

**State Special Education Advisory Committee
(SSEAC)
Holiday Inn University Blacksburg
Blacksburg, Virginia
DRAFT**

Thursday April 17, 2008

	<i>Present</i>	<i>Absent</i>	<i>Members</i>	<i>Present</i>	<i>Absent</i>
Judy Averill	x		Mona Holmes	x	
Mike Behrmann	x		Jacqueline Nelson	x	
Suzanne Bowers	x		Peter Squire		x
Bob Chappell	x		Carletta Wilson	x	
Susanne Conroy	x		Bob Whytal	x	
Sharon Duncan	x		Christina Draper	x	
Anne Fischer	x		Tamara Temoney	x	
Melodie Henderson	x		Mary Ann Discenza	x	
Carol Hamilton-resigned		x			

<i>Department of Education Staff</i>							
Doug Cox	x	Tom Manthey	x	Jeff Phenicie	x	Paul Raskopf	x
Melissa Smith	x	Judy Douglas	x	Judy Hudgins	x	Pat Abrams	x

<i>Guests</i>			
Dr. Tiffany Anderson	Christina Gilley	Leslie McArthur Fox	Kim Sheridan
Gail Holloman	Cyndi Pitonyak	Lynn Everett	Dale Matusevich
Lisa Holland	Kenna Colley	B.J. Norris	Jennifer Whittemore
Jennifer O'Berry-Hamm	Patty Bickley	Barbara Greenberg	Leslie Daniel
Kathy Maybee	Tonya Fussell	Julia Baker	Jamie Talbot
Joni Poff	Dana McCaleb	Denise Sprinkle	Vaneta McAlexander
Susan Trumbo			

Call to Order, Welcome, and Introductions

Ms. Anne Fischer called the meeting to order and declared a quorum. SSEAC members were welcomed to the area by Dr. Tiffany Anderson, Superintendent, Montgomery County Public Schools. Ms. Fisher asked the committee members and guests to introduce themselves.

Business Session

Minutes

Ms. Fischer asked members to consider the minutes from the January meeting. **Mrs. Carletta Wilson moved that the minutes be approved. The motion was seconded. The January minutes were approved.**

Membership Terms Review

Mr. Doug Cox reviewed membership terms and the committee discussed changing the dates of future meetings to coincide with annual performance reports.

Annual Report

Ms. Fischer discussed the drafting of the Annual Report. The chairs of the subcommittees will submit their portions of the report to Ms. Fischer by May 30, so that the final draft may be reviewed by the committee before the July Board of Education (BOE) meeting.

Nomination of Officers

Mrs. Suzanne Bowers was named the new Chair of the Policy and Regulations Subcommittee and will draft their section of the report.

Ms. Fischer informed the committee of the expiration of the terms for Chair and Vice-chair. She requested that the Nominating Committee meet during lunch, and nominate the Chair and Vice-chair.

Presentations

Review of Special Education Annual Performance Report & Data Systems Overview

- Mr. Paul Raskopf, Director, Financial and Data Services

Mr. Paul Raskopf presented an overview of special education data requirements. He provided information on the federal reporting requirements under the IDEA, including reporting requirements for the State Performance Plan/Annual Performance Report (SPP/APR). He addressed required data reporting for school divisions and what they must provide to VDOE. Mr. Raskopf suggest that “Data and Reports” as a subcommittee could best be replaced with an ongoing agenda item that addresses data needs and or requests.

Virginia Modified Achievement Standards Test (VMAST)

- Mr. Jeff Phenicie, Special Education Specialist

Mr. Phenicie presented an overview of the Virginia Modified Achievement Standards Test (VMAST) which will be piloted in two school divisions, to be determined. Statewide field testing will occur in 2009 with the first live administration in spring 2010.

