

Utah Special Education Advisory Panel (USEAP)
Minutes
February 28, 2018

Present: Jeff Ojeda, Amanda Powell, Emma Borrmann, Aimee Langone, Christina Guevara, Michelle Sanchez, Allyson White, Karen Lancaster, Karen Conder, Karla Stirling, Emily Nordfelt, Leah Voorhies, Mallory Poole, Janell Locke, Maggie Crockett, Tanya Albornoz, Kathy Chisholm, Amy Nicholson, Melissa Bowe, Summer Gunn

Guests: Erin Hough, Michelle Murphey, Angie Stallings, Mary-Martha Ostler, Kathy Self

Excused: Jennifer Howell, Nicole Howell, Amanda Longwell, Natalie Hilbig, Teryl Young, Rebecca Peterson, Rebecca Smith, Deanne Shields, Christy Johnson

Absent: Sundie Goulding, Julia Hood, Kathryn McKenzie, Suzanna Crowe

Welcome and Introductions: Mallory Poole, Chair, welcomed everyone and thanked them for coming.

Public comment: Mallory asked for public comment. No one had any to share.

Disability Law Center – Erin Hough

- Laura Henry is the new supervisor of the education team since LauraLee Gillespie left to work for USBE. As the Associate Legal Director, Laura also supervises employment and community integration.
- Mark Adamson is a new attorney hired on a six-month fellowship. He is very interested in SpEd law.
- The DLC is looking at hiring another full-time attorney for education.
- They are working toward being more flexible in looking at all options when a new case is received. A legal clinic with an attorney present will always happen to review all possible resolution avenues for each case. They currently have 232 open cases. At the same time last year, they had 200.
- Guardianship case -- Want anyone who might be under guardianship to have counsel from an attorney during the process.
- Client assist program (CAP) reaching out to transition programs and works with voc rehab to help solve problems.

Juvenile Justice Services – Michelle Sanchez

- The Wasatch Youth Center is a secure care center being closed by the criminal justice appropriation committee. Right now, they're trying to figure out where to put kids and how many jobs can be saved. They have approximately 28 kids at this facility.

Legal Coalition for People with Disabilities – Mallory Poole

- No updates.

Part C Early Intervention and Preschool – Melissa Bowe

- Garfield, South Sanpete, and Wasatch districts reported at the mid-year celebration for the RP² program. Parent engagement has increased in their programs due to RP². They are all high-quality programs.

- The Early Childhood Core Standards are being revised and are currently with the writing committee. When the writing committee is done, the standards will be put before the Board, then out for public comment.
- *Summer Gunn: What is the timeline on the revision?*
 - Melissa Bowe: A couple more months. The writing committee meets monthly.

PTA – Karen Conder

- The Utah PTA resolution on high expectations for students with disabilities was submitted to the national PTA in November. It passed the national resolution committee and the government affairs committee. It just needs to pass the Board who meets in March, then it will go to the national convention in New Orleans in June for members to vote. The national committee was excited about the pieces that aren't in other resolutions, like training for gen ed teachers. The Utah resolution is public, so feel free to pass it on to whomever you think would benefit.

Vocational Rehabilitation – Aimee Langone

- We still have a wait list, but it is very tiny. The MSD and SD groups are not waiting for services. We are working closely with Lavinia Gripenrog at USBE to spread the word about pre-ets and provide training. We also recently made updates to the state plan.

Division of Child and Family Services – Tanya Albornoz

- We have a new director, so things are in a bit of a flux. We're working on figuring out our priorities, trying to keep kids in the home, and working on ways to help kids build their capacity to help them return home if possible.

Utah Parent Center – Michelle Murphey

- We are in full swing with lots of workshops. Attendance has been better at online webinars and other online workshops. Facebook live got great participation. Online book studies had over 100 sign up for each session. Average 20 participants in person. Working on planning more online workshops. Working with Granite to do a training on behavior. Another one on why it's important for parents to talk to kids about their disabilities. Facebook Live for both. Survey going out about Family Links activities to find out what parents want – format and topics.

