

# State Advisory Committee (SAC) for Children with Disabilities

Advising the New Hampshire Department Education per RSA 186-C:3-b

October 6, 2021  
4:30pm – 7:00pm

Hybrid

## **In Attendance:**

Senator Kahn, Alicia Houston, Becky Owens, Bonnie Dunham, Chris O'Reilly, Dale Boyle, Donna Curtin, Ester Kennedy, Gregory Magoon, Janet Reed, Jennifer Blagriff, Joanne Grobecker, Karen Rosenberg, Kerri-Lynn Kimner, Kevin Cushing, Marissa Chan, Maureen Shields, Melissa McKeon, Moira Ryan, Thomas Ryan, Tracy Walbridge

## **Absent:**

Representative Glen Cordelli, Representative Mullen, Alyson Eberhardt, Anna Barrows, Gordon Muench, Jason Henry, Jill Hartman, Kari Grimes, Leah Lucier-Pike, Lewis Bellows, Lisa Beaudoin, Maureen Tracey

## **Guests:**

Commissioner Edelblut, Rebecca Fredette, Administrator, Bureau of Special Education Support, Mary Ellen Hamilton, Isadora Rodriguez-Legendre, Marilyn Muller

## **Welcome and Introductions**

Bonnie Dunham (co-chair) began the meeting at 4:38pm. Welcome to the meeting. SAC members introduced themselves and their role on SAC.

Bonnie introduced and thanked the Commissioner for joining the State Advisory Committee meeting and giving some updates on what is happening.

## **State of the State - Commissioner Edelblut**

Commissioner Edelblut stated that we are starting the year off right in terms of what this next school year is going to look like. In May and June, we imagined that the year was going to be easy. It may have been more difficult to get this year started than last year. In 2020-2021, we spent a lot of time planning and getting everything lined up for this year. I feel like people are settling in and the routines are starting to happen. We all know how last year went and I think this year we have to continue our vigilance and make sure that our kids with disabilities are not being left behind, particularly as schools are adjusting and adapting. Because there is a little bit more rigidity than pre-pandemic, we need to have a little bit more flexibility trying to respond to some of the health circumstances that you might be dealing with.

He is hoping to get some updates from SAC as a group and made the following suggestions.

As a group, pick one or two of the processes that could benefit from process improvement whether it be by outlining the process for doing a better job or documenting the process. For example, if you have a complaint from somebody and it just didn't work, is there something we can do that makes it clear for both sides, the school in terms of what the expectations are of what they are going to be doing and for the families in terms of their expectations and how it's going to work for them. But it could be around something that either schools or families are hung up on – Written Prior Notice,

changes, getting the IEP signed, go for the one that causes the most problems and results in the most disruption.

I would say not to pick something that is too ambitious, but those are some of the kinds of things that you can make some policy recommendations on to the department. Say here is what we think, here is where we can enhance and make it easier for the system, easier for families and enhance the quality and level of support the students are going to get.

I do not have any information about this but if I were to ask any one of you as advocates, my students with special needs are they making progress. Are they making the progress that we think they should be making, not on a student-by-student basis but the whole system, are the kids making progress or are we just pushing them along. I do not want to be pushing them along.

**Commissioner Edelblut** asked Karen how do she thinks we are doing.

**Karen:** One source of information is the standardized testing. When you look at the desegregated data on how kids with disabilities are doing relative to their same age peers and then looking at that over time, I have not looked at it recently but when I have studied it, the answer is no, kids with disabilities are lagging behind their same age or same grade peers significantly. That gap is not really closing when we would expect it. We would expect many kids with disabilities to do better. There are all kinds of disabilities that do not affect a kid's ability to grab certain concepts and make the progress. There is a big gap between kids with and without disabilities in proficiency levels; you know math and reading are what we test consistently and I am not seeing either closing of the gap or a very positive trajectory when you look at the proficiency rates.

