

***State Special Education Advisory Committee (SSEAC)***  
**Meeting Minutes**  
**October 1, 2015**

**Thursday, October 1, 2015**

**Members Present:** Ms. Jill Becker for Dr. Lisa Floyd, Ms. Jennifer Cooper, Ms. Christy Evanko, Mr. Brenden Folmar, Mr. Damon Garrison, Ms. Catherine King, Dr. Scott Kizner, Mr. Matt Luther, Ms. Alison MacArthur, Ms. Tashue Mason, Ms. Erica Midboe, Mr. Darren Minarik, Ms. Lisa Richard, Ms. Joan Sumner, Mr. Wyllys VanDerwerker, Ms. Jacqui Wilson

**Members Absent:** Mr. Adam Amick, Mr. Jack Brandt, Dr. Lisa Floyd, Ms. Frederique Vincent

**Ex-officio Members Present:** Ms. Kristin Kane for Ms. Suzanne Bowers (PEATC), Mr. John Cimino for Ms. Heidi Lawyer (VBPD)

**Virginia Department of Education (VDOE) Representatives Present:** Dr. Suzanne Creasey, Ms. Patricia Haymes, Dr. Samantha Hollins, Mr. Jeff Phenicie

**Office of the Attorney General:** Ms. Mona Siddiqui

**Call to Order**

Mr. Darren Minarik, Chair, called the meeting to order at 9:00 a.m. The committee members introduced themselves. It was noted that one new member, Mr. Matt Luther, was appointed at the September 2015 Board of Education meeting as an agency representative.

**Business Session**

**Approval of Agenda**

The committee was asked to review the proposed agenda. There was a discussion of the weather conditions and the effect it might have on the agenda. Mr. Minarik proposed shortening the discussion on restraint and seclusion and re-checking the weather conditions at 11:30 a.m. to make a decision. The restraint and seclusion discussion would then continue in the afternoon. Mr. John Eisenberg was pulled out of town unexpectedly and his item on the agenda was canceled, giving the group more time to discuss restraint and seclusion. Should the meeting Friday be canceled, subcommittee discussion would occur during the time reserved for the Assistant Superintendent's Report. Ms. Christy Evanko made a motion to approve the agenda as amended and to revisit the agenda later that morning. Ms. Jennifer Cooper seconded the motion. The motion passed unanimously.

## **Approval of Minutes**

The minutes were distributed electronically prior to the meeting and members were encouraged to come prepared with any changes. No changes were offered. Ms. Christy Evanko made a motion to approve the minutes as written. Mr. Wyllys VanDerwerker seconded the motion. The motion passed unanimously.

## **Report Follow-up to Public Comment from Previous Meeting**

Letters following up on public comment have been sent electronically. There were two public comments at the last meeting. One concern expressed difficulty in obtaining an IEP. Mediation has been initiated in that situation. The other comment was in reference to dyslexia and cited the annual report and resources provided.

## **Discussion about information of SSEAC members to be included in published list**

A contact list was sent around for members to check to ensure their information was correct. The group decided that Dr. Suzanne Creasey would be the centralized contact for members and she would forward phone calls and emails as necessary.

## **Report on the Annual Report to the Board of Education**

The Board of Education responded very positively to the report that was delivered at its September 2015 meeting. The SSEAC was asked to identify one recommendation that could serve as a springboard to which other recommendations could be attached. A discussion was then held on the request by the Board of Education. In other words, what could be the lever that would start the process for other things as well? What should be the starting point?

After much discussion, it was determined that the subcommittees will be tasked with aligning the recommendations to Board of Education goals and make comments regarding a catalyst to support suggested changes. Subcommittees would discuss further during the afternoon session.

## **Presentation**

### **Facilitated Discussion on Restraint and Seclusion Requirements**

- **Ms. Patricia Haymes, Director**  
Office of Dispute Resolution and Administrative Services, Virginia Department of Education (VDOE)

Ms. Haymes provided some background on the requirements related to the development of regulations on restraint and seclusion. A list of areas for consideration was used as a basis for the discussion. The SSEAC was asked to provide insight regarding what should be included in the proposed regulations. Other stakeholder groups will also be included in the discussions.

