

# New Mexico IDEA Advisory Panel Meeting

## MINUTES

2/10/2023

8:30-1:03 via Zoom

<b>MEETING CALLED BY</b>	Kaitlin Ellis
<b>TYPE OF MEETING</b>	Advisory Panel Meeting
<b>FACILITATOR</b>	Kaitlin Ellis
<b>SECRETARY</b>	Mary Vaughn
<b>ATTENDEES</b>	Martha Barrera, Lisa Blue, Rebecca Cobos, Elvira Dennison, Jennifer Donelli, Kaitlin Ellis, Lisa Keck, Christa Kulidge, Hart Lewis, Dana Malone, Carli Mortensen, Debra Poulin, Jessica Powell, Catherine Quick, Kara Sanchez, Mckenzie St.Denis, Amy Trevino, Shannon Vasquez, Mary Vaughn, Elisa Villanueva, Melissa Wassana, Tamara Wheeler
<b>EXCUSED</b>	Robert Madrid, Scott McMath
<b>GUESTS</b>	Deborah Dominguez-Clark, Crystal Vigil, Lisa Creecy, Mary Chappell, Lizana Schweiger, Michael Gadomski, Michelle Tregembo, Miguel Lazono, Gail Stewart, Tim Crum, Kaylock Sellers, Matthew Kum, Zoe Miguel, Lorie Pacheco, Elizabeth Cassel, Jade Delfin, Jennifer Rodriguez, Jody Myers, Katie Gordon, Laurel Nesbitt, Mike Smith, Paula Martinez,

## Agenda Topics

**8 :31 AM**

**Call to Order**

**Shannon Vasquez, Chair**

<b>DISCUSSION</b>	Call to Order by Kaitlin Ellis	
	<ul style="list-style-type: none"> <li>• Introductions/Review Agenda</li> <li>• Moved for approval, Christa Kulidge</li> <li>• Approve agenda, Carly Mortenson</li> <li>• Review Minutes from last meeting (Nov. 4)</li> <li>• Moved for approval, Debra Poulin</li> <li>• Approve minutes, Lisa Blue</li> </ul>	
<b>CONCLUSIONS</b>	Member Debra Poulin brought up panel minutes are not detailed and stated it would be beneficial for the panel if they were. Vice Chair Kaitlin Ellis agreed and asked Secretary Mary Vaughn if any assistance is needed in capturing more details in minutes. Secretary Mary Vaughn stated no assistance is needed. The previous format had been followed but more detailed minutes will be added for future minutes.	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>
N/A		

**8:47 AM**

**Public Comment**

	<ul style="list-style-type: none"> <li>• Gail Stewart – wants panel and PED to look into exclusion of students with disabilities from schools (ex. suspensions for weeks at a time with no records documenting it)</li> <li>• Zoe Miguel – seconds Gail Stewart’s comments and would like panel to look for a solution on STARS reporting so that records are more accurate and reflected (accountability). Asked the question of the panel “Is public comment getting folded into work the panel does?”</li> <li>• Mike Smith – questioned what PED is doing in regards to “inaccurate reported data” regarding discipline of Native American students.</li> </ul>
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<b>CONCLUSIONS</b>	Vice Chair Kaitlin Ellis stated she encourages guests to continue coming to panel to share during public comment.	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>

