Washington State
Special Education Advisory Council

Improving the Education for All Students with Disabilities

MEMO TO: Randy Dorn, State Superintendent of Public Instruction

FROM: Ann Waybright, Chairperson
Washington State Special Education Advisory Council (SEAC)

DATE: July 1, 2015

RE: Special Education Advisory Council Annual Report

I am submitting the 2014–15 annual report of the Special Education Advisory Council activities and recommendations for your consideration. This report fulfills the requirements set forth by the Individuals with Disabilities Education Act (IDEA), and Washington Administrative Code (WAC) 392-172A-07060.

As a part of this report, the council reviewed the recommendations from the prior year and noted progress towards those recommendations as well as identifying emerging trends and issues in the current school year. The recommendations reflect the review of information and summarize the work of the Special Education Advisory Council (SEAC) for the 2014–15 school year.

SEAC wishes to express our appreciation for the collaborative and effective relationship we have had with the Office of Superintendent of Public Instruction (OSPI) for the past several years. This relationship has provided SEAC with the opportunity to maintain a strong and open line of communication regarding the issues that are critical when considering the needs of students with disabilities who receive special education services in Washington State. Additionally, SEAC recognizes the work of the OSPI Special Education Department under the leadership of Dr. Douglas Gill. Washington State is fortunate to have Dr. Gill and his staff working on behalf of students, parents, and all staff involved in the education of children with disabilities. We also appreciate the time you spent with us when you shared your perspective and priorities with us. In addition, we appreciated the time and interest Dr. Gil Mendoza, Deputy Superintendent of K–12 Education, shared with SEAC this year.

Thank you for the opportunity to share this report with you. If you have any questions, or if I can be of further assistance, please feel free to contact me at awaybright@bethelsd.org.

2014–15
Washington State Special Education Advisory Council
ANNUAL REPORT

The Washington State Special Education Advisory Council (SEAC) is established in compliance with State and Federal Requirements under the Individuals with Disabilities Education Act (IDEA) Part B and Washington Administrative Code (WAC) 392-172A-07060. The purpose of SEAC is to identify issues and facilitate the provision of special education and related services to meet the unique needs of eligible students who benefit from special education. The annual report provides information on membership, activities, and recommendations of the council for 2014–15. It is respectfully submitted to the State Superintendent of Public Instruction, Randy Dorn, for his consideration.

SCHEDULE OF MEETINGS

SEAC met three times during the 2014–15 school year. These meetings were held in various locations to ensure the greatest opportunity for participation by community members. The meetings were:

Date	Location	Topics
September 18 & 19, 2014	Federal Way	• Smarter Balance assessment presentation. • Common Core and Special Education presentation. • Sign Language interpreter bill presentation. • State Implementation and Scaling-up of Evidence-based Practices (SISEP). • Washington Integrated System of Monitoring (WISM) update and indicator 17 input. • OPSI Special Education Update. • Review of the Washington Integrated System Monitoring (WISM) and implementation plans for 2013–14. • Review of the conditional waiver associated with the Elementary and Secondary Education Act (ESEA) and its implications of the loss of the waiver.

February 4 & 5, 2015	Olympia	• Review of OSPI's Legislative Priorities for the 2015 Legislative Session. • Review of the ESEA waiver and Federal update. • Update from the Special Education Parent and Community Liaison showing the trends associated with the issues that were addressed through his position over the last year. • Review of the 2014 Annual Performance Report (APR) submission draft. • Review of the legislative bills that SEAC members should be aware of. • Review the SB 5679 & HB 1240. • Reviewed the legislative visits made by the SEAC members. • Presentation of Washington – Access to Instruction and Measurement (WA-AIM) and Smarter Balanced Accommodations. • State Implementation and scaling-up of evidence based practices (SISEP) update.
May 6 and 7, 2015	Vancouver	• SEAC had an on-site visit of two programs at the Washington State School for the Deaf (WSD) and Washington State School for the Blind (WSSB). • Legislative Update. • OSPI Special Education Update. • Update on SBA & WA-AIM assessment. • Presentation UW Bothel – ECSEL. • Interpreter Certification training up-date. • Executive Committee Elections. • SEAC By-law Review. • SEAC compiled elements of 2014–15 Annual Report. • Voted to support credential request to PESB for endorsement in special education administration.

MEMBERSHIP OF THE COMMITTEE

SEAC membership includes a majority (at least 51%) of parents or persons with disabilities. Qualified persons are encouraged to apply.

