

Board of Education Agenda Item

Item: _____ K. _____

Date: November 30, 2005

Topic: Annual Report of the State Special Education Advisory Committee

Presenter: Ms. Charlene Christopher, Chair

Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: _____

Action requested at this meeting Action requested at future meeting: _____ (date)

Previous Review/Action:

No previous board review/action

Previous review/action

date _____

action _____

Background Information:

The State Special Education Advisory Committee (SSEAC) is a federally-mandated panel comprised of individuals with disabilities, teachers, parents, state and local officials, and local administrators. The Individuals with Disabilities Education Act (IDEA) requires that the committee submit an annual report to the state education agency.

Summary of Major Elements:

The report includes (1) an overview of the SSEAC organizational structure, (2) a description of meetings conducted during the 2004-05 year, (3) an overview of issues addressed by the committee during the year, and (4) a list of future issues that the SSEAC will consider.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept the report for consideration and disseminate to the public upon request.

Impact on Resources:

There is no anticipated impact on resources.

Timetable for Further Review/Action:

No further review or action is required unless desired by the Board.

Virginia State Special Education Advisory Committee Annual Report

July 2004 – April 2005

**Presented to the
Virginia Board of Education**

By

Mrs. Charlene Christopher, Chair

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Committee Organization

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the Virginia Board of Education by-laws for all advisory committees. The SSEAC year runs from July 1 to June 30. An executive committee works with the Virginia Department of Education (DOE) staff in establishing priorities and agenda items. Three subcommittees study programmatic issues. For 2004-2005, consistent with the Virginia Special Education Improvement Plan, the subcommittees were:

1. Results for Students,
2. Personnel Development
3. Parent Involvement

In addition, the SSEAC has a membership subcommittee to assist with the appointment process when vacancies occur within the membership and a special committee to review the policies and procedures of state-operated programs and the Virginia Schools for the Deaf, Blind, and Multi-disabled. Staff members are available to each of the subcommittees to provide technical assistance, clarification of Department of Education (DOE) procedures, and background information.

Committee members are assigned to one of the three subcommittees to take advantage of each member's expertise, interests, and concerns. A member of the SSEAC executive committee chairs each subcommittee. Subcommittees may meet independently and recommend action to the full committee. Such action may take one of several forms: further study, requests for additional information from the DOE, or referral to the Board of Education by written communication, oral presentation, or public comment. In addition, the Ad-Hoc Subcommittee on Restraint and Seclusion continued its work to develop recommendations, and a subcommittee was appointed to study issues concerning the education for students with autism.

Meetings

The committee meets in regular session four times a year. Subcommittees and the executive committee meet as necessary to fulfill their responsibilities. All regular meetings are open to the public, and a public comment period is offered at each meeting.

To enhance the opportunities for parents and other citizens to address the SSEAC during 2004-2005, the committee established the practice of holding two of the four meetings in locations outside the Richmond area. The committee met as follows:

- July 15 – 16, 2004: Richmond
- October 7 – 8, 2004: Roanoke
- January 20 – 21, 2005: Richmond
- April 14 – 15, 2005: Newport News

At the two regional meetings and at the January meeting, the public was invited to evening forums to discuss matters of concern informally with committee members. Members feel that the evening public forums were successful. The committee expects to meet in other regions of the state during the 2005 - 2006 year.

In addition to the four regular meetings, the special subcommittee met to review the policies and procedures of the state-operated programs and the Virginia Schools for the Deaf, Blind, and Multi-disabled. Department staff members were available and provided technical support at each meeting.

At each meeting, a public comment period is held. The SSEAC has established a procedure whereby persons who make public comments are provided feedback appropriate to the nature of their concerns. During the 2004 - 2005 year public comments were made by parents and grandparents of children with disabilities as well as the Parent Education and Advocacy Training Center (PEATC); Parents Responding, Organized, and United for dyslexic Children (PROUD); the Virginia Coalition for Students with Disabilities; and the Virginia Office of Protection and Advocacy. The following issues were included:

- Virginia's alternate assessment system
- Children with autism, including instructional methodology, research findings, and related services
- Failure to identify disabilities at an early age
- Lack of placement/service options
- Insufficient number of qualified teachers
- Inappropriate disciplinary action for students with disabilities
- Reading instruction for students with dyslexia
- Revision of state special education regulations
- Guidelines on restraint and seclusion

Additionally, at each meeting, members provide an update on issues raised by their respective constituencies. During the 2004-2005 year, the following issues were identified through constituency reports.

- Programs and services for students with autism
- Lack of support of effective inclusion and access to the general education curriculum
- Meaningful participation of general education teachers in IEP meetings
- Transition training for parents

Meetings are audiotaped to assist with record keeping.

Issues Addressed by the SSEAC

During 2004-2005 the SSEAC continued its role working with the DOE and monitoring the Virginia Special Education Improvement Plan and other DOE initiatives. The SSEAC meeting agenda included many additional topics related to the educational achievement for students with disabilities.

Teacher Licensure and Qualifications

Committee members heard presentations on the new requirements for highly qualified special education teachers resulting from the 2004 amendments to the IDEA and the Department of Education's subsequent revisions to the High Objective Uniform State Standard of Evaluation (HOUSSE). Members are concerned that the requirements could intensify the current shortage of special education teachers. The committee will continue to follow this issue closely.

In 2003 – 2004, the SSEAC endorsed changes in the special education teacher licensure requirements that would lead to the elimination of separate endorsements for mental retardation, learning disabilities, and emotional disturbance. These categorical endorsements would be replaced by a single endorsement for students with high-incidence disabilities. Stand-alone endorsement for students with severe disabilities, speech/language impairments, hearing impairments, visual impairments, and preschool would remain.

