn, the vision for the future of education in Kentucky, it is easy for us to connect to that lens. And then the ARP plan, with its funding, is a great opportunity we have.

See the presentation for a map and list of school districts participating in the ARP plans.

Post School Predictor Implementation Project. This project has 23 predictors. OSEEL is making a direct partnership with local education agencies. We help support the local team to focus on this transition. It is informed by both our professional practice and research. This work can't happen just inside the Special Ed program – if we are going to have the wanted impact, we must shatter that silo.

We enter into an agreement with the district, and then identify the team. Teachers, Administrators, others are required to be members of each team.

We are entering year 2 of this program. We have 36 participating districts, with 82 educators, with 60 school administrators. We are underrepresented with parents and students. But we are excited that this will be a place for additional stakeholders to participate. In year 2 we will see more students and parents represented on these teams.

The 23 predictors – Early on when our project was initiated, we asked what are we supposed to do? This is unprecedented, and we knew we could go in a lot of directions. We knew we needed to align with national perspective. So, our work is around the 23 predictors. It is broken down into 4 sub groups: Student Skills, Career Development, Collaborative Systems, and Policy.

At end of Year 1, we saw positive feedback. Results were very positive. See presentation for quotes.

Bill Bates noted he has a great team. When we look at Career and Technical Education, it combines workplace schools and hands-on curriculum. It can be industry certification, others. We have 16 career clusters, representing 79 career pathways. Each one has programs to complete.

Kids who complete the program have 15% higher graduation rates, nationally. Students with disabilities tend to have an even higher success rate than that.

About a year ago, we had two priorities, to better support students with disabilities and teachers.

KY's CTE Summer program is making extra efforts to support students with disabilities.

Garrard County ATC is presenting next week at the conference on their pilot and its success.

Immersive Virtual Reality (IVR) – it removes barriers for student disabilities. We are currently exploring IVR at the school level. We'll be piloting at 24 ATCs across KY. Students were timid about the technology but are beginning to embrace it. We've begun to have some very successful trials.

Wheatley described going to Shelby County Tuesday, at the ATC, and seeing IVR being used for electrical work on a wind turbine (virtually). Students might not have access to this device in real life locally at their school, so this opportunity gives them an opportunity to explore it in IVR.

Our focus is offering more opportunities for students with disabilities. If a student is not ready to engage in that activity, they can practice and promote the skills in IVR.

The CTE summer program has been successful because of the collaboration between OSEEL and the Office of Career and Technical Assistance. We're seeing that collaboration at the local level too.

Lynn Petrey was not available today, but he has championed the most creative initiative we could dream up. United We Learn Purpose in Action – that's the name. Focused on community aspect, a space where everybody can be successful. Parker is a manufacturer in Lexington participates, they make things like 'O-rings' for spacecraft. Berea Makerspace is a community space they may not have the tools or materials to make at home. These two entities collaborated to make a space for them to work at the Parker. The teams from these two groups competed against each other to make a model for manufacturing that would be for individuals with disabilities. When we make environments and things accessible, it really benefits everybody.

Wheatley talked about the Powered by Inclusion Scholarship Program. Almost \$1 million has been awarded to students with an Individual Education Plan (IEP) who were going on to some type of post-secondary or training programs. It was an unorthodox scholarship opportunity. There was a lot of excitement locally. 2023 we had 306 students who earned the \$2,500 scholarships. First year were 87 students.

### **Questions:**

Traci Brewer said that this sounds like phenomenal work. Are there any statistics in the 1% population?

Wheatley replied that yes, we are focused on the entire population of students served with IEPs. None of our initiatives, to date, focus on the 1%. But we are not excluding them.

Stumbo asked how districts were selected? Looks like there weren't a lot of large population counties.

Wheatley replied that a lot of district partners have come at the request of districts themselves. I know Bill has done some work in Jefferson County. There hasn't been an avoidance of larger counties, but maybe it's just that they haven't requested our help yet.

Dr. East asked about the selection process.