BREAK

Presentations, continued:

Inclusive Practices

- Ms. Christina Gilley, Special Education Director; Ms. Cyndi Pitonyak, Behavior Specialist (Montgomery County Schools)

Dr. Pat Abrams provided the VDOE's Stepping Stones to Success booklets: *I. Teacher to Teacher* and *II. Collaboration, Working Together for All Students*. Representatives from Montgomery County Public Schools, Christina Gilley (special education director) and Cyndi Pitonak (behavior specialist) presented information about their inclusive practices occurring in the school system. The timeline and action steps the school division took during 1990s were discussed. The action steps toward the school system goals to place students in their neighborhood schools included: articulate what we believe, listen to people, adjust policies and procedures to support change, create transformative experiences, and teach people skills.

Public Comment

- Four written comments were read addressing the proposed state special education regulations that were identical written comments
- Suzanne Bowers read written comment addressing the Governor's speech about the proposed state special education regulations

Lunch

Presentations, continued:

Secondary Transition Activity in the Southwest Region

Middle/High Schools Content Literacy Continuum Pilot Sites

- Mr. Tom Manthey and Botetourt County Public Schools Representatives

Botetourt County Public Schools Content Literacy Continuum (CLC) Demonstration Sites

A general educator, special educator, and speech-language pathologist from Central Academy Middle and James River High Schools described the CLC and explained how the schools in

Botetourt County have integrated CLC and the Strategic Instruction Model (SIM) to be responsive to the needs of all learners. Research-based instruction is used incorporating information from Marzano's studies and the Center for Research on Learning at the University of Kansas. The CLC provides a structure in which middle and high schools can implement response to intervention (RtI) principles. The SIM offers content enhancement routines and learning strategies that are research validated as the core material for professional development, which includes ongoing coaching by certified SIM Professional Developers. There have been large academic gains for all students, including students with disabilities and are reflected on SOL tests.

Secondary Transition Activity Update

- Dr. Patricia Abrams and Radford University T/TAC Representatives

Virginia Transition Outcomes Project (VTOP)

- Dale Matusevich, Mac McArthur-Fox, Jennifer Whittemore and Tonya Fussell, Danville Schools Special Education Coordinator.

The T/TAC Online brochure was distributed. T/TAC Online is a web-based community linking people and resources and is available to teachers, other professionals, parents, and students through the convenience of a personal computer and internet. It provides a central location of information, resources, and training. There are many resources for secondary transition.

Virginia Transition Outcomes Project (VTOP) began as a self-assessment and self-monitoring process that schools could select to use in order to collect data on their compliance and practices in transition planning. The Virginia Department of Education provided funding support and leadership to train school personnel. The schools could access the data system for reports after reviewing student files, and use the information to determine where assistance is needed. T/TACs provide for continued professional development assistance to the schools. Schools in 61 school divisions have participated. The State Performance Plan-Annual Performance Report (SPP-APR) indicators around graduation, drop-out, transition, and post school outcomes will have many of the same activities of VTOP, such as data collection, reports, and assistance, be available for all school divisions. T/TAC and Danville City Public Schools representatives provided information on how a specific school system implemented the VTOP.

I'm Determined Project

- Lisa Holland and Kim Sheridan

The I'm Determined Project is based on research on self-determination, which is a concept reflecting the belief that all individuals have the right to direct their own lives. Students who have self-determination skills have a stronger chance of being successful in making the transition to adulthood, including employment and independence. The project offers a curriculum for teachers to use with students at the preschool, elementary, middle, and high school levels. Training and technical assistance are provided through the VDOE T/TACs. Students learn skills for self-determination and practice those skills, including participating in the IEP process. The educators receive assistance in keeping data related to the impact on student outcomes. The

VDOE will offer the products, which were developed over the past few years, with the pilot schools to all school division. The project produced a video with students, parents, and teachers discussing the benefits of student-led IEPs. Approximately 30 youth participated in the Youth Summit at Virginia's Transition Forum (March 2008). In some participating schools, students are leading parent-teacher conferences.