Areas for consideration included definitions, prohibitions, policies and procedures, use of restraint and seclusion, notification of the use of restraint or seclusion, prevention, reporting and training.

Suggestions from the group were recorded and will be shared with other constituency groups as regulations are promulgated.

### **Discussion about Weather and Decision to Cancel Friday's meeting**

With the Governor having declared a state of emergency and the forecast of flooding and high winds, Mr. Darren Minarik, chair, recommended that Friday's meeting be canceled. It was suggested to change the agenda to continue the Restraint and Seclusion discussion after public comment, provide 15 minutes for DOE staff to discuss current affairs at the DOE, and the remaining time allotted for the Assistant Superintendent's Report be allocated to continuing the morning's discussion on prioritization of goals in the subcommittee setting.

Jennifer Cooper made the motion to cancel the Friday meeting so that members could get home ahead of the pending storm. Mr. Scott Kizner seconded the motion. It was passed unanimously.

### **Working Lunch**

The Committee adjourned for a working lunch at 12:00 p.m. and was asked to continue to discuss restraint and seclusion regulations during lunch.

### **Public Comments**

The committee reconvened at 1:00 p.m. There were five public comments – two letters read by members and three in-person commenters.

- The first commenter discussed the role of advocates in the schools, especially in regard to working with disadvantaged youth – particularly African-Americans, Second-language English speakers, and persons with disabilities – and asked the committee to review how schools interact with advocates and how members of local SEACs are chosen.
- The second comment referenced a specific case in Chesterfield County regarding a student who is a non-verbal communicator and asked the committee to help the schools do a better job when working with students who need assistive technology to communicate.
- The third and fourth comments were letters from parents with children identified with Dyslexia and urged the committee to request better training in identification of and remediation for students with Dyslexia.
- The fifth comment was from a parent of a child in Chesterfield where the school was refusing to communicate with the family and the advocate, and where the parent noted that her child was not receiving an appropriate education over the long term.

### **Continuation of Facilitated Discussion on Restraint and Seclusion Requirements**

- **Ms. Patricia Haymes, Director**  
Office of Dispute Resolution and Administrative Services, VDOE

Ms. Haymes continued leading the discussion on recommendations for requirements for the use of restraint and seclusion. Members provided many questions that resulted in the identification of issues and points that may need to be added or clarified.

Other stakeholder groups will be convened to provide feedback on the proposed regulations. First review of the draft of the regulations is to be presented to the Board of Education at its November meeting.

### **DOE Update**

- **Dr. Samantha Hollins, Director**
- **Mr. Jeff Phenicie, Associate Director**  
Office of Special Education Program Improvement, VDOE

Dr. Samantha Hollins and Mr. Jeff Phenicie presented information on Virginia’s Part B State Systemic Improvement Plan (SSIP) to the group and asked for comments regarding:

- How can the VDOE improve state infrastructure to better support local school divisions? (such as Credit Accommodations and Tiered Systems of Supports), and
- How can the VDOE specifically support local school divisions in implementing evidence-based practices? (such as the school nurse association’s initiative to address absenteeism).

The next step is partnering with organizations that have initiatives regarding discipline referrals, absenteeism, and academics. SSEAC members were asked to submit information for any organizations currently involved with the initiatives.

Dr. Hollins shared information about the SSIP and activities by phase.

### **Subcommittee Meetings**

Mr. Darren Minarik asked the subcommittees to meet and discuss the organization of the annual report per direction from the Board of Education. Due to time constraints, the subcommittees did not report out on their discussions, and instead tabled the reports to a later meeting.