USBE Updates – Leah Voorhies

- In an effort to increase teacher recruitment and retention, Leah is part of a multi-agency committee that includes, a couple of university special education deans, and the vice president of the Board of Regents to increase opportunities for individuals in Utah to become teachers and be prepared once they're actually in the university.
 - In Utah, there are general education requirements that must be completed before one can complete degree requirements. In other countries, the general education requirements are completed in high school. The committee is going to the University of Turku in Finland in April to learn how they do teacher prep.
 - Gen ed teachers in Utah are generally not prepared for students from underserved populations (ELLs, students of color, poverty students, etc.). Research shows that special education students do better in the general education setting, but gen ed

- teachers are not prepared to work with them, so there is an ongoing battle. Therefore, the committee is also looking at ways to provide more training to gen ed teachers for struggling students.
- Another issue is time. Requiring more education/training does not benefit educators financially. They can never recoup the cost. Educators are not paid enough to make up for the advanced education.
 - Paperwork is also a big issue.
 - A member of the legislature sponsored a bill to require all teachers that leave to fill out an exit survey.
 - There is not enough time in teacher prep programs to teach teachers everything they need to know. Teachers are going into classrooms unprepared.
 - Utah Education Policy Center Survey
 - This is the policy center's third study on teacher retention and recruitment in Utah. The first two studies were analyses of data. For this study, they sent out 22,000 surveys and received up to 2,500 responses, depending on the question.
 - Turnover rates were highest among young teachers.
 - *Kathy Chisholm: One of the comments I hear often is "I didn't know this was what I was going to have to do." I have a hard time understanding how they didn't know. It really confuses me.*
 - *Emma Borrmann: A little insight to that. When you're in a teacher prep program, you're thinking you're going to be getting supports in place. You don't have 32 kids in your class, you have enough desks, you have enough books, you have a BHA. You expect to have all the legally required elements, but if your school doesn't have enough money to hire aides, etc., it can come as a shock. Those were things I didn't take into account when I was in my teacher prep program. Maybe that's what people meant by that.*
 - *Leah Voorhies: I hear that a lot as well, especially about behavior and math. The level of aggressive behavior we're seeing is higher than it's ever been, and professors have not been in classrooms recently to be able to see that. The amount of prep that's required does not currently exist in IHE programs. Teachers are not fully prepared.*
 - Special education teachers had higher moving rates than any other teachers, but they didn't leave at a higher rate.
 - Schools that have students with more diverse needs have higher turnover rates.
 - Teachers that move within LEAs move to schools that have higher achievement rates and students with less diverse needs. Teachers that are struggling leave students that are struggling.
 - A statistically significant number of teachers reported leaving to follow the principal who left, because they really liked the principal.
 - Twelve percent of teachers left the system.
 - Younger teachers had the highest moving rates. This speaks to Emma's comment about the classroom not meeting expectations.
 - *Summer Gunn: I work in a teacher prep program and we talk about this constantly. We have some constraints that don't allow us to provide that peer*

experience in the classroom. We do try to talk to the students about it to make them aware, but they will still always have that jump.

- *Leah Voorhies: It is pretty obvious from this data that we have to do something differently and we have to do it immediately.*
- Thirty-one percent of teachers in charter schools moved or left.
- Twenty-three percent of teachers in Title I schools moved or left.
- The most common reason reported for leaving was lack of support.
- Desire to make a worthwhile difference in the lives of children was the most influential reason for becoming a teacher. Participation in early career program during high school years had no influence.
- Desire to make a difference was the most influential reason to stay. Lack of other available job opportunities was not a reason to stay. Fifth most influential reason to stay was relationship with peers and colleagues.
- Satisfaction was most influenced by colleagues and working relationships. Reform measures was the least influential factor.
- Emotional exhaustion/burnout was most influential personal reason for leaving.
 - *Kathy Chisholm: Have the results of this study been shared with superintendents?*
 - Leah Voorhies: I believe Patty Norman gave a summary at a superintendent meeting a couple of months ago.
 - *Summer Gunn: What was in the “other” category for personal reasons for leaving?*
 - Leah Voorhies: We don’t know right now, so we are hoping to follow-up.
 - *Tanya Albornoz: Has this been shared with the legislature?*
 - Leah Voorhies: Yes; there was an entire study session about it.
- SPDG/MTSS
 - Five goals:
 1. Sustain and scale existing MTSS implementation efforts in LEAs receiving intensive supports under the current SPDG project.
 2. Increase LEA capacity for MTSS in implementation in new LEAs through a differentiated coaching model.
 3. Develop a preservice to inservice continuum of educator development that reflects a common language and understanding of MTSS across USBE staff and state-level partners.
 4. Align MTSS implementation efforts at the state level through innovative cross-departmental teaming models.
 5. Build the capacity of personnel, including spec educators, general educators, and paraeducators to integrate academic and behavioral supports within an MTSS framework at the school level.
 - *Erin Hough: What was the amount of the previous grant?*
 - Leah Voorhies: \$800,000 annually.
 - *Erin Hough: Are LEAs more interested due to changes in SLD?*
 - Leah Voorhies: I have not had that feedback.
 - *Michelle Murphey: How many more LEAs can apply in addition to the original 16?*

