

Special Education Advisory Council (SEAC)

Meeting Minutes

Meeting Information

Date and Time: Tuesday, February 21, 2023; 8:30 am

Location: February SEAC Virtual Meeting

Members Attending: Haley Lowe, Jennifer Chong, Jennifer Lee, Joy Sebe, Laura Staley, Laurie Thomas, Natasha Hays, Patricia Delgado, Samantha Fogg, Sean McCormick, Tamara Rosario, Tammie Jensen-Tabor, Tanya Cochran

OSPI Staff: Tania May & Beverly Mitchell

Absent: Diana Marker, Jeff Brown, Amie Verellen-Grubbs, Scott Hampton, Soleil Lewis, Vanessa Tucker

Guest(s): Andrea Kadlec, Lee Collyer, David Green, Cyndie Hargrave, Mikhail Cherniske

Pre-reading for Meeting: DRAFT October 2022 minutes

Open Meeting, Updates and Action Items

Presenter(s):

- Call to Order – **Tammie Jensen-Tabor, Executive Chairperson**
 - The meeting was called to order at 8:30.
 - Land Acknowledgement – **Jen Chong Jewell, Executive Vice-Chairperson**
 - Introduction of members – **Tammie Jensen-Tabor, Executive Chairperson**
 - Review agenda, SEAC Bylaws and Group Norms – **Jen Chong Jewell, Executive Vice Chairperson**
 - Accepted the October 2022 minutes without changes.
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ACLU report and Q&A around Restraint and Isolation

Presenter(s): Lee Collyer and Andrea Kadlec

- **Topic(s):** ACLU report, & Restraint and Isolation
 - Workgroup met August – December. The workgroup determined that isolation should be immediately prohibited in public schools in Washington. The use of isolation is detrimental to students. The workgroup
- **Action Item(s):**
 - [Restraint and Isolation - Lee Collyer and Andrea Kadlec](#)
 - Views from the school-to prison-pipeline: Andrea Kadlec, Disability Rights Washington



Legislative Update

Presenter(s): David Green and Mikhail Cherniske

- **Topic(s):** Legislative Update
 - David introduced the bill tracker
 - 1436 Special Education Funding (removes 13.5% funding cap,
 - 5311 senate version

	Cap	Prek Multiplier	Tier 1 Multiplier	Other Multiplier	
Original 1436	Immediate removal	1.214 ↕	1.1923	1.19	Fiscal note
Amended 1436	Phased increase to 15%	No increase	1.059	1.043	Staff estimate
Amended 5311	Immediate increase to 15%	1.2	1.274	1.1283	Fiscal note

- **Action Item(s):**
 - Samantha Fogg made a motion with the following recommendation, "SEAC recommends the elimination of isolation, chemical, and mechanical restraint, and restrict the use of restraints for P–21 school populations and advises thorough review of recommendations to alternatives provided in the ACLU/DRW report and 2022 OSPI workgroup report to the legislature." Tanya Cochran made a motion to move forward with the recommendation.

IDEA Annual Application

Presenter(s): Tania May and Cyndie Hargrave

- **Topic(s):** IDEA Application presentation
- **Action Item(s):**

Public Comment

Presenter(s): Tammie Jensen-Tabor

- **Topic(s):** Three members of the public made comments.

Discussion and setup for writing recommendations

Presenter(s): Jen Chong Jewell

- **Action Item(s):** Went into breakout rooms to discuss bill numbers: 1109, 1305, 1436, 1479, 1550, 1701, 5311, and 5315 and decide on recommendations from the SEAC—if any. Tania shared the bill tracker for reference.
 - The breakout groups will re-convene on February 22, to write recommendations.