**Commissioner Edelblut:** This is not unique to students with disabilities, so we have to keep trying to figure out how we get all kids to make that progress. If you look at the data, and this is not unique to NH this is across the country, the results kind of look flat. However, that does not tell you what is underneath, which is essentially my top four quartile, my top 10% are improving and my bottom quartile are falling off. When in fact those underperforming students might be getting worse in terms of their outcomes.

**Commissioner Edelblut:** Tracy do you want to weigh in?

**Tracy:** My input would be more on the inclusion piece of students not being with their peers. Also, I would go back to the curriculum and if students are not making progress, where is the underlining issue? I also look at the students that are recognized and eligible as having a disability versus the ones that are falling through the cracks and pushed along due to not having adequate supports in the schools to be able to meet their needs.

**Commissioner Edelblut:** This may be something that the Advisory Committee look at in terms of we know this disparity exists, is persistent and has the potential of widening, is there some advice or advisory that we can give the department that we could be doing here in NH that sets us apart. We do not want to try the same thing that everyone else is trying and not working. Maybe there is some innovation that we could be doing as a state that might be worth considering. I don't want to give you guys too many things to think about, but when I introduced the idea of some other things that you can be working on, this is what I had in mind. I do not have a particular one in mind but maybe you all decide which one you want to start tackling and you start that process.

**Becky** informed the commissioner of the three topics that were decided on at the retreat: Inclusion and Inclusive School Culture, the Achievement Gap, specifically reading, and Personnel Shortages.

**Karen:** When we work on inclusion and including children with disabilities in the classroom with their peers, it raises the bar and it gives them access to that curricular instruction they will do better. They may need some additional support to access the curriculum but we are exposing them to the curriculum and expectations and that really helps a lot.

**Janet:** There is a question in the chat box by Marilyn: How does the gap correlate to teacher credentialing in structured literacy and/or brain research in science of reading &/or math? Is Tier One curriculum balanced literacy, whole Language or structured literacy?

**Moira:** I had a parent who had an issue where she wanted inclusion for her child and every single high school is pull out services, so we are an epic fail on inclusion in secondary education.

**Commissioner Edelblut:** That is the whole point and why we have it on the list because that is something that is going to matter. He followed up with a question does inclusion and closing the performance disparity go hand in hand? So if there were inclusion would there be less performance disparity? Can these two issues be highly correlated; if there was inclusion would there be less performance disparity, aren't they overlapping?

**Maureen:** What type of specialized instruction are you using to close the gap for the kids so we can have them in regular classes? How are we facilitating that understanding and closing the gap from where they are and everybody else is.

**Commissioner:** What is driving the disparity gap? Is it the lack of inclusion; is it the lack of understanding of what specialized instruction actually means? So maybe the work we can be doing is trying to figure out what are those drivers and then how do we address them. He wanted to talk about secondary students and not leaving students with disabilities behind as there are opportunities like outside the classroom experiences and work type experiences. We are actively loading all kinds of job related learning opportunities to the **Way To** system but I want to make sure that we have not created yet another bubble that floats away from these kids. Students that get work experience before they get out of my VR program have a significant higher success rate in terms of finding employment as an adult.

**Moira:** These kids are tracked to do things like janitorial work or recycling when they can do a lot more. I think these experiences need expand and have more options.

**Maureen:** We need to do transition planning in the IEPs, that there used to be Next Steps, which was a great program but those programs built up our transition planning in the IEP and was able to tether those opportunities.

**Commissioner Edelblut:** In VR they have STS – Student Transition Specialists that go into the schools trying to connect with special education directors regarding those students to begin to work with them early.

**Tracy:** What is the diploma outcomes; versus the modified diploma; versus a certificate of completion? How much does this affects the whole transition component?

**Commissioner Edelblut:** I have not seen this on his VR side but have not asked that specific question if that is kind of a barrier to employment in terms of that transition. The barriers I hear about are the mental health stuff; because of the stability have trouble making the transition in to a new environment.