Wheatley said there were different processes for each initiative. Some were chosen by their local leadership, others by teachers themselves.

David Bradley sat in at the presentation at previous conference. Can you talk about the transition aspect of the Garrard County program?

Bill Bates replied that Garrard County is extremely important – the partnerships we have are critical for typical and special education students. Garrard County is a perfect example of working with companies in the region and schools. They are aligning the CTE programming to line up with what local industries need.

David Bradley noted that the success rate of these programs is amazing.

Dr. East asked about stakeholder engagement, noting that SAPEC represents those various entities that are stakeholders. How can we be a piece of the puzzle? How can we help? Maybe think about it and come back to us at the next meeting.

**Feedback: n/a**

**Follow-up Required: n/a**

*10-minute break – report back at 10:55 a.m.*

**Agenda Item:** Comprehensive Coordinated Early Intervening Services (CCEIS) Presentation

**Presenter:** Jarrod Slone, OSEEL, Exceptional Child Consultant

**Summary of Discussion:**

Slone started with saying this is a complex item, but he will do my best to share this with you. We must bring it to you once a year.

Significant Disproportionality is just one indicator of inequity. We look at racial groups that are identified for special ed, placed in a more restrictive settings, or disciplined at markedly higher rates than their peers.

Chris Thacker assists with this, as well as others. We look at identification, placement, and behavior. We look at 7 categories in identification child with disability first, then six specific ones (see list in presentation). A district can be found to be disproportionate in one or more areas.

Slone covered the specifics of how and when a school can be shown to have disproportionality.

In 2018 this issue was further defined to align with federal rules.

Slone went deep into the weeds how the disproportionality is calculated for each school in Kentucky.

Comprehensive Coordinated Early Intervening Services (CCEIS)– when a district is found to be deficient in this measure, they must set aside exactly 15% of their IDEA funding for Part B and Preschool, to address ‘why’ they are showing disproportionality. Children ages 3-12 may receive services from these funds.

Kentucky has a robust process for addressing the root analysis. They start with onboarding, then planning, and finally implementation. See presentation for data and explanation.

Slone shared examples of various categories and examples of districts and how non-white students are shown to be more likely for removal from the classroom.

Data shows that 3 districts account for over 75% of the total removals of black students with disabilities. One of those districts is new, another is in its second year. But there are hopeful signs with leadership and efforts at these three districts.

Voluntary CEIS is a voluntary effort. Districts can use their own funds to work on this issue, but they can only use that for non-special education students. We have 3 districts in the current year to be in the Voluntary CEIS districts.

Total Removal is the definition we use. It is anything that removes the student from the least restrictive environment. Any time a student is removed from LRE, that counts as an instance of removal. This is the only category that counts something other than the student themselves.

Stumbo asked if this is ever split up by sex?

Slone said no. We work with the districts to learn how to break the data down if they need to drill down into that.

Stumbo asked do you look at what happens after this? 15% is a lot of money to require them to set aside.

Slone replied we are required to track these students for the next three years.

Dr. East asked does OHI cover other disabilities that aren't factored into the other categories? How are the ones listed picked?

Slone replied that it goes back to the training. What is truly an "OHI (Other Health Impairment)" student? What are they looking at to make those determinations. Is it a proper identification? Are you looking at eligibility fully to decide? What we will find a lot of times, there will be miscommunication or misunderstanding, or a lack of guidance or knowledge on what these are.

Dr. East followed up that you don't have visual impairment or hearing impairment on there. Not to say they don't have behavioral issues.

Dr. East said, I wonder about the teachers. As a parent of a student of color, I want to know if those students see teachers who look like them. What effect is that going to have? My daughter didn't have a person of color in a teaching position until she was in high school. I think as we investigate those factors, it can be a recruiting tool – if we recognize it and address it, it can help address the issue.

Slone replied that some of the larger districts have an Equity office, and they are part of the leadership team meant to address these issues.

