

**State Special Education Advisory Committee (SSEAC)
April 14-15, 2005
Omni Hotel
1000 Omni Blvd.
Newport News, VA 23606**

THURSDAY, APRIL 14, 2005

Present

Charlene Christopher, Michael Behrmann, Rick Richardson, Suzanne Conroy, Stacie Ellis, Emily Dreyfus, Anne Fischer, Heidi Lawyer, David Martin, Cindy Mills, Carmen Sanchez,

Staff

Pat Abrams, Doug Cox, Judy Hudgins, Cathy Pomfrey, Paul Raskopf, Marie Ireland, Irene Walker-Bolton, Jeff Phenicie, John Eisenberg, Cindy Cave, Nate Sparks

Visitors

Ruth Ann Newton, Annette Sanutti (VOPA) Sandy Hermann, Sarah Dickerson (Senate Finance Committee), Marsha Goldberg, Leslie Ange, Linda Kerse, Chenelle Harris, Don Gordon, Suzanne Stuart, Robert Pietrasanto, C. J. Butler, R. Fairheart, Suzanne Creasey, Ruth Page, Carl Brakman, Donna Kouri, Janine D'Antonio

The Chair, Ms. Charlene Christopher, called the meeting to order. Ruth Ann Newton, Assistant Superintendent, Newport News Public Schools, gave welcome remarks.

The agenda was reviewed to indicate that the order of presentations would be changed. The chair noted with regret that Mrs. Elizabeth Vincel would be resigning due to family and job obligations.

Presentations and Work Sessions

Assistant Superintendent's Report

(Mr. H. Douglas Cox, VDOE)

The first topic was the Highly Qualified Teacher as defined in the Individuals with Disabilities Education Improvement Act (IDEIA), the No Child Left Behind Act (NCLB) and Virginia Licensure Requirements (High Objective Uniform State Standard of Evaluation [HOUSSE] and applies to all veteran teachers, new teachers who teach students with severe or cognitive disabilities and new teachers who teach in multiple areas.) Mr. Cox provided the committee with a chart that explained the various aspects of the Highly Qualified Teacher requirements which is to be presented to Virginia Board of Education. All teachers must meet the Highly Qualified Teacher requirement by June 30, 2006. The committee discussed the ramifications of the new changes and asked several questions relative to the Advisory Board on

Teacher Education and Licensure (ABTEL) and the Virginia Board of Education review committee of the PRAXIS II cut scores.

Mr. Cox referred to an announcement by U. S. Secretary, Margaret Spellings, regarding several important new policy initiatives.

Mr. Cox reviewed the status of the State Improvement Grant. The Department of Education has hired a coordinator who will be joining the staff June 1.

Another topic presented in the IDEIA revision is the concept of Response to Intervention as a means of identifying students with learning disabilities. IDEA 2004 specifically recognizes that the need for services may be based on a Response to Intervention (RTI) model. The law permits the local school division to use this model and the Department of Education will need stakeholders around the state to assist with ways to provide guidance. This is already very controversial in some school divisions.

There is a mandatory provision under IDEA that 15 percent of the money the Department of Education “flows through” to localities may be used for “early intervening.” There is also a requirement, that if a school division has been identified as having a racial disproportionality in special education, they have to use the 15 percent for early intervening services.

Mr. Cox stated that it is expected that the final Regulations for IDEIA will be released in May. After a 60-day comment period and final adoption, the Department of Education will seek the assistance of the SSEAC to start the process for establishing Virginia’s Regulations.

The Department of Education and the SSEAC will continue an emphasis on Autism through the SSEAC subcommittee and will make final recommendations to the Virginia Board of Education.

Lastly, there is a new requirement in the state performance plan for SSEAC participation and volunteers will be needed to serve on that subcommittee.

Virginia’s Special Education Annual Performance Report **(Mr. Paul Raskopf, VDOE)**

Mr. Raskopf stated it is now a requirement that states submit a state performance plan every six years. This information was received two weeks prior to the April SSEAC meeting and Virginia’s six-year State Performance Plan has to be submitted by December 2, 2005. The first annual performance report, submitted annually, is due March 28, 2007. The previous clusters have evolved into five mentoring priorities: FAPE, Parent Involvement, Disproportionality, Effective Transitions, and Effective General Supervision.