- Leah Voorhies: This can support up to 10 more. If more apply, and they have good solid applications, we will figure something out.
- *Michelle Murphey: Will CEEDAR be continuing under this grant?*
 - Leah Voorhies: The University of Florida only got the grant a couple of months ago and they haven't made any decisions yet. I will be on a call at 1:00 to find out what CEEDAR is planning to do.

Utah Independent Living Center (UILC) Services – Kathy Self, Youth Transition Specialist

- The UILC is a private, non-profit, non-residential facility that serves Salt Lake, Summit, and Tooele counties.
- 5 core services
 1. Information and referral
 2. Independent living skills
 3. Advocacy
 4. Peer support
 5. Transition
 - Information and referral – disability specific resources; housing; food; caregiver resources; home, vehicle modification assistance.
 - Independent living (IL) skills – provide skills training to enhance the independence of people with disabilities; skills training can be in a group setting or one-on-one; must be at least 18 to attend classes and they are free of charge.
 - Advocacy – individual advocacy; community advocacy.
 - Peer support – Federal mandate that 51% of staff and board members have a disability; one-on-one peer support; mixed disability support group – a place to discuss issues with those that have “been there, done that.”
 - Transition
 - Nursing home transition and diversion – provide services and networking; connect with other state resources.
 - Youth transition – assist students with disabilities ages 14-22 to gain independent living skills for successful transition from high school to community participation; teach IL skills in the high school setting; summer program.
- Deaf independent living expansion program – assist deaf individuals to learn IL skills.
- Traumatic brain injury (TBI) resource facilitation – help access community resources.
- Community integration – outings to various places throughout the year; summer adult camp trip; bowling every week; annual picnic; holiday parties; fishing; home arts.
- Equipment loan bank – equipment can be borrowed for up to three months (can extend up to an additional three), free of charge; not just for people who have had a lifelong disability.
- Assistive technology (AT) program – provides funding to purchase AT to increase independence of people with disabilities; income restrictions apply. Legislature determines funding across all 6 IL centers across the state.
- For more information about the summer program, contact [Jan Bigelow](mailto:jbigelow@uilc.org) (jbigelow@uilc.org, 801-466-5565 ext. 209), the Independent Living and Outreach Coordinator.

- Summer Program
 - Two programs offered every year.
 - One program is Mondays, Wednesdays, and Fridays from 9:00 AM – 2:00 PM for seven weeks. The cost is \$75, but UILC will scholarship anyone who can't afford it.
 - On Mondays, they go out in the community. On Wednesdays, they do activities at the center, and on Fridays, they cook.
 - The other is a two-day/week empowerment and transition academy for students who anticipate being employed in the next six months. The suggested donation for this program is \$40.
 - *Janell Locke: These summer programs, they're available for youth or are they for adults?*
 - Kathy Self: They're for ages 16-21.
 - *Janelle Locke: And they're in Salt Lake? Do they have any programs like that in Tooele?*
 - Kathy Self: Yes, they run our three-day program two days a week.

University of Utah Tanner Dance Program – Mary-Martha Ostler

- Elevate Theater Company – meets every Saturday morning; 25 actors/actresses with disabilities plus 17 volunteers; ages 15+; May 5th they will perform.
- LEAD – meets Thursday afternoons; curriculum program; dance class, music class, art class; for ages 18+.

