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**Minutes**

April 27, 2020

10 a.m.

Microsoft Teams

Virtual Meeting Platform

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| **Council Members in Attendance** | **Department Employees in Attendance** |
| Dawn Fry, Chair  Joey Ellis, Vice Chair | Theresa Nicholls, Assistant Commissioner  Joanna Bivins |
| Amy Allen | Kate Martin |
| Angela Jackson | Joann Runion |
| Darlene Walden | Angela Wegner |
| Chantal Hess-Taylor | Rachel Suppé |
| David Craig  Mark Liverman | Susan Usery  Zachary Stone |
| Jennifer Escue | Nancy Williams |
| Melvin Jackson  Catherine Knowles | Anika Chambers  Crystal McCarver |
|  | Michael Holman  Allison Davey  Phara Williams  Ruth Christopher  Alison Gauld  Gary Smith  Katie Houghtlin |

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| --- | --- |
| **Council Members Not in Attendance** | **Visitors in Attendance** |
| Brian Brown | Kim Kredich |
| Stephanie Ortego  Shannon Taylor | Jolene Sharp |

**Objective**

Provide policy guidance with respect to special education and related services for children with disabilities in Tennessee.

**Welcome/Introductions**

**Dawn Fry, Chair**

* A brief introduction was made for the second Advisory Council meeting of 2020. Guests, council members, and TDOE employees were thanked for their attendance.
* Due to concerns over Covid-19 and statewide guidelines limiting gatherings, this meeting is being conducted virtually through the Microsoft Teams platform.
  + While the meeting is taking place virtually, it is still open to the public.
* A quorum is present and voting may proceed.

**Approval of Current Agenda (Guiding Principle Seven)**

**Dawn Fry, Chair**

See AC website ([here](http://www.tennessee.gov/education/article/special-education-advisory-council)) for agenda

* **Action Item**

Dawn advised the present council members to review the April 27, 2020 agenda.

* **Final Action Taken**

The Council reviewed the agenda and voted to approve.

**Approval of January 13 Meeting Minutes (Guiding Principle Seven)**

**Dawn Fry, Chair**

See AC website ([here](https://www.tn.gov/education/student-support/special-education/special-education-advisory-council.html)) for October minutes

* **Action Item**

Dawn advised the present council member to review the January 13, 2020 minutes.

* **Final Action Taken**

The council reviewed the minutes and voted to approve.

**Department Updates**

**Katie Houghtlin, Chief of Whole Child Supports**

* Katie announced that additional funding opportunities for students with disabilities affected by the outbreak of Covid-19 would be made available in the coming months.
  + These funding opportunities will include assistive technologies, compensatory services, and a district implementation and distance learning toolkit.
* A one million dollar technology partnership grant will be implemented to ensure that local education agencies (LEAs) will have access to resources promoting assistive technologies.

**Covid-19 Department Response and Discussion**

**Theresa Nicholls, Assistant Commissioner**

* The department is working diligently to provide Tennessee’s students and educators with the resources necessary to continue their education efforts during the stay-at-home orders brought about by Covid-19.
* A webpage has been created (<https://www.tn.gov/education/health-and-safety/update-on-coronavirus.html>) to document resources available to students, educators, and parents/guardians during the pandemic.
* The division of Special Populations is developing a closure toolkit to specifically aid students with disabilities.
* A telehealth and teletherapy toolkit will be made available shortly.
* The resources will be updated continuously as new information and practices become available.
* Questions: Are there any discussions regarding reduction of classroom sizes?
  + Answer: It is unclear at this moment whether any decisions will be made regarding class size. Likely, it will be a local decision rather than statewide.

**State Board of Education Emergency Rules**

**Theresa Nicholls, Assistant Commissioner**

* The state board of education passed some emergency rules regarding school closures related to Covid-19 early in April.
* The initial evaluation for students with disabilities, which under normal circumstances must be conducted within 60 calendar days or based on a state defined timeline, per the Individual with Disabilities Education Act (IDEA), has been modified by the state board of education to extend for the duration of the school closures in Tennessee.

**Restraint and Isolation Report**

**Zac Stone, Director of Data Services**

* Each year the department is required by legislature to submit a report about restraint and isolation events that have occurred throughout the state.
* There was an increase of about 10% in restraint and isolation events.
  + This is consistent with the past five years of data.
  + The bulk of the increase occurred in grades 1-4.
* It is possible that the increases in restraint and isolation events are due to schools becoming more aware of reporting procedures, rather than an actual increase of events.
* Dawn Fry suggested that the number of injuries that occur during restraint and isolation events involving untrained school staff members be investigated.

**Discretionary Grant Process**

**Allison Davey, Senior Director of Strategic Supports**

* The department partnered with a third-party technical assistance center, the National Center for Systemic Improvement, to get feedback on a better way to distribute grants.
* The IDEA discretionary grant process has been redesigned to support the department’s strategic plan and to drive systemic change by providing districts with the time and resources needed to address critical priorities identified through the district planning process.
* There are three different grant opportunities: explore (one year), implement (up to three years), and sustain (up to two years).
  + These opportunities are available for preschool and K-12.

**Study Council Feedback Loop**

**Crystal McCarver, Senior Director of Regional Engagement**

* There are six special education supervisor study councils across the state.
* The department’s involvement with these study councils is being formalized in order to establish a better feedback loop.
* A council member noted that it has been helpful for a member of the department to be at the meetings.

**IDEA Waiver Feedback for Secretary DeVos**

**Dawn Fry, Chair**

* Joey Ellis, vice chair of the council, discussed the dangers of waiving IDEA rights at this time, and the problems that could be posed in regards to reinstating services once schools are meeting in their regular locations once more.
* At the time of the meeting, Secretary DeVos has not yet provided a report to congress, per the CARES act, in which recommendations regarding education during the pandemic will be addressed.
* The feedback provided by state special education directors to the federal government echoed the council’s sentiment that waivers in this area could prove to be an ill-suited response to the school closures.
  + Flexibility concerning certain measures, rather than an outright waiver, is being discussed, however.

**Public Comments (Guiding Principle Seven)**

* Kim Kredich, a volunteer advocate in Knox County and parent of a child with a disability, spoke about administrative complaints.
* Kim stated that there was a delay in addressing her administrative complaint due to Covid-19.
* She also voiced concerns about the current lack of a gifted specialist within the division of Special Populations while the department seeks to fill that role.
* An issue regarding an absence of IEP meetings in Knox County due to the Covid-19 outbreak was raised as well.

**New Business/Additional Items (Guiding Principle Seven) Dawn Fry, Chair**

* The council discussed wording changes to the council’s bylaws regarding attendance. A letter containing the new wording will be sent to the council and a final vote on these changes will take place at the following meeting.
* It was also noted that a majority of persons with disabilities and/or parents of students with disabilities was not currently present within the council and that needed to be addressed.
* The next meeting was tentatively set for July 13.
* The council requested to have their term dates sent to them.

**Call for Future Meeting Topics (Guiding Principle Seven) Dawn Fry, Chair**

* The bylaws amendments will be voted on.
* It was suggested that updates regarding the Covid-19 issue be addressed.

**Closing Remarks/Adjourn (Guiding Principle Seven) Dawn Fry, Chair**

* Dawn thanked everyone for their input and attendance and adjourned the meeting.