

State Special Education Advisory Committee

Meeting Minutes

September 27 – 28, 2012

Thursday, September 27, 2012

In attendance:

Officers: Jackie Fagan, Chair; Lori Jackson Black, Vice Chair; Christy Evanko, Secretary; Sandy Hermann, Parliamentarian

Members: Adam Amick, Judy Averill, Paula Baker, Cynthia Bauer, Jusolyn Bradshaw, Michael Carrasco, Christina Draper, Fran Goforth, Kathryn Hayfield, Scott Kizner, Alison MacArthur, Darren Minarik, Jacqui Wilson

Ex Officio Members: Suzanne Bowers, Heidi Lawyer

Dept of Education Staff: Suzanne Creasey, John Eisenberg, Deborah Johnson, Michele Orr, Johnelle Torbert, Sharon Siler.

Call to Order

Ms. Jackie Fagan, Chair, called the meeting to order at 9:01 a.m. The committee members introduced themselves. Ms. Fagan welcomed the new members.

Business Session

Announcements

The committee was directed to look at the packet that was provided by the Department of Education (DOE), which included the prior year's annual report, five sets of minutes from the past year, subcommittee assignment list, private list of members, excerpted information from the State regulations concerning the SSEAC, information available on the DOE Web site about special education, glossary of acronyms, Robert's Rules of Order, National Web site for Special Education Advisory Panels, presentation based on the national primer for state advisory panels, Virginia Alternate Assessment Program (VAAP) Revisions presentation for today, and Medicaid waiver information. Members were also given a copy of the CD for Virginia Disability History and Awareness month that was distributed with a superintendent's memo and includes public service announcements as well as a save-the-date invitation for the Virginia Transition Forum.

It was noted that Sandy Hermann was appointed as the parliamentarian at the Executive Committee Wednesday evening.

Additionally, it was announced that the DOE has, in the past, paid for an interpreter whether or not anyone needed one. After receiving legal advice, the decision was made

that there will only be an interpreter present if someone informs the DOE, at least a week ahead of time, that there is a need for one.

Approval of Minutes

Members were directed to review the minutes in the packet (#5). **Ms. Fran Goforth made a motion to approve the minutes in the current form; Ms. Sandy Hermann seconded the motion.** The motion was approved unanimously.

Approval of Agenda

Changes were made to the agenda that was originally sent. The discussion about subcommittees and assignments was delayed until after the discussion about the annual report since the two are related. Ms. Pat Haymes was not in attendance and will not be doing a bylaws presentation. The Assistant Superintendent's report will be delayed until the afternoon because Mr. John Eisenberg has other commitments, including a Board of Education meeting.

Mr. Michael Carrasco made a motion to approve the agenda with changes as noted. Ms. Kathryn Hayfield and Ms. Paula Baker seconded the motion. The motion was approved unanimously.

Report Follow-up to Public Comment from Previous Meeting

At the last meeting, a member of the public and members of the committee asked that the letters sent to those who make public comment at the meetings, also be sent to committee members. It was decided at the last meeting to provide electronic copies of these letters to members of the SSEAC. This will not happen in the future, however. Advice attained indicated that it is a FERPA violation to provide copies of the responses since the letters potentially reveal the identity and other confidential information of a student.

Approve Changes to Bylaws Related to Missed Meetings

At the last meeting, Ms. Haymes presented the bylaw changes that were suggested in a prior meeting, but a decision was not made. The committee was directed to review the version presented last time and consider action to either approve or make a motion for changes. The specific section to review is Article VII, Section 5, page 4 related to attendance. **Ms. Hermann made a motion to accept the bylaws without any additional changes; Ms. Christina Draper seconded the motion.** There was no discussion and the motion passed unanimously. The bylaws will be posted to the Web site.

Ms. Fagan reiterated the importance of attending meetings on both days.

Presentations

Virginia Alternate Assessment Program Revisions (VAAP)

Presenters:

Dr. Sharon Siler, Alternate Assessment

Mrs. Deborah Johnson, Special Education Instructional Services

Dr. Sharon Siler and Mrs. Deborah Johnson presented changes to the VAAP. Working with the Alternate Assessment System Consortium, Virginia is moving toward using Dynamic Learning Maps (DLM), which is designed to track a student's learning throughout the year rather than only at assessment times. Timelines and implementation plans were presented and questions were addressed by the presenters.