### **Constituency Reports**

Name	Report
<b>Mr. Adam Amick</b> <i>People with Disabilities</i>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
<b>Mr. Jack Brandt</b> <i>People with Disabilities</i>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>

Name	Report
<p><b>Ms. Jennifer Cooper</b> <i>Foster Care - DSS</i></p>	<ul style="list-style-type: none"> <li>• <u>Impact of adoption and independent living (IL) services on older foster youth</u> - Virginia Department of Social Services (VDSS) is currently drafting an analysis of the impact of adoption and IL services on older foster youth. The report will include current trends for this population as compared to the general population in employment, education, living arrangements, use of public assistance, early parenthood and family situations, health care access, and involvement with the criminal justice system. Once finalized and released to the General Assembly, the report statistics and conclusions can be forwarded to SSEAC.</li> <li>• <u>Vision 21</u> - On August 10<sup>th</sup>, Vision 21 staff met with 19 school social workers, psychologists, and counselors from the City of Richmond, Henrico County, and Chesterfield County public schools to introduce them to the Vision 21: LSC project and discuss how this project can strengthen their work. All participants expressed commitment and support for developing and implementing a screening tool that will help identify child/youth victims of crime and refer them to appropriate services. There was clear consensus that confidentiality stipulations, training, and follow-through must be included in a victimization screening tool in order for it to be applicable in the education setting. Those in attendance expressed a belief that <i>all</i> educators should be provided with training on trauma and how to recognize associated behaviors so that child and youth victims who might otherwise be viewed as disciplinary problems will be referred to counseling staff for screening and referral.</li> <li>• <u>Child Welfare Advisory Committee</u> - In order to continue efforts to address the well-being of children involved in the child welfare system, the Three Branch Initiative made a recommendation to add several subcommittees to the Child Welfare Advisory Committee (CWAC), which is an advisory committee to the Department of Social Services and includes stakeholders from around the Commonwealth. Three of the subcommittees will focus on program areas (CPS, Prevention and Permanency). The fourth committee will focus on Continuous Quality Improvement (CQI) and will support the other committees in analyzing outcome data and business processes to improve the well-being and child welfare experience of youth and families. Concurrently, CWAC is looking to expand stakeholders to include a more diverse representation of families and organizations that would benefit from an improved child welfare system.</li> </ul>
<p><b>Ms. Christy Evanko</b> <i>Parent Representative, Region 1</i></p>	<ul style="list-style-type: none"> <li>• The Henrico SEAC is looking forward to a productive year. Four parent surveys conducted this year and speaking schedules been developed. Initiatives include: <ul style="list-style-type: none"> <li>○ discipline or behavioral support,</li> <li>○ transition into secondary employment which also includes diploma options;</li> <li>○ least restrictive environment or inclusion vs. self-contained classrooms;</li> <li>○ communication; and</li> <li>○ staffing which includes better training and professional development for teachers and case managers.</li> </ul> </li> <li>• Hanover continues to benefit from participation of general education and school board representatives in the SEAC meetings despite having an interim Superintendent. The Interim Superintendent recently made a presentation to members about Hanover’s performance on State Indicators. The Committee plans to look at its bylaws and organize subcommittees based on needs in October.</li> </ul>
<p><b>Dr. Lisa Floyd</b> <i>Juvenile Justice</i></p>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>

