

# **EDUCATION COMMITTEE REPORT**

**DAVID KOHLER, CHAIR  
ANNE APPLGATE, STAFF**

**MAY 14, 2019**

# COMMITTEE ATTENDEES AND MEMBERS

Don Enoch

Shawn Bernard

Patrick Pillai

Shelly Vendetti-Vuckovich

Alex Fogarty

Molly McManamin

\*University-level educator/administrator needed; more parents needed; charter school representative needed

Kathy Gustafson

Kathryn Rose

Ernie Manzie

Fred Villa

Chad Hansen

Kelly Manning

Courtney Westmann

Heidi Lieb-Williams

Clayton Holland

# REPRESENTING THE GOVERNOR'S COUNCIL

- Leadership Council for Department of Education and Early Development (DEED)
- State Board of Education and Early Development (BOEED)
- Special Education Services Agency (SESA) Board
- Alaska Advisory Board for the Education of Deaf and Hard of Hearing (DEB)

# LEGISLATIVE EDUCATION & ADVOCACY

- SESA Reauthorization
  - Patrick Pillai: *Why SESA is important*
  - Council's role: *Advisory Board*
- Transfer of Special Education Adjudications to Office of Administrative Hearings

# ONGOING PROJECTS/UPDATES

- Authentic Planning for Transitions to Adulthood in Rural Alaska
- Paraeducator Professional Development
- Educating Special Education Administrators and Teachers
- Inclusive Practice Award/Paraeducator of the Year Award
- Supported Decision-Making Agreements as tool for students and IEP Teams

# **RESTRAINT & SECLUSION REPORT**

# STATEWIDE TOWN HALL ON RESTRAINT & SECLUSION

- 40 people in the room
- 45 online through Zoom
  
- Survey 39 responses
  - Almost none heard first from the school
  - Many did not have IEP meetings afterward (meetings with site administrator)
  
- Discussion:
  - Do we address the conflict of perspectives? Mutual distrust? Parent anger/grief?
    - How?

# LINKS DATA

- What does the data cover?
  - Data covers 3 school years: 2014-15, 2015-16, 2016-17
  - Number of incidents of restraint and number of seclusions per year (combined)
  - Broken down by disability within each district
  - N-size seems to be 10; smaller number than that jeopardizes privacy
- Discussion:
  - Should seclusions be reported separately?

# RESTRAINT & SECLUSION NUMBERS

- Number of incidents:
  - 2014-2015 = **3,563**
  - 2015-2016 = **4,879**
  - 2016-2017 = **2,885**
- Affects students with disability and nondisabled students
- But between 92-94% of restraints and seclusions happen to special education students (except 2016-17; ASD changes)

# NUMBER OF DISTRICTS REPORTING ZERO INCIDENTS

- 21 districts have three years where they reported 0 incidents – covers 11,017 students
- 10 districts have two years where they reported 0 incidents – covers 7,045 students
- 8 districts have one year where they reported 0 incidents – covers 7,799 students
- 10 districts that reported 0 incidents at least one year: covers 18,531 students

# NUMBER OF DISTRICTS REPORTING INCIDENTS IN ALL THREE YEARS

- Only 15 districts have 3 straight years where they reported incidents – 107,314 students
- Discussion:
  - Should districts with over 500 students that report 0 incidents receive additional training and follow up to make sure they are reporting correctly?
  - Should DEED aggregate data for reporting on schools with very small numbers?
  - Should DEED aggregate and report on statewide data?

# INCIDENTS RESULTING IN INJURY OR DEATH

- 2014-15: **530** (14.8%)
  - 2015-16: **620** (12.7%)
  - 2016-17: **357** (12.3 %)
- These numbers do not include reports from small districts where a number was blacked out to protect student identity
  - Discussion:
    - Should the statute or code require deaths to be counted separately?

# PERCENTAGES OF R&S INCIDENTS INVOLVE STUDENTS WITH DISABILITIES

- 2014-15: 3,284 (92.1%)
  - 2015-16: 4,624 (94.7%)
  - 2016-17: 1,672 (57.9%) (mostly due to a change in the report from ASD)
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- These numbers do not include reports from small districts where a number was blacked out to protect student identity

# PERCENTAGE OF R&S INCIDENTS WITH UNTRAINED STAFF

- 2014-15: **91** (2.5%)
  - 2015-16: **54** (1.1%)
  - 2016-17: **69** (2.3%)
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- These numbers do not include reports from small districts where a number was blacked out to protect student identity

# INTERESTING TRENDS

- Mat-Su Borough School District
  - District policies that are more detailed and include timelines for reporting to parents (creates employment consequences)
- Kenai Peninsula Borough School District
  - Committed resources to bringing in ABA consultants to work with teacher(s), students, and schools when individual student is having a hard time in an environment
- Anchorage School District
  - Adopted legal opinion given by legal counsel on definition of “seclusion”

# NEW OPPORTUNITIES

- <https://www.ed.gov/news/press-releases/us-department-education-announces-initiative-address-inappropriate-use-restraint-and-seclusion-protect-children-disabilities-ensure-compliance-federal-laws>
- The Department's initiative will include the following three components:
  - Compliance Reviews
  - Included in Civil Rights Data Collection
  - Support for Recipients

## U.S. Department of Education Announces Initiative to Address the Inappropriate Use of Restraint and Seclusion to Protect Children with Disabilities, Ensure Compliance with Federal Laws

JANUARY 17, 2019

Contact: Press Release, (202) 401-1576, [press@ed.gov](mailto:press@ed.gov)

WASHINGTON – U.S. Secretary of Education Betsy DeVos announced today that the U.S. Department of Education will launch an initiative to address the possible inappropriate use of restraint and seclusion in our nation's schools. The Office for Civil Rights (OCR), in partnership with the Office of Special Education and Rehabilitative Services (OSERS), will oversee this proactive approach which will protect students with disabilities by providing technical assistance and support to schools, districts, and state education agencies, and strengthen enforcement activities.

"This initiative will not only allow us to support children with disabilities, but will also provide technical assistance to help meet the professional learning needs of those within



# QUESTIONS?