Committee representatives participated in a statewide task force that prepared recommendations for special education licensure consistent with the SSEAC recommendation. The committee is pleased that these recommendations were endorsed by the Advisory Board on Teacher Education and Licensure (ABTEL) and have been sent to the Board of Education.

Children with Autism

Through public comment, open forums, and constituency reports, the committee heard numerous concerns from parents about services for children with autism. At the October meeting, held in Roanoke, there was considerable discussion of this issue during the public comment period as well as the evening forum. The committee agreed that autism should be the focus of the January 2005 meeting.

At the January meeting, the committee heard from a panel of professionals who work with children and adults with autism, including Carol Schall, Virginia Autism Resource Center; John Toscano, Commonwealth Autism Services; Linda Oggel and Sue Palko, VCU Training/Technical Assistance Center; Tony Gentry, Partnerships for People with Disabilities Assistive Technology Project; and Barbara Flanagan and Randy Jennings, Pulaski County public schools.

The committee appointed a special subcommittee to continue to seek information and opinions on special education services for children with autism and to formulate

recommendations for the full committee to consider in preparing its report for the 2005 – 2006 year.

Assessment and Accountability for Students with Disabilities

The committee has had considerable dialogue on various issues related to the inclusion of students with disabilities in Virginia’s accountability system. Concern has been expressed about the value of the Virginia Alternate Assessment Program (VAAP). At the April meeting in Newport News, the committee heard a presentation about revisions to the VAAP that would increase its alignment with the Standards of Learning. The proposed VAAP revisions were well received by the committee. Information on the initial statewide training as well as the results from the spring 2006 administration will be provided to the committee in October 2005 and July 2006, respectively.

The committee will also follow carefully implementation of the Virginia Grade Level Alternative Assessment and will look forward to further federal guidance on the new provision for modified achievement standards for certain students with disabilities.

Restraint and Seclusion

The committee continued its study of restraint and seclusion. At the April meeting, action was taken to recommend to the Board of Education that it require every school board to have a policy on restraint and seclusion. The committee also continued work on a guidance document to assist school boards in developing and implementing such a policy. The guidance document will be completed by the October 2005 meeting.

Future Issues

Listed below are three areas that the SSEAC will continue to monitor and offer comments as they continue their work for the families and children of Virginia.

Assessment, Accountability and Academic Achievement of Students with Disabilities

The committee will continue to review the academic achievement of students with disabilities as measured by the Standards of Learning Assessments, including the Virginia Grade Level Alternative Assessment (VGLA), the Virginia Substitute Evaluation Program (VSEP), and the Virginia Alternate Assessment Program (VAAP). The committee will also provide input to the Department of Education in the implementation of the “two percent flexibility” announced by the U.S. Department of Education in April 2005. Of particular relevance will be the progress that school divisions are making in providing access to the general curriculum for students with disabilities.

Consolidation of the Two State Schools for the Deaf and the Blind

The committee has received periodic updates concerning the consolidation of the two state schools for the deaf and the blind since the appointment of the task force by the 2003 Virginia General Assembly. The committee will continue to maintain an interest in this initiative and will comment as necessary.

Development of the State Performance Plan

The committee will have an active role in the development of the State Performance Plan (SPP), a new requirement under the 2004 IDEA revisions. As part of the SPP process, the committee will advise the department about the use and the public reporting of data.

Reauthorization of the Individuals with Disabilities Education Act (IDEA)

The committee is awaiting the finalization of federal regulations for the 2004 statutory revisions to the IDEA. When the final regulations are promulgated, the committee will have an active role in preparing revised Virginia special education regulations. It is anticipated that this process will begin during the coming year.

No Child Left Behind

The SSEAC will continue to monitor the impact of the No Child Left Behind legislation on students with disabilities in Virginia.

Appendix A

Mission and Structure

The State Special Education Advisory Committee (SSEAC) for the Commonwealth of Virginia is organized and functions in accordance with the mandate in the Rules and Regulations for the Administration of the Individuals with Disabilities Education Act (IDEA) and the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*. The committee's functions include the following:

1. Advise the state education agency (SEA) of unmet needs within the state in the education of children with disabilities;
2. Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
3. Advise the SEA in developing evaluations and reporting on data to the U.S. Secretary of Education under section 618 of the Act;
4. Advise the SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Individuals with Disabilities Act; and
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
6. Provide advice on eligible students with disabilities in adult prisons that have been convicted as adults and incarcerated in adult prisons;
7. Review the policies and procedures of state-operated programs, the Virginia School for the Deaf and Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton; and
8. Prepare and present an Annual Report to the Virginia Board of Education and the Superintendent of Public Instruction. This report shall be made available to the public.

Appendix B

Membership

The committee is composed of representatives of stakeholder groups as prescribed by IDEA. These individuals have a common interest in meeting the educational needs of children and youth with disabilities throughout the commonwealth. The membership includes eight parents of children with disabilities, two individuals with disabilities, a teacher, a representative of institutions of higher education that prepare special education and related services personnel, a local superintendent, a local special education director, a representative of an organization concerned with transition services, a representative of other state agencies involved in the financing or delivery of related services to children with disabilities, and a representative of a correctional agency. Members are appointed by the Board of Education to a three-year term and are eligible for reappointment for an additional three-year term. Individual citizens and organizations are invited to nominate candidates for appointment to the committee. Terms of membership are staggered to assure continuity. Members are reimbursed for expenses incurred while attending meetings; however, the membership serves without compensation. The committee is staffed by designated personnel from the Department of Education who are knowledgeable in the field of special education. The department also provides technical and clerical assistance to the committee.