

Virginia State Special Education Advisory Committee Annual Report

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**Prepared for
Virginia Board of Education**

By

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State Special Education Advisory Committee (SSEAC)**

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Part I: 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 Public Law 105-17, the Individuals with Disabilities Education Act (IDEA) 1997 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 Secretary 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 Act; and
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
6. Advising 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.

Membership

The committee is composed of representatives of stakeholder groups as prescribed by IDEA 97. 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 four-year term and are eligible for reappointment for an additional four-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 liaisons from the Department of Education that are knowledgeable in the field of special education. The department also provides technical and clerical assistance to the committee.

Organization

The activities of the committee are governed by its by-laws, which were last revised in April 2001. The SSEAC year runs from July 1st to June 30th. Three subcommittees conduct the work of the full committee. 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; make recommendations on issues and topics discussed with recommended action. Such action may take one of several forms: further study, requests for additional information from the Department, or referral to the Board of Education by written communication, oral presentation, or public comment. The SSEAC worked with three subcommittees, which were aligned with Virginia's Special Education Improvement Plan goals. In addition, the Ad-Hoc Subcommittee on Restraint and Seclusion continued its work to develop a product. The subcommittees were:

1. Results for Students,
2. Personnel Development
3. Parent Involvement
4. Ad-Hoc Subcommittee on Restraint and Seclusion

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.

All meetings in 2003-2004 were held in Richmond. In addition to its four regular meetings, the Membership committee met once to review the nominations of candidates for a vacancy that occurred on the committee. Additionally, a 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. The SSEAC public comment policy guidelines to ensure that persons speaking before the committee were provided feedback relative to their concerns. These guidelines have further been refined to notify the special education director and the local superintendent of local constituent concerns. Meetings are audiotaped to assist with record keeping. The Committee has decided to alternate meetings for the 2004-2005 school year in different localities to allow parents the opportunity to address the Advisory Committee in their home communities.

Part II: Priority Issues for the SSEAC

During 2003-2004 the SSEAC continued its role working with the DOE and monitoring the Virginia Special Education Improvement Plan and the various priority projects. The SSEAC meeting agenda included many additional topics related to the educational achievement for students with disabilities.

A. Student Achievement

The SSEAC recognizes the importance of including students with disabilities in the Standards of Learning achievement measures, and the need to do so in order to assure accountability. The State Special Education Advisory Committee believes that the steps taken providing substitute numeracy and literacy tests for the Modified Standard Diploma and the “Plain English Math” test are steps in the right directions towards leveling the playing field for students with disabilities. However, the SSEAC would like to have further discussion in this area. The committee is intensely interested in working with the Department of Education as they institute current and planned programs and strategies for addressing these concerns.

The SSEAC received public comment from several parents relative to their concerns about student’s ineligibility to receive a standard diploma because of failure to pass the Standards of Learning end-of-course tests. Public comment was also received about the large print accommodation for the SOL.

B. Qualified Personnel

Licensure and Teacher Shortages: Committee members continue to be concerned about the number of special education teachers leaving the field and the high number of teaching staff in Virginia with conditional licensure. The committee is concerned that under the NCLB and its requirements for “highly qualified” personnel the shortage of special education staff in Virginia serving students with disabilities will worsen.

As legislation is drafted under the reauthorization of the Individuals with Disabilities Education Act (IDEA) the definition of “highly qualified” as it relates to special education teachers needs to be addressed or the shortages may increase. As the number of students with disabilities are involved in the regular education curriculum and the state assessment program increases, it is vital that staff is available to ensure their academic success. Retention of current staff remains a major concern for localities. Efforts to improve working conditions should be a high priority for local school divisions, state operated programs, and the DOE.

The SSEAC supports the State Board’s high, objective, uniform state standard of evaluation (HOSSE), which should assist localities in their ability to retain qualified staff.

Public comment was received about the use of the SAT in place of Praxis I and Praxis II.

Paraprofessionals: Paraprofessional staff development is critical to the success of all students. As more students with disabilities are involved in the regular education environment, the staff

working with them should be highly qualified. The SSEAC was informed about the Paraprofessional Guide that was developed and utilized in the Department's training sessions throughout the Commonwealth to assist LEA's staff development. While localities are developing programs to implement NCLB requirements, technical assistance will be vital as these provisions are implemented.