Policy & Regulation Subcommittee Report

Recommendations from the subcommittee were presented to the committee by Mrs. Mary Ann Discenza and discussed by the group.

Ms. Mary Ann Discenza proposed a motion that the first ten recommendations of the special education regulations subcommittee, which had consensus from the subcommittee, be accepted and adopted by the SSEAC. Mr. Bob Chappell seconded. Discussion followed on items 1-10.

Mr. Bob Whytal asked that #11 be added to the motion to approve the first ten. The amended motion was presented and carried with a vote of 14 "yes" and one "no" and no abstentions.

1. Short –term objectives for the adaptive curriculum v. for all students

Support short-term objectives being included for all students participating in the adaptive curriculum who are participating in the alternate assessment; but further support language that mandates the IEP team to consider short-term objectives for all other students.

2. Age of Eligibility – Developmental Delay: Changes from 2-8 to 2-5

Supports maintaining language from 2002 regulations, which allow the LEA option for DD for ages 5-8

3. Timeline for Evaluation and Eligibility/Reevaluation

- a. 65 business days v. 60 calendar days
- b. Trigger date: Receipt of Referral v. date of consent

Supports 65 business days from date of referral for evaluation and the determination of eligibility

4. Elimination of Child Study Team

Because we support 65 business days from the date of referral for an evaluation and eligibility determination, we then support the elimination of the child study team with responsibility being moved to the LEA to establish and follow the procedures which are

developed in accordance with the regulatory framework that has been proposed in 8 VAC 20-81-50 D. 1.

5. Definition of FBA – review of existing data v. new evaluation

- a. "... may be a review of existing data." (page 28 in proposed regulations); add "...or new testing data, as may be required."

6. Change Terminology for ED and MR – Include in Definition section, "See ..."

- a. Emotional Disturbance to Emotional Disability
- b. Change Mental Retardation to Intellectual Disability

Supports cross-referencing terms in the Definition Section from Emotional Disturbance to Emotional Disability, and Mental Retardation to Intellectual Disability

Supports inserting "Developmental Delay" into the definition of "Child with a Disability" as in the 2002 regulations.

7. Autism Eligibility Criteria

Recommend changing the term "diagnosed" in the definition of Autism to "identified" to mirror the federal regulation.

8. Transition – Age 14 v. 16

- a. Discussion regarding 2-tiered system with transition beginning at age 14, but some requirements not being "required" until age 16 – similar to 2002 regulations.

Support keeping the current 2-tiered system with transition beginning at age 14, similar to 2002 regulations.

9. **SSEAC recommends VDOE develop a Parent's Resource Guide** to mirror the regulations so that it will be available during the quarter of the year that the regulations are released.

10. School Discipline

- a. 11th day rule for BIP
- b. Services: Participate v. Progress in the general education curriculum

Supports the inclusion of language similar to that in 8 VAC 20-81-110 F. 2. a., in 8 VAC 20-81-160 A.

Supports retaining language as proposed.

11. Due Process

- a. Transfer Administration of the DP system from the Supreme Court of Virginia to VDOE – Support Proposed language
- b. Raising additional issues at DP hearing.

Support the transfer of the administration of the due process system from the Supreme Court of Virginia to VDOE.

Recommend that VDOE, in establishing its procedures as outlined in 8 VAC 20-81-210 B. 1. include a parent advisory role in the selection/training process, following the DRS model.

Recommend that the provision, at 8 VAC 20-81-210 D. 6., apply to both parties. Specifically, both parties shall not be allowed to raise issues that were not raised in the notice of a due process hearing.

12. LAC composition – Racial & Gender Representation; LEA as voting member

Support the LAC composition remaining the same as in the 2002 regulations; however, there is no consensus regarding the voting status of LEA representatives.

13. Consent

- a. for partial/complete termination
- b. Consent for services for transfer students

Discussion began on items 12 and 13, but continued as the first part of the agenda on Friday.