Approval of Minutes from November 15, 2017

- *Janell Locke: There's a typo on the first page down at the bottom under eligibility, it says "exits," but I think it's supposed to be "exists." Then on page eight, under graduation options for students with disabilities, on the second line where it's talking about the alternate diploma, it says "a" career development..., but I think it's supposed to be "and" because they are two different things.*
- *Karen Conder: On page five, where Leah asked who submitted the dyslexia resolution, Carrie Atkinson is spelled Karee.*
 - Emma Borrmann motioned to accept the minutes with the changes. Michelle Murphey seconded.

USBE Updates – Leah Voorhies

- Annual Performance Report (APR)
 - We submitted our report on February 1st to the Federal Government. We do this annually. It's a required report that holds us accountable for all of the Federal dollars we get in special education.
 - There are 17 indicators and 30 targets within those indicators.
 - All states and territories in America upload their APRs to osep.grads360.org. All the reports are available to the public on this site.
 - In the FFY2015 APR, we met 18 of the 30 targets. In this APR for FFY2016, we only met 15.

- The Federal Government analyzes all the data they receive and then they give us a determination based on if we're meeting the statutory requirements of the IDEA as a state. The determination levels are:
 - Meets Requirements
 - Needs Assistance
 - Needs Substantial Assistance
 - Needs Intervention
- Utah has been in "Needs Assistance" for the past three years. According to the way the law is written, if we are in "Needs Assistance" for six consecutive years, OSEP can apply sanctions (e.g., they hold funds, they decrease funds, and/or they require us to use funds in a very specific way).
 - *Michelle Murphey: Would the fact that there was a decrease be enough to cause us to drop down to the next category?*
 - Leah Voorhies: It could, though from looking at other states' data and talking to other states, I anticipate we will stay at needs assistance.
- *Janell Locke: Why does graduation say "no slippage" if the percentage increased?*
 - Leah Voorhies: We didn't actually meet target, so according to OSEP, we didn't actually make "progress."
- *Summer Gunn: What's the overall opt-out rate?*
 - Leah Voorhies: The general ed participation rate is 94%. SpEd is 91.5%.
- *Karen Conder: Do you think that if parents knew the implications to funding when they opt-out, more would not opt out?*
 - Leah Voorhies: Maybe for some, but it hasn't changed the legislature view.
- *Michelle Murphey: As a parent, I find some of these targets disturbing because the expectations are so low.*
 - Leah Voorhies: We are making progress, we just started sooo low.
- *Emma Borrmann: We will be moving to a proficiency-based grading system next year in the elementary program. Every student will have the right to keep trying until they reach proficiency.*
- *Janell Locke: This assessment proficiency is just on the SAGE, correct?*
 - Leah Voorhies: No, it includes DLM as well.
- *Janell Locke: How do you determine proficiency when the DLM is so many different levels?*
 - Leah Voorhies: DLM is percentage-scored so it can be "translated" in to the SAGE scores.
- Indicator 8 is very concerning. This is where USEAP may want to have some discussion and consideration. Indicator 8 is parent input.
 - For many years, we have been doing a parent survey. We survey a sample of parents of SWD in the five biggest LEAs every year. Half of the remaining LEAs are surveyed one year and the other half the next year. This continues back and forth every year. In medium LEAs, we run a random number generator to pull a sample of parents to survey, while in small LEAs, every parent may get a survey.
 - Last year, we surveyed the five biggest LEAs and half the remaining LEAs. This year, we surveyed the five biggest LEAs and the other half of the remaining LEAs

and our scores went down. This indicator is an integral part of IDEA and is so important, OSEP could drop our determination simply based on this one area of slippage.