**Bonnie:** Jennifer Blagriff, Joanne Grobecker and some others formed a subcommittee over the summer to work on reading and literacy and the concerns about that.

**Jennifer:** One of the things we are going to look at is the achievement gap. She said to the commissioner that it would have helped when her children were younger in kindergarten, first, second if they were taught to read based on the science of reading then they might not have needed to be pulled out of class as much. When kids get behind to a certain point they do need to be pulled out for that specialized reading instruction and cannot be included in the class during those times.

**Commissioner:** Have you heard the saying: We learn to read so that we can read to learn, and that if you have not learned to read by third grade then you would struggle to learn because there is a shift in the instructional model.

There was also discussion regarding the Compensatory Ed funds that were dispersed and the lack of use of these funds by some school districts.

### **Public Comment**

**Marilyn Muller:** There is a newly released report on high school graduation across the country and there are some key findings as it relates to students with disabilities. The reason I am going to highlight this is because my child has dyslexia, dyscalculia and executive functioning weaknesses under the ADHD umbrella. She shared the following information and the links as time ran out.

Students with Disabilities: In 2019, the graduation rate for students with disabilities was 68.2 percent, a rate well below their peers. Students with disabilities made up 12.3 percent of the 2019 cohort, yet 27.6 percent of students who fail to graduate on time. The graduation rate gap between students with disabilities and their peers without a disability was 20.1 percentage points nationally.

This gap ranged from 5.7 percentage points in Arkansas to 47.9 percentage points in Mississippi. The graduation rate gap was greater than 20 percentage points in 20 states, while only five states had gaps less than 10 percentage points. Many states cannot reach a 90 percent graduation rate without major improvements for students with disabilities. This is especially true in Connecticut, Maine, Massachusetts, and New Hampshire, states that have high school graduation rates above the national average, but where students with disabilities make up more than 40 percent of students not graduating in four years.

<https://m.youtube.com/watch?v=Xhalu3JADJ0&fbclid=IwAR03qBVb0ehtz0zzUXSZHFpRzqsuZmXMYgoBdDk33QPTZRB8Sgzwmvf-0DXU>

[https://www.americaspromise.org/report/2021-building-grad-nation-report?fbclid=IwAR0fogsKtSETemPikLkUYG2D2ADsBQaX9vIJOvmmv0Yv7ZjqcCkmNwhm\\_oY](https://www.americaspromise.org/report/2021-building-grad-nation-report?fbclid=IwAR0fogsKtSETemPikLkUYG2D2ADsBQaX9vIJOvmmv0Yv7ZjqcCkmNwhm_oY)

**Bonnie:** I was at a meeting where several organization that work with families talked about how in an effort to fully comply with NH Restraint and Seclusion law that school districts may be overly cautious. Some have policies that do not even allow a staff person to put their hand on a child's shoulder to comfort them, and they are finding that it is resulting in an escalation of children's anxiety and perhaps leading to the child ending up thrown out of school for that day. They suggested that if the DOE issued clear guidance about what it actually means and what is and is not allowed, it would be very helpful.

**Maureen S:** The Parent Information Center is hosting a free webinar a Time for Transmission on October 14. Just go to the website.

**Bonnie:** The Commissioner was a guest speaker on a webinar chat not the long ago that is on the PIC website regarding Alternate Options that are available to parents.

### **Approval of June 2, 2021 Meeting Minutes**

Bonnie inquired if SAC could approve the minutes from the SAC Retreat, Part II, or wait until next meeting, as members received a copy of the Minutes today.

Bonnie made note to have one typing correction on page three to change perspective to prospective.

Karen made the motion to approve and Moira seconded it.  
15 approved; 5 abstentions; 0 opposed - motion carried

### **Legislative Update**

Bonnie reiterated that the list is very lengthy and that currently the LSRs only have a title so many of these items may or may not be relevant but are included and has the schedule of hearings but there are very few right now.