Nomination for the Executive Subcommittee Officers

The nominating subcommittee recommended that the current chair, Anne Fisher, and vice chair, Mike Behrmann, serve another term on the executive subcommittee. Vote – carried unanimously.

Meeting Adjourned

Friday, April 18, 2008

	<i>Present</i>	<i>Absent</i>	<i>Members</i>	<i>Present</i>	<i>Absent</i>
Judy Averill	x		Mona Holmes	x	
Mike Behrmann	x		Mary Ann Discenza	x	
Suzanne Bowers	x		Jacqueline Nelson	x	
Bob Chappell	x		Peter Squire		x
Susanne Conroy	x		Carletta Wilson	x	
Sharon Duncan	x		Bob Whytal	x	
Anne Fischer	x		Christina Draper	x	
Melodie Henderson	x		Tamara Temoney	x	
Carol Hamilton-resigned					

<i>Department of Education Staff</i>							
Doug Cox	x	Melissa Smith	x				
Paul Raskopf		Cathy Pomfrey					
Judy Hudgins	x	Judy Douglas	x				
Pat Abrams	x						

<i>Guests</i>			
Kathy Maybee (PEATC/ad hoc)	Jennifer O'Berry Ham	Gail Holloman	

Business

Minutes

January 2008 meeting minutes should be corrected to add Mary Ann Discenza as present at that meeting. A note was made of membership vacancies including that of a parent representing Region 8.

Policy & Regulations Subcommittee Report – Continued

Proposed Special Education Regulations Discussion (continued)

Discussions of items 12 and 13 continued on Friday.

Motion-Item 12: Bob Chappell moved and Christina Draper seconded. SSEAC supports retaining the language of the 2002 LAC requirements and LEA representatives' roles as consultants. Vote – 13 yes, 1 opposed, 1 abstention

Motion-Item 13: Parental Consent. MaryAnn Discenza moved that the SSEAC support retaining all parental consent requirements from the 2002 regulations. No second required.

A roll-call vote was requested by Jacqueline Nelson. Discussion followed. **The motion carried: Yes – 12 – Carletta Wilson, Suzanne Bowers, Mona Holmes, Christina Draper, Susanne Conroy, Mike Behrmann, Tamara Temoney, Jacqueline Nelson, Melodie Henderson, Mary Ann Discenza, Sharon Duncan; NO – 2 – Bob Chappell (nay vote is on behalf of Supt's Association, not his personal opinion – please reflect in minutes), Bob Whytal ; Abstain – Judy Averill**

Public comment, read by Suzanne Bowers on Thursday, referred to different language in the regulations regarding prior written notice (page 201 in proposed regulations, page 46 in current regulations). VDOE staff explained the changes mirror the federal IDEA language. The SSEAC will not take action.

Reports

Assistant Superintendent Report

- Mr. H. Douglas Cox, Assistant Superintendent
 1. VSDB consolidation update
 2. RtI – conducted 3 institutes, federal proposal/application to scale-up RtI, moving forward with pilot site initiative that includes student progress monitoring technology and program evaluation
 3. Special education leadership academy initiative will begin fall 2008 for aspiring special education leaders to include topical seminars and leadership principles as a result of recommendations from the SSEAC personnel subcommittee. This is not a licensure program, but will augment administrative endorsement to specifically address knowledge and skills for special education leadership. GMU is coordinating the initiative with faculty, Dr. Pat Addison, as the consultant.
 4. SPP-APR was submitted Feb. 1, 2008. VDOE has not yet heard from USDOE/OSEP on the state's determination. The public report will be available in spring.
 5. VAAP 1% cap – States can no longer have exceptions to the 1% cap to count proficient scores on the VAAP in the calculation of adequate yearly progress (AYP). VDOE directed the school divisions that exceed the 1% how to reassign scores, and informed

school divisions how to apply for exceptions such as small number of students and demographic anomalies.