The changes will be implemented in the 2014-15 school year, but there are some transitional changes to be made in the meantime. Virginia is unique in this consortium in that it is not a common core state and has its own Standards of Learning (SOL). Mrs. Johnson was asked if Virginia assessments are above or below other states. She replied that based on discussions with others, Virginia's standards are equal to or above many states. Virginia SOL have been compared with the Common Core standards and information can be found at:

http://www.doe.virginia.gov/testing/common_core/index.shtml

The VAAP will be moving to an online format for math, reading, and writing, while alternate assessments in social studies and science will continue in portfolio format. The DLM system is designed to be embedded in instruction, so that testing happens as a part of instruction rather than separately. Dynamic Learning Maps (DLM) has drilled down the standards in reading, writing, and math to the essential elements. The direction for the assessment comes from the United States Department of Education (USDOE) rather than the state. If a state develops a test that does not meet federal requirements then the test cannot be used in federal accountability measures. This year, because of the significant changes, face-to-face trainings were performed with the staff members that administer the assessments.

There are two main areas of change. First, content will change for reading, writing, and math based on DLM content as Alternative Standards of Learning (ASOL), as well as changes to reflect the new Science SOL. Second, the "Levels of Performance" will give flexibility that is needed. There are three Levels of Performance. At Level III, the student will demonstrate the content as written, but can use accommodations documented in the IEP. At Level II, the student will partially demonstrate content. At Level I, the student will demonstrate content with significant support and modification. A member asked the question as to what extrinsic motivation is available for teachers to choose Level III over Level II or Level I. Dr. Siler answered that there is a scoring penalty for lower levels – for Level I, the highest score is a 2, for Level II, the highest score is a 3, and for Level III, the highest score is a 4 on a 0 to 4 scale.

For VAAP there is a 1 percent limit on passing scores (as opposed to just participation). If a school division goes over the cap, then it cannot apply those to its pass rate; the actual students do not show failing rates, but the block of scores will not be counted as passes.

A suggestion was made that a letter could come from the SSEAC to remind divisions to remind their staff that there are situations in which accommodations are appropriate. Members were reminded that such information is available at:
http://www.doe.virginia.gov/testing/participation/participation_va_accountability_system.pdf

Role of State Special Education Advisory Committees

Presenter:

Dr. Suzanne Creasey, Office of Dispute Resolution and Administrative Services

A national primer was created for State Advisory Panels (Committees), and Dr. Creasey is in the process of adapting it for the Virginia SSEAC. Based on information contained in this document, Dr. Creasey reviewed the functions of state advisory panels including the differences between advisory and advocacy functions. The primer suggested that panels identify an issue/priority, hear member perspective/experience and stakeholder input, have discussions, obtain resources/information, and provide objective advice that may lead to change and improved services for children and youth with disabilities.

The primer indicated the importance of gaining consensus in meetings, while also realizing that there are times when votes will need to be taken. If there are issues with a motion, once a motion passes, all should support it. It was noted that each member brings a unique perspective as the representative of a constituency group, and that each member should participate in the discussions. There was discussion by the members about publically supporting any decisions made by the committee. If a member does not support the motion, s/he can vote against it, but should support the committee on the decision once it has been made.

Another suggestion of the primer is to stay informed. Members were advised to check the superintendent's memos every Friday, and see if there is something that is important to disseminate. If members have questions, they are to contact Dr. Creasey. There was a request that if there is something related to Special Education in the superintendent's memos, the DOE forward the link to members. Dr. Creasey will check with Mr. Eisenberg. She also suggested that if members have something to communicate to the group, they should send it to her to disseminate.

Announcements

1. During lunch break, the committee was asked to review the copy of the annual report from last year in preparation for the discussion about this year's annual report.

2. Dr. Creasey had lunch with the new members for further orientation. At the Executive Meeting, buddies were assigned to the new members as follows: Paula Baker with Lori Jackson Black, Alison MacArthur with Michael Carrasco, and Jacqui Wilson with Christina Draper.

Lunch

The Committee reconvened at 12:59 p.m.

Public Comment

Mandy Wrinkle, an Intern with JustChildren read a letter regarding statewide accountability under the new ESEA waiver. The goal was to direct the SSEAC's attention to the topic. It was noted that the Virginia Board for People with Disabilities also sent a similar letter.

Annual Report

Ms. Jackie Fagan and Ms. Lori Jackson Black presented the draft report that was developed at the executive session the previous evening. The first six pages were factual and the Executive Board asked for approval on them. Ms. Fagan and Ms. Black went through the report and summarized the first six pages.

There were a few name and address corrections noted that were made to the report.

