

State Advisory Committee (SAC) for Children with Disabilities
Advising the New Hampshire Department Education per RSA 186-C:3-b

May 4, 2022
4:30pm – 7:00pm
Meeting Minutes

Event Center 25 Hall Street, Second Floor, Concord, NH

In Attendance:

Representative Cordelli, Representative Mullen, Senator Kahn, Alicia Houston, Alyson Eberhardt, Carin Daddino-Rogers, Christina Dotson, Chris O'Reilly, Dale Boyle, Ester Kennedy, Greg Magoon, Janet Reed, Jennifer Blagriff, Joanne Grobecker, Joe Costanzo, Kara Buxton, Karen Rosenberg, Kari Grimes, Kathleen Talbot, Lance Paquette, Marissa Chan, Michelle Lewis, Moira Ryan, Rebecca Fredette, and Tracy Walbridge

Absent:

Becky Owen, Leah Lucier-Pike, and Melissa McKeon

Guests:

Bonnie Dunham, Karen Stokes, Darlene Gildersleeve, Marilyn Muller, Maureen Tracey, Jennifer Pike. Brenda, Brittany Davis-Schaffer, and Colleen Blanchard, Bridget Pare and Penny Duffy were assisting with the meeting.

Welcome:

Rebecca Fredette started the meeting at 4:45 and gave a welcome to the committee and guests. She explained that she will lead the meeting as there currently is no chairperson. All members were asked to introduce themselves and state their role on the State Advisory Committee.

Public Comment:

Darlene Gildersleeve, Parent Advocate and has 2 children with extremely disappointing experiences on their IEPs. She is a member of a "Mom Group" that was behind getting SB 381 passed today. With the passage of SB 381 today it creates an Office of the Special Education Advocate which is something that her and other moms were very passionate about because of all the systemic problems they have encountered. Also, today we saw SB 394 pass which extends the special education eligibility to age 22 which is in line with federal legislation. We are seeing heavy push back from districts and having people sign non-disclosure agreements, so we need to get this signed and off the ground as soon as possible. There is also due process lawsuits that have already been filed by some parents that the Department of Education is aware of. There is also HB 1513 that is going to be heard by the full senate which is a sister bill to SB 394 which also extends the special education eligibility up to age 22. So, we need cooperation with the Department of Education in getting this bill passed. Commissioner Edelblut has been fantastic in agreeing to this bill and having Atty. Chris Bond testify. So those are two bills that moms got passed, there was no other agency or anything behind any of those bills, also reading the legislation on the federal level for SAC says that the majority of the board has to be parent lead and the governor has the power to appoint positions. It must be an actual person with a disability or a parent of a child with a disability, so if you count the positions tonight and see how many are parents and how many are people with disabilities and if you have to get more parents you need to speak to the governor about that.

Karen Stokes, a parent of a child with a disability who just graduated with his 20-credit diploma. I am a school board member in Rochester and interested in joining the SAC committee. I believe that positive change is really needed for our students and the only way to do that is to get involved and kind of

work with like minded individuals like all of you. I do have a son with a disability, I am an advocate with the Parent Information Center, I have taken training, I have gone to the leadership series at UNH on disabilities. Also, I work in a school, and I work with kids with disabilities, so I am very vested. I wanted to come tonight to introduce myself and I am hoping I will be able to work with all of you guys, so thank you very much for your time.

Bonnie Dunham, private citizen, and just want to clarify that SB 394 did pass about 45 minutes ago and it was passed as amended. So, it includes the full year in which a student turns 21 up to age 22.

Becky Fredette explained that it is 21 inclusive, the only thing that was amended to that was that they added in language providing funding to school districts to help pay for the extra costs they would incur keeping students on so. We knew that school districts had already done their budgets and so this is something that we brought to the finance committee so that the language is identical in both bills, and it adds money to pay the districts for any costs that they did not expect to incur.

Marilyn Muller wants to say thank you and congratulations to all the mom warriors here in New Hampshire, and what an extraordinary team they are. I was watching the House hearing and I was disappointed to hear that most of the representatives that got up to speak out against SB 381 do not even know the language of the Individuals with Disabilities Education Act. So there seems to be a disconnect between legislators and the people that they are supposed to be representing. My daughter is a victim of child find non-compliance; she was also denied free appropriate, public-funded education. Fortunately, our family was able to pull her out and she has been in a self-funded private school thriving since she was in fourth grade, and she will never go back to the public education system because it is so systemically broken and ableist. It marginalizes children who have average to above average to even twice exceptional learning abilities, but the system does not know how to teach them because we fail our teachers. I encourage all of you to work in collaboration for the benefit of the children, because these children graduate and become either independent contributors or they become dependent on government services and that increases your taxes, quite sure of it. Most kids in the state are functionally illiterate and the numbers are even worse for those students with learning differences with IEPs. Children with learning differences with IEPs probably should be doing the best because they are getting an extra boost in what is supposed to be appropriate education and instruction. The reality is that about 75-95% do not read at any K-12 grade level.