**Feedback: n/a**

**Follow-up Required: n/a**

**Agenda Item: IDEA Fiscal Update**

**Presenter: Jonathan Compton, IDEA Fiscal Liasson, OSEEL**

**Summary of Discussion:**

Compton provided a brief overview of our IDEA Fiscal Monitoring program. We have developed a process. There are 171 districts that are subject to this monitoring for IDEA, and with our process, we will go to all districts in KY to have them receive this monitoring. We began in spring 2021 with 5 pilot districts. We ironed out issues at that level in first year. Each year since then we have improved upon our process. We are just now finishing up our second full year cycle.

We provide a comprehensive manual for schools. We also developed a risk assessment tool. It looks at a variety of categories (single audits, percent of students with disabilities, amount of federal funds for IDEA, etc.). We select about 15 districts each year to be monitored.

But this is different than programmatic monitoring – every district will eventually get the fiscal monitoring.

We identify a liaison—usually the finance director, director of special education. Begins with an interview, followed up by extensive interviews. We look at staff data, contract data. We then enter a Maintenance of Effort (MOE) exceptions and adjustments. That is a big piece of the support we give to our districts. Gist is that a district must spend at least as much of their funds in the current year as they did during the highest previous year. It ends with an exit conference once all the other elements have taken place. This includes the finance and special education director, and typically the superintendent as well.

Office of Special Education Programs (OSEP) mandates that monitoring must be done on a rotating cycle.

When we select our districts for this fall, we have an ‘entrance conference’ to open the door to giving them as much detail as possible on what to expect.

Our team has 5 employees, including Compton, and it includes decades of experience, from the KDE side as well as being former staff at the district level.

### **Questions:**

Clark asked about Support Education Excellence in Kentucky (SEEK) funding: When a county has increased revenue, SEEK decreases. Does MOE ever take that into consideration?

Compton replied that as far as MOE goes, you have a threshold you must meet every year. If you spend \$5 million out of their general fund to support students with disabilities, and a report is pulled at KDE. We populate them into a spreadsheet; each year they must meet at least that threshold. General fund is classified as state and local funds.

**Feedback: n/a**

**Follow-up Required: n/a**

Dr. East noted we will be handling Committee meetings differently since we are in a hybrid capacity at this time.

Motion to recess until 1:00 p.m. by Bradley, seconded by Ward. Motion carried without objection.



**Agenda Item:** Committee Meetings

**Presenter:** Chair East

**Summary of Discussion:**

Dr. East explained that we would be holding these meetings in sequence for 20 minutes each. Notes would be taken by a committee member and shared with the full panel later. These reports will become part of the minutes.

Transition Committee

Parent Involvement Committee

*Traci Brewer made motion for SAPEC to participate in fall conference in the General Session, a breakout session, and at an exhibitor's table. Second by Carothers. Motion carries without objection.*

\*(Conference is at the Galt House, Week before Thanksgiving, Sunday – Tuesday, Nov. 19<sup>th</sup> - 21<sup>st</sup>). Monday and Tuesday are the main days.

Supervision and Legislative Committee

Danny Slaton gave the report. The last discussion was over legislation that was being considered during the 2023 session, especially proposals that would enhance discipline options for schools related to tobacco. We expressed concerns that these would disproportionately affect students with disabilities. The Committee is ready to comment or to advise KDE on any regulations forthcoming as new laws take effect.

Free Appropriate Public Education (FAPE) Committee

Communications Committee

Stakeholder Engagement Committee

Ad Hoc Committee

David Bradley mentioned that the ad hoc Committee was something he discussed at the last meeting. Not sure it has really been formally established. Dr. East mentioned she will touch base with Brian Lovell to find out more details.

## **Final Remarks and Exit Slip Reminder**

Joe McCowan introduced Misty Green. She has shadowed him for a few weeks. He started facilitating the panel about 7 years ago. He apologized for the roughness of the pandemic. September 1<sup>st</sup> he will retire. Misty Green will facilitate the panel going forward.

Next meeting is October 19, 2023.

Motion to adjourn by Clark, seconded by Bolander. Motion carried without objection at 2:15 p.m.

Adjournment at 2:15 p.m.