A listing of current membership and affiliation follows:

2014–15 SEAC MEMBERSHIP ROSTER

Member Name	**Washington State Representation**
*Andres Aguirre	DSHS/Division of Vocational Rehabilitation
Megan Bale	Special Education Teacher
* Shari Cotes	Parent
Lou Oma Durand	Secondary Transition Services
*Carrie Fannin	Private School
Cheryl Fernandez– ***Executive Committee***	Special Education Teacher
* Heather Hebdon	Parent/Training and Information Center
*Sherry Krainick	Washington State PTA
*Rebecca Lockhart ***Executive Committee***	Parent/Special Education Administrator
Marcia Mongrain	Juvenile Rehabilitation/Department of Corrections
* Nancy Pack	School Principal
Anne Shureen	Part C/Early Intervention
Ann Waybright – ***Executive SEAC Chair***	Related Services

*Denotes individual who meets requirements of IDEA as a parent or person with disabilities. The council consists of members appointed by the State Superintendent of Public Instruction who are representative of the state population, and are involved in or concerned with the education of children with disabilities. Staff members from the Office of the Superintendent of Public Instruction, Special Education Division, are assigned to provide technical assistance to SEAC in order to enhance the Council's ability to execute its responsibilities.

LEGISLATIVE RECOMMENDATIONS

SEAC once again recognized the need to inform legislators of concerns regarding services for students eligible for special education and related services. The February 2015 meeting, which was held in Olympia, afforded members the opportunity to meet with their legislators. The key recommendation to legislators by SEAC focused on state budget issues.

- Special education students are general education students first. Failure to fully fund basic education will impact special education. Continued discussions must take place regarding how best to adequately fund basic education consistent with the Washington State Supreme Court decision in *McCleary* to avoid unintended consequences for students eligible for special education services.
- Supported Superintendent Dorn's priorities (SEAC's February 4th minutes).

ACCOMPLISHMENTS

During the 2014–15 school year, SEAC meetings focused on the review and status of previous recommendations, and provided additional input to OSPI regarding emerging special education issues. The following accomplishments for the year include:

- Strongly supported full funding of education in Washington State and the results of the State Supreme Court decision in the *McCleary* case.
- Made annual visits to legislators informing them of the State Superintendent's priorities and how the priorities align with the needs of students eligible for special education services.
- Increased SEAC's knowledge base regarding the issues impacting special education through the use of speakers and information sessions.
- Provided recommendations to WEA and OSPI on Common Core and Special Education training modules; Smarter Balanced Assessments and WA-AIMs.
- Provided recommendations to OSPI regarding the APR and State Performance Plan (SPP), indicator #17.
- Participated on national and local task forces/committees related to special education issues.
- Received an update on the status of the ESEA waiver.
- Visited the School for the Deaf and School for the Blind in Vancouver, WA.
- Received an update on trends and issues by Scott Raub, Family and Community Liaison.
- Committee gave input on State-identified Measurable Result (SiMR)—the state's five year plan.
- Consistency Index and 2015–16 Focus.
- Supported the dialogue between assessment, special education, & general education.

PROGRAM OF WORK 2014–15

At the last meeting of 2014–15, SEAC members reviewed the work accomplished during the year and identified priorities for the 2015–16 school year. This review resulted in the development of a list of identified areas for consideration. Areas of consideration include:

- Continued funding increases for basic education consistent with the Supreme Court's timetable.
- Review of compliance issues regarding IEP measurable goals, evaluations, and service delivery.
- Consistency Index development and implementation strategies throughout the state
- Post school outcomes for students eligible for special education: High School and Beyond Plan & Transition Plan.
- Post school transition issues—informed legislators about transition issues specific to the special education population
- Impact of the Elementary and Secondary Education Act (ESEA) waiver and IDEA
- Need for a Special Education Administrator Endorsement

SEAC members reviewed format and content to be addressed in the 2015 Annual Report. A number of previous recommendations continue to be relevant. The following recommendations are submitted for consideration:

Recommendation 1:
SEAC continues to support legislative efforts to fully fund the prototypical school model that will recognize the actual cost of educating all students.

This recommendation is consistent with previous SEAC recommendations regarding funding for general and special education. SEAC recognizes that the cost of educating students with disabilities remains a concern. Students with special education needs should not be penalized for inadequate and outdated funding of basic education. When basic education funding is adequate, the special education funding for excess costs will be more adequate because special education funding is a derivative of basic education funding. SEAC recommends that the Legislature continue to determine the actual cost of educating all students in Washington State. When the actual costs are identified for this "paramount duty" of the State Constitution, then the percentage of excess costs associated with special education can be applied, and funding to address any necessary increases will be built on a solid foundation.

Recommendation 2:
SEAC supports the development of a Best Practices Website

The development and maintenance of a best practices website in the area of special education was introduced in the Governor's proposed budget for the 2015–2017 biennial budget. Although the website was not included in any subsequent budget proposals from either the House or the Senate, SEAC is very supportive of this opportunity. SEAC believes this service would be very helpful to both teachers and parents, and encourages OSPI to continue to explore the possibility of the website development in the supplemental budget process.