Another item of importance is that SAC is supposed to comment publicly on any rules or regulations proposed having to do with special education. At the November 10 State Board of Education meeting, there is a public hearing on three different proposed rules.

1. ED306.18 & ED306.22 – Distance Education
2. ED 800 – Freedom Account Program
3. ED 306 – Holocaust and Genocide Education

Probably not relevant but just thought people might want to know about it, just read through it.

We do not have to do anything tonight but we will have to be prepared if we want to give a public comment. We will have to have something prepared, and finalized at the next SAC meeting.

Moira asked if you go and can give public comment at the meeting or are we just writing something because no one is presenting? Bonnie responded saying that the chair, vice-chair or designee will go and read a prepared statement from SAC at the public hearing, but individual SAC members are always welcome to submit written testimony that can be hand delivered to the board, or mailed or emailed to them as a private citizen. Bonnie informed her that the state board meetings are now open to the public, so that it will be an actual public hearing.

Karen asked a clarifying question about Distance Education: If schools go remote for something other than a snow day, they would have to make up those days and they cannot be counted toward the number of hours required to offer instruction, is this correct?

Becky believes they are trying to clarify that language. As she understands it, is if they have a student that has to go remote the parent has to agree to it and they have to provide an option for in person, so they can't force someone to go remote. They cannot say the whole class has to go remote, they have to provide an in person option for the students that want to continue to go to school.

Bonnie state that this is the proposed language and that nothing is finalized yet.

Karen also asked how VLACS fits into this where their whole program is remote.

Becky said that she believes this is an exception because it is a charter already a virtual learning academy and it is built within their charter that they can do remote.

Karen thinks that if we are going to have a rule that says otherwise, this is a big inconsistency and it may be confusing. As she reads this, a parent could ask that their student have remote instruction and it seems like it would not penalize the school district. They could still count that as instruction toward the number of hours that student would have to be offered. But, there doesn't seem to be an obligation built into this for the school district to actually meet that request or a process for how it would be determined whether a student should be allowed, whether the parents request for remote instruction should be granted or not.

Becky stated that she did not have the language in front of her but she believed that the school district would have to come up with a policy regarding how that would look, but I could be wrong because I just have not read it.

Bonnie has heard discussion about this and it does seem to be that a parent can make a request and the school district could honor the individual request but it has no obligation to. This is where my question about if a family feels it is not safe for their child who does not have a disability came from for the commissioner. It sounded like the commissioner said that the department would look at it as a case-by-case basis and try to work something out.

Becky read ED306.22 D – When a school district offers distance education, that the school board shall be responsible for the development of a policy for the governance and administration of distance education.

Karen said that says when they offer distance education, but what if they decide they are not going to offer it and because of their health a student requires it. I am not sure that all possibilities have been considered and it may be that some of these questions will be answered once we see the final proposed version of this.

Bonnie said this is the proposed version that they will be taking public input on and next month we will have to take some time to come up with testimony. She said that if we do not feel that any of these have any impact on the education of children with disabilities, we do not have to provide input but if there is an impact, we are supposed to.

### **Update from Rebecca Fredette**

There are not a lot of changes since we met two weeks ago but I'll just run down some of the things we are working on and if you have any questions you can just email me.

- Put an RFP out for a Deaf Education Scholar to support our student who are deaf and hard of hearing.
- Continuing work on our public school monitoring process and we are also working on our private school monitoring process and have started work with stakeholders in the large group.
- Looking at Indicator 13 and they are looking at the process right now.
- We are hiring someone to take over our UDL from CAST. She has her final interview today and I think we are going to be moving her forward.
- We put an RFP out around Inclusive Education.
- We are relooking at our priorities for SPDG, which is the State Professional Development Grant, because it does expire in June. We are considering looking at teacher training, recruitment and retention.
- Then we will also be looking at our State Systemic Improvement Plan, this is our SSIP. The initial thinking has been around the science of reading and targeting a grade level, so we will be



most likely reaching out to the members of the subcommittee for SAC to see if they want to assist with that.