**8:58-9:50 AM**

**Presentation by Lisa Creecy and Mary Chappell: Introduction to Indicators (and Indicator 17 update)**

<b>DISCUSSION</b>	Introduction to Indicators and Indicator 17 update	
<b>CONCLUSIONS</b>	<p><u>Overview of Indicators</u> and how it guides the purpose of the panel; tasked with providing policy guidance and to advise the Special Education Division. Power Point presentation (attached) organizing the Indicators as a roadmap of a child’s education journey (keeping them child-centered). It was noted that data isn’t official until validated by PED. Indicators are organized within a child’s educational journey as follows; Indicator 11, 12, 6, 7 and then Indicators 9, 10, 8, 3, 5 with 5 looking at LRE. “A student is a general education student first and foremost.” Indicators 4, 2, 13 and 1 with Indicator 14 and then Indicators 15, 16 &amp; 17.</p> <p><u>Indicator 17 update</u> – the State Systemic Improvement Plan is a comprehensive and multi-year plan. In tracking data, question to answer is “is it moving students towards literacy?” Resources shared by Mary Chappell <a href="https://sites.ed.gov/idea/idea-files/2021-spp-apr-and-state-determination-letters-part-b-new-mexico/">https://sites.ed.gov/idea/idea-files/2021-spp-apr-and-state-determination-letters-part-b-new-mexico/</a> . For more information, contact Lisa Creecy (<a href="mailto:lisa.creecy@ped.nm.us.gov">lisa.creecy@ped.nm.us.gov</a> 505-490-2458) and Mary Chappell (<a href="mailto:mary.chappell@ped.nm.gov">mary.chappell@ped.nm.gov</a> 505-690-7237).</p> <p><u>Discussion Points and Questions raised:</u></p> <ul style="list-style-type: none"> <li>• Vice Chair Kaitlin Ellis – data is not “real time” and asked how can we as a panel help to capture more “in the moment” data?</li> <li>• Mary Chappell – data has to be validated and that’s part of the problem</li> <li>• Tim Krum – 40 day, 80 day and 120 day, along with end of year reporting helps to identify issues at present time but trajectory is to move towards more “real time” reflection</li> <li>• Vice Chair Kaitlin Ellis – how does PED handle issues such as non-compliance in between reporting periods?</li> <li>• Tim Krum – “We’re not bound by those reporting periods” and STARS isn’t the only data looked at. Site visits can be made and any issue identified can be looked at and addressed immediately.</li> <li>• Vice Chair Kaitlin Ellis stated she wants an awareness of the issues happening in real time</li> <li>• Member Jennifer Donelli – questioned in regards to data and STARS, is there a way parents can be provided information getting reported in STARS</li> <li>• Deborah Clark – stated that parents always have the right to know what is being entered at the school site.</li> <li>• Member Carli Mortensen – questioned is there a way to standardize statewide a printout form from STARTS that could be shared with parents?</li> <li>• Deborah Clark – clarified that during an expulsion hearing, documents are shared with parents. With suspensions, she will look at what that would like with STARS and what is required to provide that. She again stated that parents can request a printout for any disciplinary action of their child. In looking towards solutions, discipline trainings can be reiterated with Directors and shared on all Admin level listserv’s</li> <li>• Member Christa Kulidge – agreed that more training towards all Admin level, especially in general education because sometimes a Special Education Director comes from a general education background and doesn’t understand the special education side.</li> <li>• Vice Chair Kaitlin Ellis – acknowledged concerns brought up on public comment and stated it’s our job to look at and offer solutions.</li> </ul> <p>          IDEA B Panel          2_10_23_ The Story of</p>	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>

**9:50 – 10:00 AM**

<b>9:50-10:00 AM</b>	<b>Break</b>	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>