The Committee broke into small groups led by Executive Committee members to discuss approval of the first six pages, identify commendations and prioritize recommendations. In addition, small groups were asked to discuss the future format of the subcommittees. Reports from the small groups were delayed until the Friday meeting.

Assistant Superintendent's Report

- **Student Outcomes Waiver Request**

Mr. John Eisenberg gave a presentation on Annual Measurable Objectives (AMOs) as related to the waiver currently before the Board of Education (BOE). He informed the group that the BOE did not vote on this at the September meeting, thus giving the committee an opportunity to make a statement.

First, Mr. Eisenberg presented the methodology included in the waiver application for establishing AMOs and noted that the previous system of adequate yearly progress (AYP) is no longer in effect. The waiver focuses on specific "Gap Groups" that are compared to all students with regard to meeting the AMOs. Gap Group 1 includes students with disabilities, English language learners, and students who are economically disadvantaged. Gap Group 2 includes students who identify themselves as black and Gap Group 3 is represented by students who identify themselves as Hispanic. The extent to

which schools reach the AMOs will determine those that are targeted for assistance from the DOE.

Identification of schools targeted for intervention is broken into two groups: Priority Schools and Focus Schools. In order to fall into one of these groups, the school must already be a Title I school. Priority Schools are the lowest performing five percent and Focus Schools are the lowest performing ten percent. There are significant ramifications to being on these lists including very strict sanctions.

There is a third group of schools identified by the AMOs referred to as Schools Requiring an Improvement Plan. This group is not limited to Title I schools and includes any school that fails to meet the AMOs for any one of the GAP Groups, even if it meets the AMOs based upon the total enrollment.

The BOE will vote October 25, 2012. If approved by the Board, it must still be submitted to the U.S. Department of Education (USED) for approval before the waiver is granted. If the Board does not approve the plan, no waiver will be approved by USED unless another DOE-approved plan is submitted. The BOE is accepting public comment until the next meeting.

Ms. Sandy Hermann made a motion that the SSEAC draft a letter indicating its support of closing the achievement gap and support the approach that was laid out by the DOE in the above presentation. Mr. Scott Kizner seconded the motion.

Discussion:

A member noted that there is a problem inherent in this system. The students who are the neediest are asked to make the greatest gains, and the groups that are at higher levels are asked to make lesser or no gains. Another member indicated understanding that the children may not achieve these scores, but likes the idea of setting high expectations. One member questioned how the school system could close the gap in five years when it had never been accomplished in the past. It was stated that the waiver is only for two years and that maybe the DOE should just try it and see.

A vote on the motion was called. The motion failed with two votes for (Ms. Sandy Hermann, Ms. Jackie Fagan), 11 votes against (Ms. Cynthia Bauer, Dr. Scott Kizner, Mr. Darren Minarek, Ms. Jacqui Wilson, Ms. Judy Averill, Ms. Paula Baker, Ms. Fran Goforth, Ms. Lori Jackson Black, Ms. Christina Draper, Ms. Alison MacArthur, Ms. Jusolyn Bradshaw), and two members abstaining (Ms. Christy Evanko, Mr. Adam Amick).

An electronic copy of the presentation given will be sent to the committee.

- **Reorganization**

Mr. John Eisenberg reported plans to shift the focus of the work of Special Education and Student Services from specific disabilities to outcomes – such as graduation, drop out, preschool outcomes, etc. This will change how compliance is handled. There will be more focus on reviewing those school divisions that have complaints, and monitoring reviews will be more targeted. The DOE is going to spend a year reviewing other state systems and the information will be presented to the SSEAC. There will be a chance to have input before decisions are made.

- **Announcements**

1. There are some personnel changes in the department:
 - Dr. Judy Douglas, Director, Office of Dispute Resolution and Administrative Services is retiring at the end of November 2012.
 - Mr. Paul Raskopf, Director, Office of Financial and Data Services is retiring at the end of September 2012.
 - Mr. Cecil Overton, Specialist for Early Childhood Special Education Programs recently retired.

The agency will be asking the Governor to approve filling these vacancies. Additionally, over the next two years, four to eight more people may retire.

2. A CD with public service announcements for Virginia Disability History and Awareness month was sent to school divisions and given to members of the SSEAC.
3. The BOE agenda item for the Autism Paraprofessional bill is scheduled for November 29, 2012. The competencies included in the bill will be available when the meeting agenda is posted.
4. Concerns were expressed about sequestration. Mr. Eisenberg has information that was sent to all SSEAC members after the meeting. He noted that budget cuts could be up to 20 percent with combined sequestration and new budget cuts. Ninety-nine percent of his budget currently goes to teaching benefits and salaries.