- We are putting out some deaf education training around evaluation.
- We are looking at our program approval process
- We have been having stakeholder groups around the survey questions that relate to family engagement. I have gotten a lot of feedback around starting professional learning communities around what districts are doing for family engagement, how we can address family engagement. That is coming directly from the field for things they want to work on.

Bonnie asked that at the next meeting Becky talk about Indicators 5 & 6, least restrictive environment as this aligns with our priority, and including our targets and how our historical data has shown how we are doing on that.

### **Meeting broke up into four small groups**

Marissa's group is Group 1, Karen's group is Group 2, Janet's group is Group 3 and Bonnie's group will be Group 4.

**Group 1** – Marissa gave an overview of strategies her group talked about - certification and different trainings for Para Professionals in the schools as a way to include the students in their learning. The group felt it was important because if you did not have your Paras to do the work, the students would not be able to participate. Donna added how paras are not included with like benefits, Esther had talked about the benefits that her district gives to them as well as other districts doing this, and she felt that was probably more of an incentive than professional training. Promoting compensation would be more of an incentive.

**Group 2** – Karen said they decided before they delve in too deeply to define what does inclusion look like, how do we find out who's doing it, and who is doing it were some background questions that we thought would be helpful to explore and to discuss, We thought that would be a discussion for the larger group. We talked about initial concepts, the presumption being like a model of full inclusion and including things like strategies or resources that are made available for kids with disabilities be made available to everyone to destigmatize them. Chris talked about the school he operates is a model of full inclusion where there is a quiet room for anybody to access who just needs some quiet space. This destigmatizes it and it not a separate space it's a space/resource for anyone that needs quiet time. Another thing that came up that was really critical is professional development and training not just a one shot deal but regular professional development training to learn how to work with students, implement behavior strategies and coordinated professional development and problem solving meetings on a regular basis.

**Group 3** – Dale Boyle said the first thing that the group discussed was the terminology inclusive school culture and how I important it is. The thought was that from Superintendent to principal etc. use clear, common language to describe what is expected when inclusive school culture is discussed. Family involvement is important, but all stakeholders who are involved with each child need to be a part of the understanding. We also talked about professional development, especially for paras and looking at it from what they want to know. What do they want to be able to do that they don't feel that they are capable of at the point where they are coming in to work with kids. Therefore, it is getting their feedback and addressing what they want. Another thing we talked about was the need for common language, so things are being developed or understandings are being made in school. There needs to be common language of education for our needs to be clear messages as to what the school culture is from the top down. Also educating parents and the importance of educating everyone who is involved with the kids. The importance of using best practices in all classrooms by teachers no matter who is part of the makeup of that classroom. Not dividing special education people out, accept them, as a need or part of a multicultural classroom and addressing all needs the same way.

**Group 4** – Maureen said that all the other groups had great ideas and we talked about similar strategies as well. We talked about the idea of not leveling classes, particularly in the high school environment, keeping that all-inclusive and there are districts that are doing that. We talked about implementing UDL practices in those classrooms so that all the kids can participate in the same classroom but if need be could represent their work in different ways. We talked about the resource room being all-inclusive to remove the stigma attached to it, and how some schools are taking blocks of time during the day that allows all students access to the resource room and areas when they need help. One thing we did come up with was school districts who were scoring highest on Indicator 5, Least Restrictive Environment Indicator, that talks about the percentage of students with IEPs inside the regular classroom 80% or more of the day become mentors for other school districts that are scoring low on that. Maybe come up with some sort of a model to be able to share with other school districts because of their success and compensating them, awarding them for that inclusive environment. Something like the department has the Bell awards for different categories have a category for recognizing a person or school district for excellence in inclusive school culture.