- Sheryl Ellsworth is now spending 50% of her time helping us increase parent engagement and participation.
 - *Michelle Murphey: Were you able to identify any characteristic differences between the LEAs surveyed last year and the ones surveyed this year?*
 - Leah Voorhies: No. We separated the medium and small LEAs to be as statistically close as possible, so we were surprised by the results from this year's survey.
 - *Janell Locke: Despite making them as close as you can, since Title I is at the school level and not the district level, it's possible the surveys went to more Title I schools the second year.*
 - Leah Voorhies: That is possible.
 - *Allyson White: Did we look at the questions that were asked in the parent survey? Some parents may interpret some of the questions differently.*
 - Leah Voorhies: We did a statistical analysis to validate the questions and we did it across multiple states.
 - *Michelle Murphey: Did you notice any big differences between the five big LEAs that were surveyed both years?*
 - Leah Voorhies: No.
- Indicator 13 is transition plans. This is also something Utah needs to work on. We have a 100% compliance requirement and yet again, we did not meet it. We went down a little bit. We have gone down a little bit each of the past few years. We talk about this nonstop and it's getting worse. This is actually something we can fix! Bringing just this indicator to target alone could help bump us back to "Meets Requirements." This is something that, as a panel, you could also discuss.
- *Janell Locke: If OSEP drops us a level, that's not the sanctions level is it?*
 - Leah Voorhies: Yes it is.
- *Janell Locke: So we could drop based on these slippages?*
 - Leah Voorhies: Yes.
- *Janell Locke: Yikes!*
- *Michelle Murphey: Once we meet targets, when do the targets increase?*
 - Leah Voorhies: They increase every year.
- *Karen Conder: The targets we don't meet, those don't go up do they?*
 - Leah Voorhies: Yes, all targets go up every year.
- *Christina Guevara: The transition institute could be a way to directly emphasize the importance of the checklist of transition plans and help them set up their systems to make sure it happens.*
 - Leah Voorhies: Good point. Thank you.
- *Karen Lancaster: I interpret what my school says as them suggesting my SWD drop out. So, I didn't know if that helped their numbers and funding improve.*
 - Leah Voorhies: No, it doesn't. We have had previously proficient students opt-out and that drops all of us.

Legislative Update – Angie Stallings

- You can track bills and request email notifications from the [Utah Legislature's](http://www.le.utah.gov) website (www.le.utah.gov).
- The Public Education Appropriations Subcommittee has submitted recommendations on USBE budget priorities to the Executive Appropriations Committee. To find out if they follow the Subcommittee's recommendations, subscribe to the Executive Appropriations Committee page to be notified when a meeting agenda gets posted.
- The Subcommittee has recommended a Weighted Pupil Unit (WPU) 3% increase and to fully fund growth.
- The recommendation table looks as though the Subcommittee is actually recommending a 5.5% increase to the WPU. However, it's an increase to funding, in general. So, it's a 3% WPU increase, fully funding growth, and then what would be equivalent to 1% on the WPU would be distributed in an equalized fashion to the property taxing ability that districts have. In essence, this Subcommittee is recommending a 4% increase to the WPU, with 1% being distributed more to poorer districts and less to richer districts.
- *Erin Hough: The percent increase that would be distributed to poorer districts, would that go mostly to charter schools?*
 - Angie Stallings: No, it's based on districts' property tax worth. Charter schools will see money from this, but it will be on a two-year lag.
- HB 317 – Special Education Amendments. We estimate about 100 students would qualify for the extension of FAPE through the end of the school year. The Executive Appropriations Committee will have to include this on their agenda because it has a fiscal impact due to LEAs counting the students for services.
- SB 158 – Carson Smith Scholarship has been added to the consent calendar. This bill is for clarification on wording, request written disclosures, and Cheryl Smith wants funding to go to a second day of preschool if there's money left at the end of the lottery.
- *Michelle Murphey: Is there anything in this bill about special education services and IDEA, like proportionate share, etc.?*
 - Angie Stallings: No. When a student accepts the scholarship, all rights to FAPE, etc. are waived.
- *Karen Conder: Is there anything in this bill that talks about requirements to be eligible to apply for that scholarship?*
 - Angie Stallings: They remain the same as always.
- 1st Sub HB 233 – Teacher Salary Supplement. This is to add SpEd teachers to receive the \$4,100 stipend like math and science teachers. The House is very supportive of it. It may have a chance this year.
- 1st Sub HB 235 – Family School Partnership. This would give money to LEAs to give stipends to teachers to do home visits. It died in the House. It will not pass this year. Through Board rule, it may be possible to use Trust Lands money to do this.
- HB 264 – Elementary School Counselor Program. This is a grant to fund 28 elementary school counselors. The priority is to poverty schools. There is also money for training in trauma-informed practice for teachers and administrators.