SEAC Meeting Information

Date and Time: February 22, 2023, 8:30am–1:30pm

Location: February SEAC Virtual Meeting

Members Attending: Tammie Jensen-Tabor, Haley Lowe, Jennifer Chong, Jennifer Lee, Joy Sebe, Laura Staley, Laurie Thomas, Natasha Hays, Patricia Delgado, Samantha Fogg, Sean McCormick, Tamara Rosario, Tanya Cochran

OSPI Staff: Tania May & Beverly Mitchell

Absent: Diana Marker, Jeff Brown, Amie Verellen-Grubbs, Scott Hampton, Soleil Lewis, Vanessa Tucker

Open Meeting

Presenter(s): Tammie Jensen-Tabor

Due Process, Litigation, and PESB updates

Presenter(s): Tania May

- **Topic(s):** Due Process, Litigation (age of eligibility), and PESB (Pre-endorsement waiver)
 - [Due Process Data February 2023](#)
- **Action Item(s):**
 - **Due Process –**
 - May meeting – keep the format for the Due Process Data that was used.
 - Make note who did the filing of the Due Process – whether it was filed Pro Se, by the district, or an attorney.
 - Include n size of due process to get a sense of the scale. The size, the total number in parentheses.
 - Supplying demographic information.
 - Is OAH work related to the pro equity anti racism work in which all state agencies are to be involved.
 - **Pre-endorsement**
 - OSEP reminded ongoing shortages that were also impacted by the pandemic and continue to struggle to find special education staff, don't go too far with waivers and alternate routes. Special education certification cannot be waived for the provision of special education services, and that alternate routes to special education certification can only be for a period of three years.

Consensus with PESB that the pre-endorsement waiver meets the criteria for an alternate route. It just has the unfortunate use of Waiver in the title. PESB and Special Education are working on relabeling the form and changing the pre-endorsement waiver from five-year endorsement to a three-year endorsement.

Debrief Community Forum

Presenter(s): Tania May and Jen Chong Jewell

- **Topic(s):**
 - What went well? Focus groups were created and were successful.
 - Concerns and questions.
 - Parents were frustrated with not knowing their rights and did not have a clear pathway to connect with other families. And feeling a disconnect with OSPI and their rights. Hesitancy to go to OSPI when they had concerns because they did not want to be 'that' parent and negatively impact the school's relationship with their child.
 - The questions that WESTED crafted did not seem to be focused on the audience. And yet one community member believed this to be one of the more empowering activities in which they have participated.
 - More advocacy is needed. We can have all the laws and we have all the policies and helping parents navigate in a meaningful way is especially important.
 - Many participants asked if there were going to be future opportunities such as this forum.
 - Send WESTED/NCSI follow-up from the forum.
 - WESTED/NCSI will set up a debrief with Tania, as they are committed to making sure this is a co-designed effort. They are open to feedback about the process.
 - They are starting work with OSPI SpEd to set up an equity team that will include some participants from focus groups.
 - Forum structure for in person May meeting.
 - Lessons learned from the February forum:
 - How do we make sure families that participate have the resources needed and are ready to share at the forum?
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Timeline discussion and discussion about burden of proof

Presenter(s): Jen Chong

Samantha Fogg moved that the SEAC recommend shifting the burden of proof to school districts. Natasha Hay seconded the motion to take a vote.

- Seven members voted for shifting the burden of proof to the school districts.
- One member voted against shifting the burden of proof to the school districts.
- Two members abstained.

Because there was not a quorum, they decided to revisit the discussion later. Possibly conduct an electronic vote.

Summary of Actions

Presenter(s): Jen Chong Jewell

- May 23–24 meeting -Washington State School for the Blind, Vancouver
 - Possibility of visiting an IPP demonstration site (SPERO Center).
 - **Annual Report Writing discussion (workgroups chosen to begin writing prior to May meeting).**
 - May Community Forum (in person – hybrid?).
 - May meeting – keep the format that was used for the Due Process Data.
 - May meeting possible update on APE.
 - May meeting Invite Haley Lowes DCYF folks to participate.
 - Due Process
 - May meeting – keep the format for the Due Process Data that was used.
 - Make note who did the filing of the Due Process – whether it was filed Pro Se, by the district, or an attorney.
 - Include “n” size of due process to get a sense of the scale. The size, the total number in parentheses.
 - Supplying demographic information.
 - OAH work related to the pro equity anti racism work that all state agencies are to be involved.
 - Community Forum:
 - Forum structure for in person May meeting.
 - Lessons learned from the February forum:
 - How do we make sure families that participate have the resources needed and are ready to share at the forum?