Constituency Reports

<u>Name</u>	<u>Report</u>
Eva Aikens	Absent
Adam Amick	<ol style="list-style-type: none"> 1. I'm Determined Youth Leaders met to go over a challenge provided by John Eisenberg. Adam was not in attendance, but will forward the report if it would benefit SSEAC. 2. There is a meeting in November to discuss the transition forum; Adam will be in attendance. 3. Adam received an e-mail from a constituent – a student at a high school in Shenandoah Valley – stating that teachers are too busy trying to keep students in line, and it may be too much work for them to have to do all the IEP paperwork. The student proposed shortening the length of IEPs.
Judy Averill	<ol style="list-style-type: none"> 1. Shared that there is anxiety by teachers related to changes in diploma requirements. 2. Announced that there will be some meetings with transition practitioners.
Paula Baker	No Report
Cynthia Bauer	No report
Lori Jackson Black	<ol style="list-style-type: none"> 1. Working to get an updated list of SEAC chairs in the region is a struggle. 2. One local SEAC and PRC are putting together a March regional resource fair and want to form a regional transition council.
Suzanne Bowers	<p>Distributed a handout of a report from PEATC:</p> <ul style="list-style-type: none"> • Individual assistance was given to 1,775 families through May 2012; • Trends include complaints that schools are not agreeing to do evaluations and complaints about bullying (student to student, teacher to student); • October 10 (10/10) is wear orange in support of no bullying day; • PEATC has hired one full-time bilingual specialist, a part-time information specialist, and there remain some open positions; • PEATC holds workshops and events; if anyone needs a speaker, contact PEATC.
Jusolyn Bradshaw	The Department of Correctional Education recently merged with the Department of Juvenile Justice; the new agency is working on making the transition.
Michael Carrasco	He heard from SEACs in the region inquiring about whether the SSEAC was going to take a position on the waiver and inquiring about whether their local SEACs should take a position on it.
Christina Draper	The Parents for Autism group will be having a conference that has been very successful in the past. Look for more information.
Christy Evanko	<ol style="list-style-type: none"> 1. She sent out an e-mail welcoming SEAC chairs to a new school year and asking for information. Two chairs out of 16 responded.

	2. She also created a Yahoo group – VA Region 1 SEAC – to share documents with all of the SEACs in Region 1. The two chairs who responded to the welcome e-mail have been added to that group. She plans to continue working to get more contacts.
Jackie Fagan	Her region is doing a kickoff for Disabilities History and Awareness Month.
Fran Goforth	She reported that local special education directors have concerns about the possible sequestration and would like to know more when additional information becomes available.
Kathryn Hayfield	<ol style="list-style-type: none"> 1. The Department of Rehabilitative Services is now the Department of Aging and Rehabilitative Services. The department will pick up more clients but services will not change. 2. Currently there are 48% of youth in transition, more than other states. 3. DRS worked with 10 Project Search programs in schools and added Alexandria in August (as number 11). 65% of students through Project Search were employed – 32 within host sites. The national average is 25%.
Sandra Hermann	<ol style="list-style-type: none"> 1. She shared a handout on the VA Beach regional resource fair. 2. In support of Disability History and Awareness Month, one area is going to do a bookmark contest with the winner being recognized by Kathie Snow. 3. VA Beach will have a SEAC Meet and Greet on 10/4 to get more participation. 4. Some larger cities are operating early intervention waiting lists; this has a snowball effect as children do not get the intervention that they need before they enter schools. SEACs are receiving a lot of letters about it and have been told by the cities that the denials are due to funding and parents should contact their legislators. 5. Many localities are having issues with member attendance.
Scott Kinzer	No Report
Heidi Lawyer	She reported that they were recently awarded a grant to promote the philosophy of lifelong transition. The board supports employment first.
Alison MacArthur	No Report
Darren Minarik	He reported that the Low Incidence Consortia has submitted to an accreditation body, hoping to receive reviews in early spring.
Jennifer O’Berry-Ham	Absent
Jacqui Wilson	No Report

There was a motion to adjourn and the meeting adjourned at 4:27 p.m.