Recommendation 3:
SEAC continues to support OSPI in the integration of data for information and program improvement purposes.

A longitudinal integrated student data system that is query capable, would provide relevant information that can be used to improve services to students with disabilities, and improve the capabilities of special education personnel. Such a system would also provide a method of capturing trend data and help ensure that this information drives changes and improvements for all students. Implementing the data system would ease transitions from early learning to the K–12 school years and beyond. A well-designed system will allow for more appropriate use of data to better inform policy and decision-making. Progress needs to continue to develop an integrated query capable data base.

Recommendation 4:
SEAC believes that the Elementary and Secondary Education Act (ESEA) as currently interpreted by the United States Department of Education may not be in the best interests of students with disabilities over time.

SEAC is increasingly concerned that the current federal requirements associated with the Department of Education's interpretation of the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) may be at cross purposes. Increasing emphasis under the ESEA for disaggregating and reporting on academic achievement for specific sub-populations such as students with disabilities without fully funding those obligations under the IDEA appears to have resulted in more alienation of students with disabilities (and likely other sub-groups as well) within general education. This interpretation appears to be widening, rather than closing achievement gaps at the expense of individual entitlements and procedural protections provided under the IDEA. For example, general education teachers who were once willing to include students with disabilities in their classes are now less inclined to do so because of the fear that unless they can get all students (some of whom, as a result of their disability, are often 3 or more grade levels below their chronological age peers) to test as "proficient" at grade level, these teachers will be penalized as part of a statewide principal/teacher evaluation process. Similarly, acute shortages of qualified special education personnel are being exacerbated by the same fear of reprisal. In order to catch up, students with disabilities are subsequently expected to make up 3–4 years of academic achievement in the same amount of time non-disabled students are expected to make a gain of a single year. SEAC believes this expectation needs to be tempered or it will result in students with disabilities being blamed for the failure of public schools to meet unrealistic expectations imposed by the current interpretation of ESEA by the Department of Education.

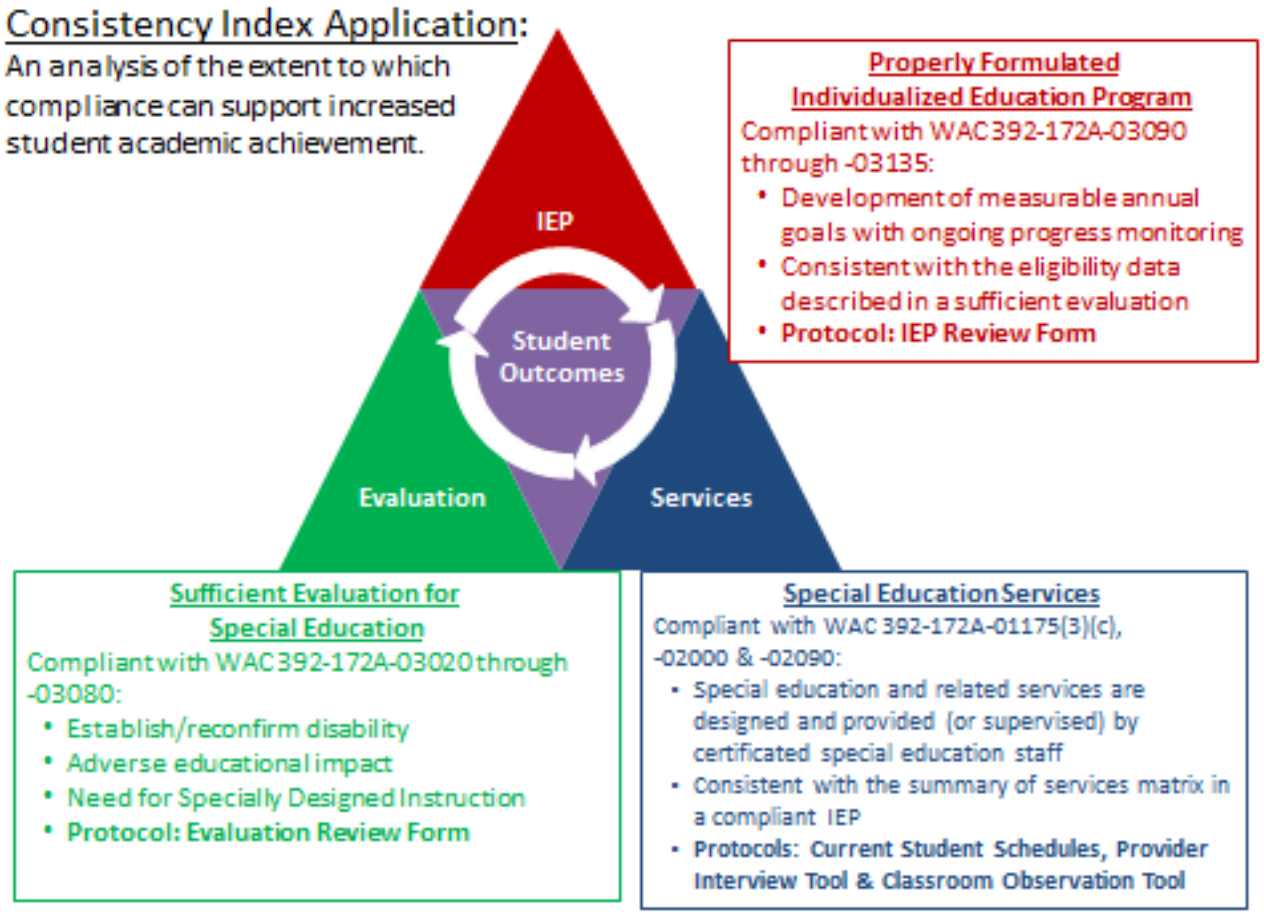
Recommendation 5:
SEAC recommends an ongoing review of special education pre-service and in-service requirements.