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10:00 AM

**Presentation by Miguel Lozano and Michael Gadomski,  
Dispute Resolution and the Evaluation Rule Amendments**

DISCUSSION	Dispute Resolution and the Evaluation Rule Amendments
CONCLUSIONS	<p>Notable Dispute Decisions 2022-2023 – Michael Gadomski gave summaries of 10 cases. This is beneficial for panel to see trends and systemic issues. Power Point is attached.</p> <p><u>Discussion Points and Questions raised during case summaries:</u></p> <ul style="list-style-type: none"> <li>• Vice Chair Kaitlin Ellis – in regards to goals being copied from year to year, is this happening in cases? Michael Gadomski stated that PLP is looked at first to ensure that it reflects the need and that the goals reflect it.</li> <li>• Vice Chair Kaitlin Ellis – is a trend being seen doing 10 and 20 min IEP’s, an insufficient amount of time to address everything? If so, what is PED’s stance on that? Michael Gadomski stated insufficient amount of time runs the risk of denying FAPE. Miguel Lozano it is a difficult topic to assess but they are cognizant of needs being addressed in the IEP.</li> <li>• Member Carli Mortensen – What happens when lack of qualified staff aren’t available (ex. TSVI)? Michael Gadomski stated an audit of the district is done and Miguel Lozano stated it’s difficult in terms of correction. It’s challenging to ensure @ PED that a qualified provider is available due to lack of qualified providers. They can monitor retention and recruiting efforts by the districts and look at the district plan on how to address it.</li> <li>• Member Carli Mortensen – added a follow up question about what is done about compensatory time? Is there corrective action on recruiting/retention efforts of a district?</li> <li>• Member Debra Poulin – In relation to Indicator data collected, does state have guidance or direction in terms of “expedited” evaluation and what it means because this is an issue in regards to discipline. Miguel Lozano stated that OSEP is vague in their definition but they that is what is used as guidance. At this time, no compliance data is collected in regards to “expedited.”</li> <li>• Vice Chair Kaitlin Ellis – stated that there’s a pattern of districts not following through with written notification, like the PWN and asked how is PED addressing? Miguel Lozano stated they are working on a more global scale at identifying and addressing concerns, some examples being notification and trainings. Debra Dominguez-Clark also added meetings with state directors and addressing concerns</li> <li>• Member Christa Kulidge – stated that from a district level, turnover is incredibly high and special ed directors don’t always have special education background so further training is needed</li> <li>• Vice Chair Kaitlin Ellis – in regards to looking at concerns and trends, how can the panel help to find solutions. Member Christa Kulidge stated legislative action is needed and as a panel, we have to continue to reinforce to our legislators how important special education staff are and that some of the challenges are not being addressed</li> <li>• Miguel Lozano – stated that it’s important not to discount the good work being done around the state; the cases summarized aren’t indicative of all the good work being done. Deborah Dominguez-Clark agreed that the good things happening aren’t getting to be shared and highlighted. But in looking at solutions it’s important to look at the personal pieces that panel members contribute, look deeper at creating plans and following up on them and to weave all the pieces into our work and to continue to include a comprehensive and in-depth agenda such as the one for this meeting. Miguel Lozano added to reach out to members of the committee throughout the year.</li> </ul> <p>Online Dispute Resolution – Miguel Lozano</p> <ul style="list-style-type: none"> <li>• The online system has been tracked for 7 months</li> <li>• Provides real time reporting</li> <li>• The data collected won’t be solely relied upon until next year since it’s still in testing</li> <li>• Future plans for this to be the way that reporting is done – not required right now</li> </ul> <p>Evaluation &amp; Eligibility Determination Rule NMAC 6.31.2.10 – Miguel Lozano</p> <ul style="list-style-type: none"> <li>• Trainings are planned before the end of the school year for stakeholders; bring clarity to some areas of this rule, adjusted to make easier to read, addressing state complaints, moved away from severe-discrepancy model</li> </ul> <p><u>Discussion Points and Questions raised:</u></p> <ul style="list-style-type: none"> <li>• Member Debra Poulin – asked how to ensure panel is informed of rule changing. Chair Shannon Vasquez asked if that falls under advisement for the panel, is it the role to review or just comment. Miguel Lozano stated the panel can review policies and will bring attention to the panel when it pertains to rule changing</li> <li>• Member Carli Mortensen – asked if panel can be made aware of PED 5-year plan to make comment and advise on future projects. Also asked if going to a dual-discrepancy model from a severe-discrepancy model will impact eligibility (she stated she’s skeptical as a mom with a child who’s district looked at disqualification). Miguel Lozano stated there’s not a switch and districts can still use the severe-discrepancy model. Chair Shannon Vasquez stated the dual-discrepancy model is more holistic and doesn’t see it as putting limitations on a team on whether a student is eligible. Member Lisa Keck stated, as a diagnostician, she sees it as a win because it’s more comprehensive. She stated the re-evaluation focus is on the continued need for services.</li> </ul>



Special Education  
Dispute Resolution Uç

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

**12:17 PM**  
**Sub-Committee Work**

<b>DISCUSSION</b>	Sub-Committee Report Outs <ul style="list-style-type: none"> <li>• Mental Health –</li> <li>• ECLIPSE –</li> <li>• Transition &amp; Community Engagement –</li> <li>• Autism – Member -</li> </ul>	
<b>CONCLUSIONS</b>	 IDEA B 2_10_23 Committee Work.pptx  <b>Notes:</b> <a href="https://drive.google.com/drive/folders/11px8YZLqnRcFL8IFLpeA2pQBPSDIYfmO?usp=sharing">https://drive.google.com/drive/folders/11px8YZLqnRcFL8IFLpeA2pQBPSDIYfmO?usp=sharing</a>	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

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**Adjourn, Next Meeting April 7, 2023**

**Kaitlin Ellis, Vice Chair**

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