Friday, 9/28/2012

In attendance:

Officers: Jackie Fagan, Lori Jackson Black, Christy Evanko, Sandy Hermann

Members: Adam Amick, Judy Averill, Paula Baker, Jusolyn Bradshaw, Christina Draper, Fran Goforth, Scott Kizner, Darren Minarik, Jacqui Wilson

Ex Officio Members: Heidi Lawyer

Department of Education Staff: John Eisenberg, Suzanne Creasey, Michele Orr

Call to Order

Ms. Jackie Fagan called the meeting to order at 9:03 a.m. The agenda was reviewed and adjusted to remove the ad hoc subcommittee meetings and instead discuss the direction of the SSEAC and the formation of new subcommittees. **Mrs. Sandy Hermann made a motion to approve the agenda with changes including not having the ad hoc subcommittee meetings and Mr. Darren Minarek and Mr. Adam Amick seconded the motion.** The motion passed unanimously.

The group asked if Dr. Creasey could send members the links to the superintendent's memos when there was important information and it was agreed that she would.

Finalize Annual Report

The presentations of the small groups were put off from yesterday so that the committee could see the presentation on the AMOs and hear the Assistant Superintendent's report.

A few small suggestions were made and changes were made to pages 1 – 6.

Mr. Darren Minarek made a motion to approve pages 1 – 6 with changes and Ms. Cynthia Bauer seconded the motion. The motion passed unanimously.

Each group reported their lists of commendations and recommendations. The group gained consensus on language for topics for both sections with edits to be made by Department of Education staff with a review by Ms. Fagan, the chair. Wording for the commendations will be added later by Dr. Creasey.

Ms. Fran Goforth made a motion to approve the commendations and Dr. Scott Kizner seconded the motion. The motion passed unanimously.

The recommendations were discussed and adjusted to include four recommendations. Only minor word-smithing will be needed.

Mr. Adam Amick made a motion to approve the recommendations and Ms. Christina Draper seconded the motion. The motion passed unanimously.

In the Executive Committee meeting on Wednesday, the following motion was made by Ms. Christy Evanko: **Recommend that the full State Special Education Advisory Committee approve the draft and give the authority to Dr. Suzanne Creasey and Ms. Jackie Fagan to complete the report based on the committee's recommendations.** The motion passed unanimously in the full committee.

The report will also be edited by the agency. There will be an attempt to get on the October agenda for Ms. Fagan to present the report. Any who are able should please attend to support her.

Reorganization of Subcommittees

It was agreed that the subcommittees would not meet today, and instead there would be a discussion of what the new subcommittees should encompass.

Currently, the standing subcommittees are Executive, Policy and Regulation, SOP Annual Plan Review and Nominating. The ad hoc subcommittees are Personnel, Special Issues, and Constituency Involvement.

The bylaws indicate that the Executive, Policy and Regulation, and Nominating committees are required.

Mr. Eisenberg reiterated the future focus of the VDOE:

1. Close the achievement gap by half in next five years
2. Close the outcome gap (reduce dropout rate, improve graduation rate for standard or advanced studies, increase rigor of IEP/SpEd diploma, increase employment/secondary education rate, improve preschool outcomes, increase time students are spending in inclusion environment)

It was suggested that these be made standing subcommittees along with the Executive, Nominating, and Policy and Regulation subcommittee (which would focus on BOE action and current issues) to help the SSEAC better advise and support the DOE.

Ms. Cynthia Bauer made the motion to disband the ad hoc committees and make five standing committees: 1. Executive, 2. Achievement, 3. Outcome, 4. Policy and Regulations, 5. Nominating. Ms. Fran Goforth seconded the motion. Vote was unanimous in favor.

Committee members were asked to send their interests in a ranking (First, second and third, not including the nominating and executive subcommittees) to Dr. Creasey and she would do her best to honor everyone's preference. The DOE staff will also be appointed to each committee based on expertise.

Mr. Eisenberg stated that he would ask the policy manager what has been pre-filed, and he will inform us about bills in the legislature.

The future agenda was discussed and items will include Aspiring Leaders, sharing where the department is going with the reorganization, as well as discussing the replacement for the modified standard diploma. Another topic is a presentation on accreditation of schools.

Public Comment Discussion

A member noted that discussion was a moot point based on the discussion from yesterday. However, there was some press regarding the BOE meeting noting that the 33 percent starting point pass rate for students with disabilities. Mr. Eisenberg reiterated that 33 percent is the pass rate at the lowest performing 20 percent of schools and not the overall pass rate. This system is only to identify those schools that need the most help. AMOs are completely different from the old AYP. He also noted that accreditation will help to keep the top performing schools on track.

Ms. Fran Goforth made motion to adjourn and Mr. Adam Amick seconded the motion.

The motion passed unanimously and the meeting was adjourned at 11:33 a.m.

Future Meeting Dates:

December 6-7, 2012
April 11-12, 2013
July 18-19, 2013
September 19-20, 2013
December 5-6, 2013