C. Family Involvement

Literacy Level of Materials: Parent involvement is one of the most important variables determining student success. The SSEAC has worked to improve family involvement in children's education by producing a Question and Answer Guide to accompany the *IDEA Procedural Safeguards*. This resource will be made available to parents and school divisions.

Additional information for Families: The SSEAC has provided information to Parent Resource Centers and Local Special Education Advisory Committees (LACs), and has encouraged the DOE to produce guidelines for LACs.

D. Continuum of Placement Options and the Least Restrictive Environment

Technical assistance should continue to be available to improve student achievement through access to learning in general education classrooms. The SSEAC has recommended that the DOE provide additional technical assistance and information to LEAs about how to provide appropriate supports that will maximize student achievement. Concerns in this area remain, as demonstrated by the public comment the SSEAC received from various parts of the state about lack of access to the general education classroom, and how that relates to children's achievement.

We also received some positive public comment concerning children having the opportunity to participate in inclusive settings.

E. Virginia Schools for the Deaf and Blind:

The General Assembly has funded a feasibility study to determine the future of these schools. The SSEAC will continue to be kept informed during the consolidation planning for the two Schools. The SSEAC believes that enhancing parent involvement should become a priority focus of both schools.

F. Restraint and Seclusion

A subcommittee of the SSEAC was formed to review concerns expressed about the use of restraint and seclusion in public school settings. A survey was distributed in order to acquire more information from schools related to policies, procedures, and training on the scope of these issues. The subcommittee has reviewed the results leading to the development of guidelines for local school divisions. Further action will be forthcoming.

Public comment was received from a parent concerning the use of restraints.

G. Medicaid

The SSEAC continues to request the Board of Education to advocate for more Medicaid waiver slots allocated to the state system so that the number of students on the Medicaid Waiver waiting lists can be reduced.

H. Secondary Transition

The Results for Students sub-committee received a report from the DOE concerning projects to address secondary transition services, and will continue to look at how best to prepare students for a future, which prepares them for postsecondary education/training, employment, and independent living.

III: 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.

A. Reauthorization of the Individuals with Disabilities Education Act (IDEA)

Members of the SSEAC are very concerned about the future of special education and provision of services to maximize independence and success for all students. The SSEAC has requested communication with DOE prior to the department providing advice or taking a position on the federal legislation. The SSEAC will be calling special meetings to discuss the proposals reauthorizing IDEA.

B. 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.

C. Olmstead Plan

Comments on the proposed plan were provided to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services relative to the Supreme Court decision of 1999 (Olmstead v. L.C.) that would affect persons with disabilities in the areas of prevention and transition. Recommendations were made to the Task Force.

Public comment was also received on this issue requesting the State Special Education Advisory Committee to provide comment.

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(SSEAC)**

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June 2004

2003-2004 SSEAC Presentations

July 2003

Teacher Licensure- Pat Burgess Summary of Proposed Revisions

SOP Annual Plan Stan Boren, Member Past Chair

Committee discussion of IDEA Reauthorization

Top concerns: IEPs, Student Discipline, Personnel Standards + Professional Development

October 2003

VDOE Priorities Review - Pat Abrams

IDEA and NCLB and the impacts on AYP and/or accreditation

Enhanced Scope and Sequence Project - Maureen Hijar

Governor's Education for a Lifetime Plan

Data regarding special education student placement - Paul Raskopf

Trends in Local Improvement Plan - Carol David

State developed system for sharing effective practices that improve student achievement to graduation

2 + 2 in '04 - Dr. Sylinda Gilchrist

How the 'n' of 50 was calculated and determined- Doug Cox and Shelley Loving Ryder (also reviewed their proposal about 'cut scores')

January 2004

Educational Accountability in VA Public Schools and Accreditation and AYP- Dr. Cheryl Magill

Virginia Secondary Transition Outcome Project - T/TAC personnel

Physical Restraint and Seclusion Report - Subcommittee Presentation David Martin

Federal Annual Performance Report January 17 draft of Part B Annual Performance Report - VDOE staff

April 2004

Ombudsman Role in the VDOE- Sandra Ruffin

Safe and Drug Free Schools, Title IV Part A NCLB - Arlene Cundiff