6. VDOE continues to monitor the use of the VA Grade Level Assessment (VGLA). VDOE will be including some examination of the use through the assessment audit process
7. VA Transition Forum was well attended and included a large presence of youth
8. Acknowledge the tremendous job that Virginia's T/TACs do in professional development, including TTAC Online
9. Commend the SSEAC and leadership in conducting the comment on the proposed regulations and grateful for the chair and vice chair to accept reappointment

Ad Hoc Subcommittee Reports

Personnel

Dr. Mike Behrmann reported that most of the work in the subcommittee was done last year on teacher licensure issues. Other issues were the leadership program and programs for autism around the state. IEP facilitation is being discussed. Constituency will report, but Personnel Subcommittee will address the personal development aspect.

Constituency Involvement Report

Judy Hudgins reported that an agreement between the VDOE and the Partnership for People with Disabilities has been reached to conduct the 3rd year of the parent survey just as it was conducted in years one and two in order to gather 3 years of similar data. Recommendations from the Constituency Involvement Subcommittee will be carried into next year and revisited for the 4th year of the SPP/APR.

The subcommittee recommended that the local SEAC training continue to be offered by the VDOE and the Partnership for People with Disabilities, particularly in light of the proposed changes to the LAC section of the regulations.

Two SSEAC members are on the VDOE Parent Involvement Priority Project.

PEATC and VDOE have met recently to continue a discussion on the topic of facilitated IEPS and next steps.

Data and Reports

Work on this subcommittee is completed. This topic is more relevant to the full committee. It was recommended that Data and Reports be a regular agenda item. It was also recommended that the subcommittee be disbanded and moved to an agenda item at all meetings (**Tamara moved 14 yes, 1 opposed (Anne)**). Committee members will be reassigned.

The SOP Annual Plan review meeting summary should be sent to Anne Fischer for the Annual Report. All draft reports/summaries should be sent by May 30.

NOTE ABOUT ANNUAL REPORT: Ms. Jacqueline Nelson will get report from the State Operated Programs (SOP) review on May 8th. Other subcommittee chairmen will get reports to Ms. Anne Fischer by May 30th. Draft will be e-mailed to chairmen and re-e-mailed to Anne.

Constituency Reports

Name	Report	Comments
Judy Averill	Oral	<ul style="list-style-type: none"> • Issues in transition have been covered already at this meeting. • Project SEARCH in Chesterfield being piloted in 2 weeks – transition to employment, partnership with other local agencies, job site support.
Mike Behrmann	oral	<ul style="list-style-type: none"> • IHEs are working on revising their programs to meet state matrixes, due in September. Sped is most complex, have been encouraged to get them in early. • Universities are still working with issues on highly qualified. • VI in the consortium – will no longer be a separate area.
Suzanne Bowers	Written	<ul style="list-style-type: none"> • Parent concerns about regulations – info on public comment is being shared. • Shortage of speech/language providers due to “total language” approach. • Involved medical needs at school, catheter, feeding tubes, teachers being asked to perform due to shortage of licensed nurses
Bob Chappell	none	
Susanne Conroy	Oral	Issues for parents of children with Asberger’s Syndrome
Mary Ann Discenza	Yes	<ul style="list-style-type: none"> • In response to a grant announcement related to an invitation to states to participate in a new professional development opportunity offered by the National Professional Development Center on Autism Spectrum Disorders (ASD), funded by the U.S. Department of Education, Office of Special Education Programs Virginia is exploring applying for this grant. The mission of the Center is to provide resources, professional development, and technical assistance that will increase the number of highly qualified personnel serving children and youth with ASD by promoting evidence-based practices for early identification, intervention, and education spanning the age range from infancy to early childhood, providing technical assistance to optimize existing resources for service delivery, and establishing model sites showcasing evidence-based practices. Each of the three regional centers of the National Professional Development Center on Autism Spectrum Disorders (the Center) will collaborate with selected states for a period of two years in order to achieve these goals. • Constituent call: Received a phone call from a parent regarding behavioral issues with her child and concerns about the child’s need for special education supports and services. Parent was referred to the local community services board for services and contact information provided for the parent to the local special education advisory committee.