SEAC continues to support OSPI's efforts in examining current pre-service and in-service training to determine how teacher candidates and para-educators are introduced to issues involving special education. Teacher candidates need to understand the Washington State learning standards and how to use extensions of those learning standards to adequately assess and appropriately instruct students eligible for special education services. Familiarity with a Continuous Improvement Cycle model for all students, supervision of para- educators, and modification and accommodation strategies are all necessary components of a teacher preparation program. SEAC also sees potential value in the co-teaching and mentoring models as ways to allow teacher candidates to work closely with accomplished teachers who understand assessment, intervention, and instructional strategies that meet the needs of students eligible for special education and related services. At a minimum, every teacher candidate should have formal, supervised time working with students

eligible for special education. SEAC also recognizes the need for targeted and specified training for all educators working with special education students.

Recommendation 6:
SEAC recommends that special education service providers establish a stronger relationship between the student's evaluation, IEP, and delivery of services using a Consistency Index.

Students receiving special education services do so based upon an evaluation that confirms their need for specially designed instruction. For an IEP to be meaningful and authentic, it must reflect relevant and meaningful recommendations in the evaluation report. In addition, the provision of services to eligible students needs to be congruent with the services described in the IEP. When there is a direct link between the evaluation report and the IEP, the services delivered to the student can reflect the expectations described in the IEP. SEAC recommends that Program Review processes and professional development efforts by OSPI, Educational Service Districts, OSPI funded state needs projects and local school districts pay particular attention to quantifying this relationship through the development and implementation of a Consistency Index (see below). SEAC further recognizes that, in some cases, this effort will require targeted staff development to ensure this process is followed with fidelity.



PARTICIPATION ON TASK FORCES AND COMMITTEES

SEAC members participated in a variety of state committees established by OSPI including:

- OSPI/WEA State Needs Project Special Education Cadre Trainers.
- State Rehabilitation Council.
- UW Bothell—Enhancing Capacity for Special Education Leadership (ECSEL).
- OSPI's Admissions and Professional Conduct Advisory Committee (APCAC).
- University of Washington Special Education Advisory Board.
- OSPI's Institutional Education Committee.
- Ready and Successful Schools.
- National Parent Center Network.
- The Center for Parent Information and Recourses (CIPR), US Dept. of Education.
- Project AWARE – Youth Mental Health Project.
- Ready WA.

EMERGING ISSUES FOR NEXT YEAR

Key issues will again be ESEA Reauthorization, IDEA Reauthorization, funding, and assessment. Additionally, we will be focusing on the following:

- Professional development needs for pre-service and in-service educators including para-professionals on special education issues evidence based practices (Core Competencies).
- Enhanced post school transition services (interests, values & aptitude).
- B–3rd Grade & WAKids Data.
- Development of Best Practices website.
- Recruitment & retention i.e. to Build Sustainability.
- Review Functional Vocational Assessment.
- Trends and issues as reported by the Special Education Parent and Community Liaison.
- Smarter Balanced Assessment Consortium tests—review of impact on special education student's need for accommodations.
- Alignment of Special Education IEPs/evaluations/delivery of services.
- Consequences of contradictory messages in ESEA and IDEA.
- Charter school challenges for students eligible for special education.

ONGOING ISSUES

- Parent involvement.
- Instructional improvement.
- Staff development.

As always, SEAC serves at the request of the State Superintendent. We look forward to working together on priorities that are identified by you and your staff.

FINAL THOUGHTS

SEAC appreciates the opportunity to provide recommendations and input for consideration. This report reflects the combined efforts of all those who have been involved within SEAC and staff from OSPI. We recognize that there is a need to draw a clear line from recommendations, to budget, and to potential legislation. We hope this report can help clarify that line.

Again we thank you for the opportunity to work with OSPI. We look forward to the coming year and our continued work with you!