The SSEAC will have an intensive work session during the July 2005 meeting. Volunteers will be needed to work on the draft document to be ready for the October 2005 SSEAC meeting.

General Assembly Legislative Update **(Dr. Cindy Cave, VDOE)**

Dr. Cave reviewed several bills and resolutions affecting K-12 public education from the 2005 General Assembly Session. Items related to areas of Standards of Quality and Standards of Accreditation, No Child Left Behind, Students and Student Conduct, Teachers and

Administrators, Instruction, Administrative Matters, the Virginia Schools for the Deaf, Blind, and Multi-Disabled and Group Homes.

Reenrollment Regulations Update

(Dr. Cindy Cave, VDOE)

Dr. Cave reviewed the proposed Re-enrollment Regulations approved by the Board of Education for the administrative review process in March. The proposed regulations provide procedures and responsibilities associated with the re-enrollment of students from the juvenile justice system to the public schools. A final re-enrollment plan must be in place before a child re-enters the public school. The re-enrollment coordinator for the receiving school division and the re-enrollment team (i.e., guidance personnel, director of special education, principal, parent(s)-legal guardian(s), social worker, etc.) should be in place to assist in a smooth transition back to school. Juvenile detention centers are not included in these regulations. The committee suggested that the detention centers be included, with a length of stay criteria, and that references to the IEP be included.

Public Comment

Several people shared comments with the committee:

Sandy Hermann

Independence Center, Norfolk, VA

Member of the Virginia Coalition of Students with Disabilities

- Issues relating to IDEA 2004 and the Virginia Special Education Regulations

Annette Sanutti

Virginia Office for Protection and Advocacy (VOPA)

- Comments and concerns regarding the proposed guidelines for the use of seclusion and restraint in public schools

Donna Kouri

Parents Responding Organized and United for Dyslexic Children (PROUD)

- Referenced programs that address the various needs of the specific learning disability students

Janine D'Antonio

Parent, Hanover School System

- Requested consideration of alternative programs such as Davis Dyslexia Correction Program

Emily Dreyfus

SSEAC

- Read several items that she had received, i.e. petition referencing adoption of special education regulations and e-mails from parents

Carmen Sanchez

SSEAC

- Read a letter she had received regarding Procedural Safeguards and Due Process procedures

Autism SSEAC Subcommittee Discussion

(Ms. Marie Ireland, VDOE; Ms. Susan Conroy, SSEAC; Ms. Stacie Ellis, SSEAC)

The subcommittee presented several questions for consideration.

Are there opportunities to:

1. Expand communication and awareness of Parent Resource Centers (PRCs), school divisions, and parents regarding supports for persons with Autism in Virginia?
2. Incorporate the Virginia Autism Council's competencies to increase or improve services for students with Autism?
3. Address the need for lifespan services for persons with Autism in Virginia?
4. Increase motivation for teachers and school divisions that will result in increased services?

Virginia Alternate Assessment Program

(Nate Sparks, VDOE; John Eisenberg, VDOE)

Mr. John Eisenberg and Mr. Nate Sparks provided an update on the Virginia Alternate Assessment Program (VAAP) that is currently is being redesigned to meet No Child Left Behind and IDEIA requirements. The new VAAP is currently under construction with the help of workgroups as well as a stakeholder committee. Department staff has been working in conjunction with guidance from the U.S. Dept of Education and other technical assistance providers on this project. The new VAAP will be field tested this summer with students in summer programs and will be ready for implementation in September. Department staff will be canvassing the state with training and training materials beginning in September. The new VAAP will include a shift away from linkages from IEP goals to SOL to one that focuses on instruction in SOL content that has been modified in complexity. Staff is currently exploring how to integrate communication skills into the assessment. The new VAAP will utilize an on-line format that will provide instant test results. A curriculum framework is currently being designed as well as instructional support materials.

SEAC Effectiveness Training Project Update

(Ms. Judy Hudgins, VDOE, and Mrs. Eileen Hammar, Partnership for People with Disabilities)

Ms. Judy Hudgins and Mrs. Eileen Hammar presented a report of the results of the survey that was sent to LAC chairmen, LAC members, sped directors and local school board chairmen. A one-page flyer describing the project and containing a Web address for updated project information was also given out. There was discussion of the survey results and the plans for developing the training curriculum. The SSEAC members suggested some edits for the flyer before it is distributed. They also requested that a supply of the revised flyers be sent to them along with labels and envelopes so they can be sent to local advisory committee chairmen from the SSEAC regional parent representatives. The file of the flyer will also be e-mailed to the parent representatives.