Name	Report
<p><b>Mr. Brenden Folmar</b> <i>Private Education</i></p>	<ul style="list-style-type: none"> <li>• The VAISEF fall conference and Membership Meeting will be held at Youth for Tomorrow on October 9<sup>th</sup>. We will have a panel on academic and behavioral data collection. LEA, higher ed and private providers all represented.</li> <li>• VAISEF recently held a seminar at Charterhouse School on IEP best practices and transition planning.</li> <li>• VAISEF is currently looking for ideas for future seminars to include parents and public agency employees.</li> <li>• VAISEF will be hosting “Legislator Week” in November 2015.</li> <li>• VAISEF is currently working on a “Lunch and Learn” series for public agencies at selected member schools in early 2016. Details will be sent to SSEAC once they are ready.</li> <li>• New private school regulations serving students with disabilities recently became effective.</li> <li>• VAISEF accreditation committee is continuing to make adjustments to accreditation standards for clarity and higher accountability.</li> </ul>
<p><b>Mr. Damon Garrison</b> <i>Parent Representative, Region 2</i></p>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
<p><b>Ms. Catherine King</b> <i>Parent Representative, Region 6</i></p>	<ul style="list-style-type: none"> <li>• <u>Craig County SEAC</u> is in the process of trying to find officers to nominate for election.</li> <li>• <u>Martinsville City SEAC</u> has not yet elected new officers.</li> <li>• <u>Patrick County SEAC</u> needs to recruit members and have a teacher appointed. One member of the school staff will be attending behavioral management training in Roanoke who will then become the trainer and provide a “train the trainer” program for the remainder of the school staff. SEAC meeting dates have been established for the year.</li> <li>• <u>Piedmont Autism Action Group</u> was informed that there are eight active Autism Groups in Virginia. On Saturday, April 18, 2015, an Autism Awareness Day was held from 10:00 a.m. until 5:00 p.m. The SPCA was present with animals; there were interactive games, vendors, resources, horseback riding, and social activities for both students and parents. <ul style="list-style-type: none"> <li>○ An annual fall conference is being planned. Cost will be \$5.00 in advance and \$7.00 at the door.</li> <li>○ Piedmont Autism Action Group meets the third Monday of each month in Henry County. The group has a Facebook page.</li> </ul> </li> <li>• <u>Pittsylvania County SEAC</u> has a number of subgroups including a SEAC Support Group/Outreach which plans to have a Girl’s Empowerment Club for autistic children to help girls participate in activities of everyday life such as shopping, bowling and going to movies. They are also planning a Parent Support Group which would give parents a break to enjoy themselves while their children are supervised by others in the group, as well as an outlet to talk to other parents about their experiences and solutions to situations they encounter with autistic children. <ul style="list-style-type: none"> <li>○ The SEAC also surveyed special education assistants who left over the course of two years to understand why they left. Reasons for leaving included taking another job, better benefits, better pay or transitioned to another position in the school system. The school board is looking into providing benefits for special education assistants.</li> <li>○ The school division is looking into securing grants for special education and there may be money available to the SEAC to make some purchases such as tablets or iPads for the special education classrooms.</li> </ul> </li> </ul>