### **Subcommittee Reports**

**Dispute Resolution:** Bonnie talked about the draft letter regarding asking the department to make information about dispute resolution options available in a user-friendly way for parents. Any thoughts on the letter or and updates from the subcommittee?

Maira does not agree with sending the letter because the work of the committee is not done. The committee as a whole has not had a chance to discuss this. The letter is an issue they already know about and she thinks we should tell them something they have not already heard. The commissioner sent a letter to Lisa saying don't tell me about stuff I know, tell me things that are new that you have solutions to fix. I would not send it and let the committee move forward with new recommendations with other elements they are working on.

Kevin doesn't see the harm in getting the ball rolling on things that are clearly identified as issues for parents, families and many people with access to information on the website. The group can keep moving along and with a little bit of refining on this letter and sending it out. We can do that at either the next meeting or in December. If people have comments, they can send them in and we can take a look at them at the next meeting and try to refine this and get it down on paper.

Bonnie stated that she feels the website is even less accessible and feels that the department is likely to put attention into things that they know are pushed or encouraged, but would like this to be a priority.

Karen said that in the last paragraph of the letter in a clear way we outline with some examples what those barriers are. In addition, is the recommendation that we are suggesting our subcommittee do some future activities or are we asking them to maybe meet with them or for them to take certain actions? I am finding this a little bit confusing. It states the obvious but it sounds like you all learned a lot more in the process that you went through than is really expressed in the letter and in the end, what you learned in the deficiency and procedural issues and practices that you identify might be important information to share with the commissioner.

Bonnie said at the next meeting we can vote on whether to send the letter asking for materials, and information to be made in a user friendly way. Esther said that we should be spending our time having them fix the website. Kevin still feels that we should move forward with the letter.

**Family Engagement:** Kevin said that they met once and are trying to set up a schedule but had some good conversations. They talked about Indicator 8 and were looking at each other asking; did you get one of these and they feel that many people do not get the information. What good is doing the



survey if parents are not getting them and how do we verify that? Alicia added that they talked about the differences of parent involvement and parent engagement. What is the parent's view of involvement and the schools view and finding a way to link the two. We talked about the website and I feel like the website is just a hot topic for usability. Then we talked about parent involvement data and how we collect that secondary data, employment data for those transitional pieces. We talked about a boot camp type set up for parents and communities, streamlining data and information that gets sent out to parents so that they feel more involved as a stakeholder in their child's education. Our next meeting will be on October 27<sup>th</sup>.

**Nominations** – none

### **Old Business, New Business, Announcements**

Jennifer asked about hearing families stories regarding the staff shortages and Bonnie said that probably wouldn't be happening in November. We do not have anyone that has taken charge of that. It was talked about in the group meeting that maybe a couple of SAC members could facilitate it outside of the regular SAC meeting. Bonnie asked if anyone would be interested in working on a subcommittee to host a forum on behalf of SAC? Bonnie offered to be on it, as well as Esther, but she cannot take the leadership role. Maureen also said she would help, but wants to know what we would be doing and Kevin wanted to know if this was for a family forum on inclusion and Bonnie said that school culture and the impact of personnel shortages. Marissa said she would help if her schedule allows it. Maureen said we have to figure out what exactly we information from parents we are looking for and making it specific and not everybody just complaining about the shortages, come with solutions. Jennifer said that she would be happy to get the word out and be there when it is done and Joanne said that she will get the word out and attend and Karen as well. Jennifer also said that the teacher perspective was talked about and how the para shortage is affecting the kids. Janet said she could get some data on the number of para positions that are open.

Chris asked about appointment letters and Becky responded saying that she has reached out to the commissioner to find out about this and we are going to develop a list and say these are the ones we are looking for. I am hoping to get them before next month.

### **Adjournment**

Janet made a motion to adjourn the meeting, seconded by Alicia  
18 approved, 0 abstentions, 0 opposed – motion carried