Maureen Tracey, child advocate and have a 26-year-old child that has gone through the system. There are still numerous kids not getting an education, who whether are being restrained and secluded and are on a waitlist for out of district placement, so that really is, I think, top priority as there are kids getting zero education this year. Thank you.

Approval of Minutes: June 2021 – April 2022

Moira Ryan made a motion to post the minutes of previous meetings as notes because there was no quorum. It was seconded by Marissa Chan.

Motion #1- 12 approved, 8 abstentions, 0 opposed. Motion is carried

Legislation Update:

Rebecca Fredette said that we are pretty much up to date on all the legislative updates. The only other two that she can think of is there is legislation, and I am not sure of its status, for money for Co-curricular activities for students with disabilities and providing \$50,000.00 a year to the Department of Education to disperse to school districts that would like to start co-curricular activities. So, anything from a sports team, chess team, to a debate team that is a co-curricular activity and includes children with disabilities. I am not sure where that one is – it is held over to tomorrow.

Then there is one for ensuring that students that are transitioning, if appropriate, are explained or are taught how to register to vote. So that is another one that is in the works.

Then there is another one that passed that school districts are required to provide charter school with prior notice of special education meetings, not just the first meeting every meeting subsequent to that first meeting. The rules did say that they have to be notified of the first one, so then it just says you need to notify them of every one of them.

Karen Rosenberg stated that she believes that HB 1131 passed with both bodies which would prohibit school districts from requiring students or members, like people in the schools to wear facial cover. So, I think that is headed to the governor.

Rebecca Fredette said there is another one that is in DHHS, that I have been asked to testify on, about functional behavior assessment and providing functional behavior assessment for children who are having a mental health crisis and who need to go through an episode of treatment. I am not sure where that one is either.

Next Steps:

This is whatever the committee decides they want to do. We need to discuss the officer positions, there are things that we need to look at on the SAC By-Laws and since the agenda went out, other people have brought up other things about the by-laws. And then we have to see what we want to do for the remainder of the year. There usually is not a meeting in June but it has been decided that one is needed.

There was a motion by Moira Ryan and a second by Ester Kennedy to take a vote to see if there would be a June meeting.

Motion #2 - 21 approved, 0 abstentions, 0 opposed. Motion is carried.

Karen Rosenberg asked if there was just one position that we are looking at and, in the by-laws, it says that once a chair is voted on, the chair chooses the vice chair. The by-laws say that we vote a new chair in June, so are we nominating the chair in June?

Ester Kennedy made a motion that the vote for a chair be at the June meeting with anyone that is interested send a paragraph stating your interest and give a little background on who you are. That was seconded by Karen Rosenberg. Moira asked because we do not have a parent majority that we not vote until we do, It has been amended that we elect a chair in June unless Chris Bond says to table it and that you need to have a parent majority.

Motion #3 - 21 approved, 0 abstentions, 0 opposed. Motion is carried.

Marilyn Muller and Darlene Gildersleeve have both said they would like to be a parent representative for the SAC committee. Rebecca Fredette asked that they put their information in the chat. Karen Stokes has said she sent her information to Jonathan Melanson and the governor.

The next item is reviewing the by-laws process of how a person is voted on SAC because the law states that the governor appoints them and then the by-laws state, they have to go through a process to be appointed. We have been asked to review them because we do not want to prohibit a person from going directly to the governor's office and being appointed to the committee. They can also go through the committee and follow the same process. There was ore discussion regarding the by-laws and a sub-committee formation, and a vote was taken to see if a sub-committee for the by-laws should be formed.

Motion #4 - 18 approved, 0 abstentions, 3 opposed. Motion is carried.

It was decided that the by-laws sub-committee will consist of Kara Buxton, Karen Rosenberg, Moira Ryan, Ester Kennedy, and Janet Reed.

Next, it was asked if we want to address the quorum piece of the by-laws because of the issues there have been, or did we want to leave that to the by-laws committee?

Moira Ryan wanted to know if there was any way that we could put in some type of motion to allow to meet via zoom and have a quorum between in person and zoom?

Becky Fredette responded by saying that you cannot have a quorum between in person and zoom but you can lower your quorum to say there only needs to be eight people in person. Right now, the quorum needs to be 13. Janet Reed said there was a proposal a couple of months ago proposed an amendment to the by-laws so that 20% attendance of the membership of SAC at an in-person meeting will constitute a quorum. A sunset provision in the amendment to the by-laws so that the current quorum requirement of a simple majority of members of SAC attending in person will be restored after there is no longer a community health crisis that impedes members from attending in person.

Ester Kennedy made a motion seconded by Joanne Grobecker to amend the by-laws for a quorum to be 20% of members in person and 51% total in person and on-line and to sunset on December 7, 2022.

Motion #5 – 21 approved, 0 abstentions, 0 opposed. Motion is carried.

Joanne Grobecker asked if in November we could discuss this again and potentially extend this if needed.