Name	Report
	<ul style="list-style-type: none"> <li>○ The purpose of the SEAC representative is to inform principals and faculty of the purpose of the SEAC and items of interest to assist special education.</li> <li>○ To increase membership, it was suggested that meetings be held in different areas to make it more convenient for those who have to travel greater distances. It was suggested the meetings include speakers address different topics concerning special education and autism.</li> <li>○ The SEAC plans to work on a mission and a vision statement as well as review bylaws.</li> <li>○ It was suggested that the SEAC be provided a petty cash fund to help with food for parent support groups, grants for tuition and training, and gas for committee members. There were suggestions on how to raise funds in order to make purchases for special education classes such as a raffle with suggested prizes of an iPad, \$100, and \$50.</li> </ul>
<b>Dr. Scott Kizner</b> <i>Local Education Officials</i>	<ul style="list-style-type: none"> <li>● No Report</li> </ul>
<b>Mr. Matt Luther</b> <i>Department of Aging and Rehabilitative Services</i>	<ul style="list-style-type: none"> <li>● No Report</li> </ul>
<b>Ms. Alison MacArthur</b> <i>Teacher</i>	<ul style="list-style-type: none"> <li>● There are inconsistencies between school divisions and between schools when it comes to special education practices and/or IEP development. The new statewide IEP system may be helpful with this.</li> <li>● Caseloads and inclusion class sizes/ratios need to be reduced. It has been suggested that the Virginia Education Association (VEA) pursue significant reductions in special education caseloads by supporting legislation in the General Assembly that would reduce caseloads for teachers and Speech Language Impairment itinerants in Virginia’s K-12 public schools.</li> <li>● Co-teaching and inclusive best practices are issues. Current regulations do not specifically address or mention “inclusion” classrooms which may contribute to inconsistencies between school divisions and schools.</li> <li>● Teachers have queried whether the SSEAC has a position or recommendation on opt-out policies that will allow for special education students to opt out of SOL tests without it being harmful to the school, division, or student.</li> </ul>
<b>Ms. Tashue Mason</b> <i>Parent Representative, Region 8</i>	<ul style="list-style-type: none"> <li>● The Greensville County SEAC will be discussing bylaws at the next SEAC meeting. Efforts to gather information from other SEACs was unsuccessful.</li> </ul>
<b>Ms. Erica Midboe</b> <i>Transition and Vocational Services</i>	<ul style="list-style-type: none"> <li>● The ENDependence Center of Northern Virginia August newsletter was dedicated to youth and disability and issues related to transition. In it, they highlight numerous programs that are aimed at aiding transitioning youth. These programs include healthy cooking classes in an accessible apartment ("Doug's Place"), LEAP awards, and travel training. In particular, the LEAP awards are financial awards given to youth ages 14-26 to help them meet their transition goals. ECVN's newsletter can be found at <a href="http://www.ecnv.org/newsletters">http://www.ecnv.org/newsletters</a></li> </ul>
<b>Mr. Darren Minarik</b> <i>Higher Education</i>	<p>The Radford University (RU) Special Education faculty examined the proposed regulations for teacher licensure and some potential concerns:</p> <ul style="list-style-type: none"> <li>● It was noted that the add-on endorsements in K-6, 6-8, and 6-12 do not specifically address collaboration and RU faculty believe this is a critical skill for teachers seeking add-on licensure in special education.</li> <li>● One glaring omission is the lack of a behavior and classroom management piece for the K-6, 6-8, and 6-12 add-on endorsements. RU staff strongly believes that</li> </ul>

Name	Report
	<p>there needs to be something more specific to special education so that teachers learn about effective evidence-based practices for any add-on endorsement.</p> <ul style="list-style-type: none"> <li>• The proposed regulations place an emphasis on special education foundations content. Licensed general education teachers should have completed an introduction to special education course, at least those who receive initial licensure in Virginia. We suggest removing this requirement (only require if there is no evidence that a course was already completed within initial licensure or if the course is too old to accept) and adding a requirement addressing classroom management and positive behavior support.</li> </ul>
<p><b>Ms. Lisa Richard</b> <i>Parent Representative, Region 7</i></p>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
<p><b>Ms. Joan Sumner</b> <i>Parent Representative, Region 3</i></p>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
<p><b>Mr. Wyllys VanDerwerker</b> <i>Local Directors of Special Education</i></p>	<ul style="list-style-type: none"> <li>• Virginia Council of Administrators for Special Education (VCASE) continues to provide opportunities for leadership development. Due to inclement weather, the VCASE fall conference was cancelled. Efforts will be redirected to conducting an outstanding Spring VCASE conference focusing on improved outcomes for students with disabilities.</li> <li>• VCASE continues to monitor special education funding discussions at the national level. In addition, as the Virginia Legislators begin to plan for Pre-K-12 funding discussions, VCASE will be monitoring items such as "unfunded mandates" and other items that may have a positive or negative effect on instructional services available to students with disabilities.</li> </ul>
<p><b>Ms. Frederique Vincent</b> <i>Parent Representative, Region 4</i></p>	<ul style="list-style-type: none"> <li>• No Report</li> </ul>
<p><b>Ms. Jacqui Wilson</b> <i>Parent Representative, Region 5</i></p>	<ul style="list-style-type: none"> <li>• The Central Virginia Transition Conference will be held on November 7th at Central Virginia Community College.</li> <li>• Amherst County is currently reviewing their grading system, moving from a 7-point system to a 10-point system. The local SEAC is having a presentation about the proposed changes and how this may impact SWDs.</li> </ul>
<p><b>Ms. Kristin Kane for Ms. Suzanne Bowers</b> <i>Ex-officio member, PEATC</i></p>	<ul style="list-style-type: none"> <li>• The Parent Training and Information Center (PEATC) for Virginia serves the entire Commonwealth through one-on-one intakes with families and professionals, workshops and trainings, webinars, and various outreach initiatives. The two newest team members are: <ul style="list-style-type: none"> <li>○ Mr. Derek Flake, Community Outreach Specialist, which includes outreach through Juvenile Justice and Dads of students with disabilities; and</li> <li>○ Ms. Summer Sage, Regional Information Specialist, which includes concentrated outreach to rural families.</li> </ul> </li> <li>• Over the past year, PEATC provided individual assistance to 20,691 individuals on various topics including special education eligibility, discipline and advocacy, parental rights, age of majority, placement, 504 plans, and transition. Information Specialists are available to speak with families in English or Spanish.</li> <li>• Seven "Parents as Collaborative Leaders" (PACL) trainings were provided to 66 parents. Feedback was very positive.</li> </ul>