Priority Projects Update; Revised Individualized Education Program Material

(Patricia Abrams, VDOE)

Dr. Abrams distributed a handout Individualized Education Program (IEP) providing a comparison of IDEA '97 to H.R. 1350 as passed by Congress November 19, 2004. She also gave a Power Point presentation on a draft Standards-Driven Individualized Education Programs (IEPs) process. She summarized state and federal goals and requirements as stated by Virginia's Standards for Accrediting Public Schools (SOA), No Child Left Behind Act (NCLB), Individuals with Disabilities Education Act (IDEA), and Individuals with Disabilities Education Improvement Act (IDEIA). Included in the draft material was information about content. She requested feedback for finalizing the material to make it available on the VDOE website.

FRIDAY, APRIL 15, 2005

8:00 AM – **Call to Order**

Ms. Charlene Christopher called the meeting to order.

Present

David Martin, Heidi Lawyer, Charlene Christopher, Stacie Ellis, Anne Fischer, Mike Behrmann
Carmen Sanchez, Emily Dreyfus, Suzanne Conroy, Rick Richardson

Staff

Doug Cox, Cathy Pomfrey, Judy Hudgins, Pat Abrams, Irene Walker-Bolton, Jeff Phenicie, Scott
McMichael, John Eisenberg

Visitors

Annette Sanutti (VOPA) Sandy Hermann, Sarah Dickerson (Senate Finance Committee), Leslie
Ange, Linda Kerse, Suzanne Creasey, Ruth Page

Restraint & Seclusion Subcommittee Report

(Ms. Irene Walker-Bolton, VDOE; Mr. David Martin, SSEAC)

After a lengthy discussion of the ninth proposed draft of the Restraint and Seclusion Guidelines, Ms. Bolton requested feedback on the proposed document within the two weeks following the meeting.

After further discussion, Mr. Cox told members that another crosswalk with human rights requirements would be presented to members in July.

Business and Subcommittee Work & Reports

Approval of January 2005 Meeting Minutes:

Ms. Heidi Lawyer moved the adoption of minutes with corrections. Ms. Carmen Sanchez seconded the motion. The motion was adopted.

Membership:

The membership committee will review applications for: person with a disability, a representative for a Parent in Region 6 and a person from the Foster Care agency

Subcommittee Reorganization Discussion:

The Department of Education will present the Executive committee with recommendations for the reorganization of the SSEAC.

Ms. Carmen Sanchez moved that the meeting agenda be changed so meeting business will be held on Thursday morning. Dr. David Martin seconded the motion; the motioned was adopted.

Subcommittee Work and Reports:

Constituency Reports

Members talked about a number of issues as well as various concerns in their areas.

Ms. Carmen Sanchez - the participation of general education teachers in IEP meetings; protections for parents that may be affected by the regulations; behavioral management and restraint items

Ms. Stacie Ellis – transition training for parents

Ms. Anne Fischer – annual plans

Ms. Heidi Lawyer – segregation of services

Ms. Emily Dreyfus – inclusion; gap in technical assistance

Dr. Mike Berhmann – comments from Higher Education on the licensure regulations

Update on Schools for Deaf and Blind

(Mr. Doug Cox, VDOE)

Mr. Cox provided a brief update on the status of the Schools for the Deaf and Blind. Several members voiced opinions and concerns regarding the consolidation of the two schools. Mr. Cox stated that these concerns could be presented to the Board of Education in a letter on behalf of the committee. Members would also be welcome to submit individual comments to the board.

Public Comment Follow-up

(Mr. Doug Cox, VDOE)

Members discussed the issues raised in public comment. Mr. Cox stated that he would draft letters of response to each person who commented. There was further discussion about formal or informal public comment at the evening sessions.

Members requested that they receive a copy of comments submitted by the Department of Education on the special education regulations.

Future Agenda Items

- Autism subcommittee
- Restraint subcommittee
- Nominating subcommittee
- IDIEA

The meeting adjourned.

2004-05 Meetings Dates & Locations

July 21-22, 2005:

Holiday Inn at Koger Center
1021 Koger Center Blvd.
Richmond, VA 23235
Phone: 804-897-1405