



# NEBRASKA

## DEPARTMENT OF EDUCATION

### NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL

An advisory panel providing policy guidance to the Nebraska Department of Education with respect to special education and related services for children with disabilities.

*Due to the Covid-19 pandemic, this meeting will be held via Zoom, as we have clarified our ability to host a SEAC "distance" meeting due to Nebraska Governor Ricketts' release from the face-to-face requirements from the public meetings act.*

Join Zoom Meeting

<https://educationne.zoom.us/j/8895237413?pwd=amdmgWgXU3J4ZXloQ2hJR3ZaZTNJQT09>

Meeting ID: 889 523 7413

Passcode: 2426

March 18, 2021

#### 9:00 Zoom Meeting Begins

#### Welcome & Introductions

Kris Elmshaeuser  
Linda Safranek

#### Council Business

Linda Safranek

- Open Meetings Law Announcement
- Notification posted in the Omaha World-Herald on March 4, 2021
- Approval of March 18, 2021 Agenda\*
- Approval of January 21, 2021 Minutes\*
- Notice of Conferences/Meetings
- SEAC Member Updates/New/Sharing
- Executive Board Meeting Report

#### Public Comment\*\*

#### Review of SEAC Priorities 2020-2025

Linda Safranek

#### Changes to the Operating Procedures

Linda Safranek

- Article II Organization: Section D 1 & 2 Years on Executive Committee
- Article IV Meetings: Section B 6: Meeting time

<b>New Committee Member Executive Board Election</b>	Linda Safranek
<b>Council Member Resignation Announcement</b>	Linda Safranek
<b>Notification of May 6, 2021, Meeting</b>	Linda Safranek
<b>Functional Behavioral Assessments &amp; Behavioral Intervention Plans</b>	Kris Elmshaeuser
<ul style="list-style-type: none"> <li>• Parent Concerns</li> <li>• NDE – OSE Guidance Documents in Progress</li> </ul>	
<b>Nebraska Olmstead Plan</b>	Kris Elmshaeuser
<b>Deaf or Hard of Hearing State Plan 2020</b>	Amy Rhone
<b>NDE Office of Special Education Team Reports</b>	
<ul style="list-style-type: none"> <li>• SSIP</li> <li>• Monitoring</li> <li>• Federal Equity Regulations</li> <li>• Due Process Case Report</li> <li>• Renewal and Acceleration Framework</li> <li>• Legislative Update</li> </ul>	Kelly Wojcik Amy Rhone Kris Elmshaeuser Amy Rhone Amy Rhone Amy Rhone
<b>Adjourn</b>	Linda Safranek

\*Items requiring Council action

\*\*Per the SEAC Operating Procedures, opportunity for public comment is requested in advance

**Next Meeting Date: May 6, 2021**

**Upcoming Conferences:**

- April 8-9, 2021 - ASD Network State Conference – Virtual
- June 2-3, 2021 - Nebraska School Mental Health Conference – Virtual

**NE SEAC Executive Committee Members**

Linda Safranek Chair (2020-2021) Parent/Educator, Omaha, NE

Terry Houlton, (2021-2022) Director of Special Education Millard Schools, Omaha, NE

Kasey Alexander, (2022-2023) Educator, West Point Schools, West Point, NE

TBD, (2023-2024)

## Understanding the Advisory Council Functions under IDEA

*All Council activities should relate to one or more of the functions*

1. Advise the SEA of unmet needs within the State in the education of children with disabilities. CFR 300.169(a)

- a) Training educations on working with children with Autism
- b) Students not being adequately served in juvenile and adult correctional facilities

2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities. CFR 300.169(b)

- a) The federal law is reauthorized, and the State makes revisions to their regulations

3. Advise the State in developing evaluations and reporting on data to the Secretary under Section 618 of the Act. CFR 300.169(c) \*Grown the most since 2004

- a) The SEA is reviewing and refining APR improvement strategies
- b) Upon completion of a State and school district drill down, it was concluded that students with disabilities had lower graduation rates than students without disabilities.

4. Advise the State in developing corrective action plans to address finding identified in federal monitoring reports under Part B of the Act. CFR 300.169(d)

- a) The State has just experienced an OSEP Visit and was found to be in noncompliance on various fiscal issues.

5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities. CFR 300.169€

- a) The SEA is proposing a new MOU with the Department of Corrections
- b) The SEA is revising its MOU with the Department of Health

6. The SEA, after deleting personally identifiable information must

- Provide the Advisory Council with the DPH findings and decisions and
- Make those finding and decisions available to the public. CFR 300.513(d) & 300.514(c)

- a) DPH decisions identify consistent issues.
- b) The SEA has experienced a spike in DPHs

7. Waiver of non-supplant requirement. State must consult with the Advisory Council regarding provisions of FAPE. CFR 300.164(c)(4)

8. States retain discretion to determine the risk ration threshold above which disproportionality is significant so long as that threshold is reasonable and based on advice from their stakeholders, including their State Advisory Councils. 34 CFR 600.647(b)(iii)(A)