- 3rd Sub HB 132 – Juvenile Justice Services Modifications. This could direct low-level offenses to detention or court if the student doesn't participate in the school's alternate intervention.
- 2nd Sub HB 164 – Early Learning Task Force. Dead.
- 1st Sub HB 286 – Reproductive Education Amendments. Include education on the harmful effects of pornography and refusal skills in health classes. This has passed the House committee and is on the House floor.
- HB 289 – Teacher Exit Survey. This has passed out of the Senate Committee and is on the Senate Board. USBE would authorize a survey and LEAs would file results with the State.
- 1st Sub HB 100 – Medically Complex Children with Disabilities Waiver Program. This was a pilot program that was Federally funded. To extend from a pilot phase to an ongoing phase, it has about a \$2.2 million fiscal note. The legislator running the bill wanted Education to cover some of that cost. That is no longer the case and no one seems to be interested anymore.
- SB 16 – Proposal to the amend state constitution to remove the Board of Education and have public education run under the direction of a superintendent. This would have to pass 2/3 of both the House and Senate and pass voters by 50%.
- *Michelle Murphey: What about bill that would give the Governor power to remove Board of Regents members at his discretion?*
 - Angie Stallings: The Governor does currently appoint members of the Board of Regents and does have power to remove them. We haven't been tracking this bill because it's related to higher ed.

Teacher Preparation, Competencies Needed – Kim Fratto and Becky Unker

- Competencies
 - Classroom management, content knowledge, personal skills, legal requirements, mental health and disability knowledge, behavior management, data collection.
- District priorities
 - Fully staffed, special ed knowledge, license, supports, some felt that districts more just want a warm body.
- Training needed for new teachers
 - Content knowledge, classroom management, behavior management, curriculum training, time to learn and collaborate, work with parents, work with trauma informed care, special ed inclusion, IEP 101, work with struggling students and provide resources, individualized mentoring throughout the year, cultural awareness, tiered systems.
- Barriers, incentives for new teachers
 - Low wages, lack of class management supports, paperwork loads, class sizes, caseload, challenging behavior, need for coach and mentor.
 - Job being awarding, collaborative work environment, acceptance as part of the school community and being respected.
- Supports for secondary and elementary ELA teachers

- Collaboration and co-teaching, planning and prep time, admin support, quality curriculum, materials with multimedia access, AT to provide better access to gen ed curriculum, leveled instruction.
- Supports for secondary and elementary math teachers
 - Training on teaching strategies, behavior supports, training aids, BCBA supports, using tech in the classroom – deliver lessons and AT, differentiative instruction, curriculum modifications, content knowledge so students receive high quality instruction.

Communication and Coordination of Services from Location to Location – Kim Fratto

- What are some ideas to help families when they move locations or what have you done?
 - *Christina Guevara: Help parents understand the benefits of revealing all details about their children.*
 - *Janell Locke: One thing I've done is take a copy of the IEP to the new location since it can be difficult to get records. I also tried to meet with the teacher before school started. I would take my son to the new school, so he could familiarize himself with it.*
 - *Michelle Murphey: The way parents talk about transitions can really affect the children; taking them to positive events like plays, tours, contact transportation beforehand if necessary, introduce yourself to the teachers beforehand, check with school counselor to make sure all classes are correct, walk them through potentially stressful situations, start working with your kid early and be creative about meeting their needs*
 - *Karla Stirling: Time can be a barrier, especially if they find out about the location change late; some parents may not have the opportunity to visit the school and/or meet the teachers; some schools/administrators are less receptive to pro-active parents – perhaps the sending institution could give the receiving institution a heads up to help with the transition.*
 - *Michelle Murphey: The UPC provides training on these types of transitions and how to talk to the schools.*
 - *Amy Nicholson: If there aren't specific protocols, parents sometimes feel like the decisions are subjective. If there are district protocols, it may not always be shared with the parents.*
 - *Karla Stirling: Even if parents know the right questions, if there's no official protocol, administration may be less than cooperative.*
 - Kim Fratto: If administration is hesitant to allow new students to visit, parents can call the special ed director at the district.

Adjournment

- Karen Conder motioned to adjourn.
- Janell Locke seconded.