There was further discussion regarding who is voting members that are on the committee. Moira Ryan feels that it should be just parents that have the voting rights and Ester Kennedy kindly disagreed but heard her concern and said maybe this is something that can be talked about at the retreat. Moira went on to say that this is the only outlet for parents to speak and advise the commissioner of education. Alicia Houston also said that if other states are only allowing parents to vote on their SAC committees we should look and see how they are doing it functionally because this may be something that we can mirror. As a parent rep. I echo a lot of what Moira is saying. As someone that was appointed directly by the governor, the welcome wagon was not rolled out for me, I think that there is a lot of concern with being a parent and being able to speak up. Maybe not being afraid to speak up but having a voice. It is really finding a voice of what the children need and advising the commissioner on that and if that means that we have to change the way we vote, then I think that is something we at least leave on the table.

Becky Fredette will reach out to TAESE to see what they can offer to the committee regarding trainings or help.

There was also talk about restructuring the meeting and carving time out specifically for parents to be able to talk about their concerns, etc. Also, anything you feel that needs to be discussed by the by-law committee be sent to Mary Ellen to be forwarded on to the committee members. It was suggested that the by-law committee work by section and if there is a section that has substantial change that we meet about it. Perhaps we could come up with one proposal and have alternative proposals and then we bring that section to the group, especially if we are talking about the restructuring idea. Because we have a limited window for when we meet, we could focus the meeting on whatever the topic is, come up with some recommendations or alternatives and then present for discussion. This would be a way to move forward and be inclusive.

What does the committee want to do for the rest of the year?

There was a motion made by Ester Kennedy and seconded by Moira Ryan to not have meetings in July or August and have a full day retreat at the end of August or beginning of September. The subcommittees will have work sessions in July and August that will not be official meetings.

Motion #6 – 20 approved, 1 abstention, 0 opposed. Motion is carried.

Becky Fredette asked for a blurb from each sub-committee about what you would like people to know what you are working on, and we will share that with everybody so that all the new members have an idea of what you are working on. If you also want to give me dates that you would like to meet, I can find rooms for you to use. If you want to send that information Mary Ellen or myself, we can compile it all and send it out to all the members and they will have it all to decide if this is something that want to go to.

Sub-committee updates:

Dispute Resolution: We had someone that was going to go into the DOE to give feedback on the website issues and that person is not part of our committee anymore. We have come up with some ideas that we are going to vote on as a committee and then bring them forward to the larger committee. That is our next step at our next meeting.

Reading Proficiency: We were talking about a lot of ideas and are thinking about coming up with a letter to send to the commissioner about our ideas for improving reading for the state and then coming to the full committee for approval. But interestingly, the state is doing a lot of cool stuff and some of the stuff that we were going to recommend is happening. Becky Fredette was asked if she could get someone from the state to come and talk about the reading into literacy and the three RFPs at the SAC meeting. This will better inform the reading subcommittee of what we could do to help her if we have any other ideas. Becky said yes and added that her office is looking at redoing SSIP, which is the State Systemic Improvement Plan, and looking to focus on reading as well, so I will give them your names to reach out for stakeholder input.

Parent Engagement: Alicia Houston said there are no updates right now.

Old Business -New Business & Announcements:

Ester Kennedy brought forward the educator shortage and filling positions and the shortage is out of control. It is everything across the board, schools that pay well and take good care of the players are getting hit now. I do not know what this group is going to do but we are not going to do anything in our schools if we cannot get people to work with our children, so personally I think this is huge. Jobs that used to have 50-60 apply now have three and none certify. I do not know what we are going to do but it is at crisis stage. Janet Reed agreed with Ester, saying that she is part of the principal's association and they put together a spreadsheet and she was blown away with the number of openings not only with special ed positions but also regular positions. I am fearful for what next year is going to look like. Ester said that anyone 55 is leaving and administration in my position in the Lakes Region 10 have left in the last two weeks. So, if we want to do anything to support your children's schools, we must have people to do that and we have to get on that sooner rather than later. Dale Boyle said from the position of higher ed we are not getting students wanting to be teachers, it is way down across the board to all the institutions. Ester said that she does not know what we can do as a committee, but we are not able to move forward unless we can get people to be there to support your children.

Becky Fredette said that we are researching and are working on this, we must reapply for our State Professional Development Grant, but the focus for us is going to be teacher recruitment, retention, and training. We will be following some of those residency programs like Lebanon is doing, CTE programs, looking at students when they are in school, looking at Paraprofessionals getting education

and doing some of those same things to try to recruit more teachers. Ester asked if we could do a letter of support to help get the grant and maybe put this on the June agenda to do a letter of support.

Further discussion took place on the teacher shortage issue and discussions on how we can move forward with trying to help this situation. There was discussion about children not receiving services because of these shortages and Becky explained that the schools need to do this regardless of the shortage. She was asked to supply the memo that went out to the schools stating that they had to supply the children with services.

Karen Stokes stated that Para's start at \$12/hr. and go up to \$20 and that schools are pushing more for trades right now.

Maureen asked about the criteria to become a member of SAC. Does the child meet the criteria of a child with a disability and does the child have an IEP.

Janet Reed made a motion to adjourn the meeting and Ester Kennedy seconded it.

Motion #7 – 21 approved, 0 abstentions, 0 opposed. Motion is carried.