Constituency Reports

Name	Report	Comments
Christina Draper	yes	<ul style="list-style-type: none"> Working at Partnership for People with Disabilities now on “A Life for Me” A web site for middle schools & high school students is going to be up soon – an interactive video game to help this population of students with more severe disabilities. Postcards are being sent out to advertise. Also developing a booklet for parents and students to take to IEP meetings
Sharon Duncan	Yes	<ul style="list-style-type: none"> Concerns about regulations and removal of parental consent. Concerns about speech language shortages and the more severe population. Have to contract out for ESY provision of speech/language services in Montgomery. Problems with transition because parents aren’t involved.
Anne Fischer	Yes	<ul style="list-style-type: none"> Two SEACs have asked how they should make public comment on regulations – do they need approval from their Board since they represent the LEA? (Bob and Bob suggested that a courtesy call would be desired) One public comment about disability harassment from staff against a student. Anne has a course on disability awareness that she teaches during disability awareness month (moved from Feb to June) Anne and Mike serve on technology advisory group. Recently had to describe what device they could live without or not live without.
Melodie Henderson	Yes	<ul style="list-style-type: none"> VEA disability committee working with JustChildren. CEC training available at discount for VEA members.
Mona Holmes	Oral/some written	<ul style="list-style-type: none"> Sent letters of introduction to local SEACs in her region. Got responses, but no report at this time. Emily Dreyfus coordinated training events on regulations revisions in Charlottesville area. Fluvanna SEAC chair. Works with “First Annual Live and Learn Resource Fair” – see write up. Church is having an event next week for disability awareness next week.
Jacqueline Nelson	None	
Peter Squire	absent	
Tamara Temoney	None	
Bob Whytal		<ul style="list-style-type: none"> Sped directors continue to share concerns about regulations revision. Speech language shortages – appreciates recent Supt’s memo. Shortages in school nurses. Working closely with Paul, who is providing much assistance in understanding the indicators and data collection. Frustration with time away from programs

Constituency Reports		
Name	Report	Comments
Carletta Wilson	Written	<ul style="list-style-type: none"> • PRC had a resource fair • No other issues from the region
PEATC Kathy Maybee	Written	<ul style="list-style-type: none"> • 4 handouts were distributed: <ol style="list-style-type: none"> 1. Public Comment to SSEAC by PEATC 2. Public Comment to SSEAC by PEATC's Latino Outreach Coordinator 3. PEATC Latino Outreach Coordinator's Report 4. CSI Transition (Clues for a Self Investigation for Middle School Students with Disabilities) • IEP Facilitation – PEATC staff met with VDOE staff and agreed to explore further by collecting information from other states and convening a stakeholder meeting.

Break

Public Comment Review

The committee reviewed the public comment from the Thursday, April 17th public comment session.

Follow up on January Public Comment

There were 5 comments on the proposed regulations. They were forwarded to Judy Douglas' office.

There was one comment from a student who was referred to the VDOE ombudsman. There has been ongoing communication between the student and the school division

There were several comments from parents in one school division regarding restraint and seclusion. The school division staff responded to VDOE questions on these issues that their manual has been revised and that training has been conducted recently.

The parent who commented on the VI teacher shortage in her local school division reports that this continues to be a problem. She continues to work with appropriate local school division officials to resolve these issues.

Possible Future Agenda Items

Future Agenda Items were suggested by the committee.

Ms. Anne Fischer reminded members to get annual report sections to her.

Meeting adjourned

Future Meeting Dates and Locations

July 17-18, 2008 – Holiday Inn Select
Richmond-Koger South Conference Center

[note: changes will probably be made in these following dates]

October 23 -24, 2008 – Winchester or Warrenton

January 22-23, 2009 – Richmond

April 23-24, 2009 – Williamsburg

July 23-24, 2009 – Richmond