Name	Report
<p><b>Ms. Heidi Lawyer</b> <i>VBPD</i></p>	<ul style="list-style-type: none"> <li>• The Board started its 2015-2016 Partners in Policymaking class in September. Partners is a leadership advocacy training program for adults with developmental disabilities and parents of young children with disabilities.</li> <li>• VBPD is in the planning stages for our 2016 Youth Leadership Forum (YLF) and expects to begin recruitment in late fall. YLF is for rising high school juniors and seniors with all types of disabilities. It is a one-week leadership training program held on a university campus focused on personal leadership, professional leadership, and career development. VDOE has been a strong supporter of this program. When released, SSEAC members are asked to help disseminate the recruitment information.</li> <li>• The Board has been engaged in the stakeholder group providing input into the development of proposed regulations governing seclusion and restraint in the public schools and appreciates being included in that effort.</li> <li>• VBPD recently provided comment to the Commission on Youth regarding their Study on the Use of Federal, State and Local Funds for private educational placements for students with disabilities.</li> <li>• VBPD is in the process of developing its new 5 year state plan which will include objectives related to education/transition as well as early intervention. That plan will be out for public comment in late December or in early January 2016.</li> <li>• The VBPD annual consumer satisfaction survey is open until October 16. Please feel free to further disseminate to individuals who may have participated in or been aware of Board programs and initiatives.</li> <li>• VBPD continues to be involved in numerous workgroups related to the Department of Justice Settlement Agreement, including employment, community engagement, and most importantly redesign of Virginian’s intellectual and developmental disabilities home and community-based waivers.</li> </ul>

**Public Comment Review**

Members discussed the public comments and asked questions of the staff. Members reserve the right to ask for more information from the department if more comments arise on the same topics. Letters will be sent to the commenters thanking them for their public comments.

**Suggested Agenda Topics for Upcoming Meetings**

The topics requested to be addressed for future meetings are as follows:

- Statewide IEP – December
- Tiered system of supports with resources focused on behavior such as Project EASE (Educational Alternatives to Suspension and Expulsion) – Jo Ann Burkholder – December
- Aspiring Leaders – December
- School Improvement Process – history and how it works to identify issues and resolve problems – Samantha Hollins – December
- Applied Studies Diploma & Credit Accommodations – April
- Transition for students with disabilities with standard diplomas – Services available to SOL track students who have a hard time securing employment or post-school opportunities – April

Ms. Alison MacArthur made a motion to adjourn the meeting. Ms. Christy Evanko seconded. The

meeting was adjourned at 4:30 p.m.

Planned dates for meetings include:

- December 3-4, 2015
- April 7-8, 2016
- July 28-29, 2016
- September 22-23, 2016
- December 1-2, 2016