

Virginia Board of Education Agenda Item



Agenda Item: O

Date: November 29, 2012

Title	Annual Report from the State Special Education Advisory Committee (SSEAC)		
Presenter	Mr. John Eisenberg, Assistant Superintendent for Special Education and Student Services		
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Purpose of Presentation:

Other initiative or requirement. Specify below:

The *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* require that “the state special education advisory committee shall submit an annual report of committee activities and suggestions to the Virginia Board of Education in Virginia.” [8VAC 20-81-20 15.c.(2)]

Previous Review or Action:

No previous review or action.

Action Requested:

No action requested.

Alignment with Board of Education Goals: Please indicate (X) all that apply:

x	Goal 1: Accountability for Student Learning
	Goal 2: Rigorous Standards to Promote College and Career Readiness
	Goal 3: Expanded Opportunities to Learn
	Goal 4: Nurturing Young Learners
	Goal 5: Highly Qualified and Effective Educators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 1: The State Special Education Advisory Committee (SSEAC) assists the Board of Education by providing guidance on policies and practices that help schools increase accountability on academic success for students with disabilities.

The SSEAC membership is mandated by federal and state regulations, thus representing a number of constituency groups that advocate for children and youth with disabilities. The SSEAC provides opportunities for public comment at each of its meetings, as well as inviting presentations about initiatives and programs pertaining to students with disabilities. Over the 2011-2012 year, the SSEAC met five times. The SSEAC approved the annual report at its September 212 meeting for submission to

the Board of Education.

Summary of Important Issues:

Subcommittees addressed Response to Intervention, policy and regulations, constituency involvement, and personnel. Based on the work of these subcommittees, constituency reports, presentations, and public comments, the SSEAC included recommendations dealing with bullying and disability harassment, diplomas and assessments, and inclusion and accessibility. The SSEAC's report also notes a number of commendations related to leadership, educational resources, and advocacy.

Impact on Fiscal and Human Resources:

The impact on fiscal and human resources is reliant on any taken with respect to the recommendations.

Timetable for Further Review/Action:

No additional action is required

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive the report.

VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE
ANNUAL REPORT

JULY 2011 - JUNE 2012

INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain a state advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The statute specifies membership and requires that a majority of members be individuals with disabilities or parents of children with disabilities, specifically, the statute requires the following:

- “(i) parents of children with disabilities (ages birth through 26);
- (ii) individuals with disabilities;
- (iii) teachers;
- (iv) representatives of institutions of higher education that prepare special education and related services personnel;
- (v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
- (vi) administrators of programs for children with disabilities;
- (vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- (viii) representatives of private schools and public charter schools;
- (ix) not less than 1 representative of a vocational community, or business organization concerned with the provision of transition services to children with disabilities;
- (x) a representative from the State child welfare agency responsible for foster care; and
- (xi) representatives from the State juvenile and adult corrections agencies.”

In Virginia the panel is known as the State Special Education Advisory Committee (SSEAC).

COMMITTEE ORGANIZATION

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the Virginia Board of Education bylaws for advisory committees. The SSEAC year commences on July 1 and ends on June 30 of the following calendar year. An executive subcommittee works with the Virginia Department of Education (VDOE) staff in establishing priorities and agenda items for future SSEAC meetings. The SSEAC delegates various subcommittees to monitor programmatic issues and future items of concern. For the 2011-2012 year, the subcommittees were structured as follows:

STANDING SUBCOMMITTEES

Executive – The Executive Subcommittee includes the Chair, the Vice-chair, the Secretary, and three At-large members. The committee establishes priorities for meeting agendas and provides overall direction to the SSEAC.

Nominating – The Nominating Subcommittee is charged with nominating a slate of officers for Executive Subcommittee vacancies.

Policy & Regulations – This subcommittee reviews proposed regulations and prepares official comment language for consideration by the full SSEAC.

ADHOC SUBCOMMITTEES

Constituency Involvement – This subcommittee addresses ways to involve parents, students, and other community constituents in SSEAC activities as well as in local special education training and parent involvement activities.

Response to Intervention (RtI) – This subcommittee addresses the process of the RtI initiatives throughout the state and focuses on its future implementation.

Personnel – This subcommittee addresses concerns regarding the availability of fully licensed, highly qualified special education teachers and related service providers, in addition to the caseload requirements of service provision.

VDOE staff serve as consultants to each of the subcommittees, providing technical assistance, clarification of Department of Education procedures, and additional information.

SSEAC members are assigned a minimum of one standing and one Ad Hoc subcommittee based upon each member's expertise, interests, and concerns. Each executive committee member serves as a chair for a subcommittee. Subcommittees meet independently and make recommendations to the full committee. Such recommendations may result in further study with additional information from the VDOE, presentations to the SSEAC, or inclusion in the Annual Report to the Board of Education.

MEETINGS

The full committee meets in regular session at least four times each year. Subcommittees meet as necessary to fulfill their responsibilities to the SSEAC. Every effort is made to consolidate the work of subcommittees to the regular sessions. All meetings and work sessions are open to the public. The public is offered an opportunity to make comment during a specified time allotted in the agenda at each meeting.

During the 2011-2012 year, meetings were held in the Richmond area on the following dates:

July 14-15, 2011
September 29-30, 2011
December 8-9, 2011
March 22-23, 2012
June 21-22, 2012

In order to provide additional opportunities for the public to interact and provide information to the SSEAC, the SSEAC has used various methods in past years to engage the public. In previous years, at its regular meetings, the SSEAC conducted evening public forums to generate informal exchange between the public and committee members. Due to the lack of success of this approach, the SSEAC began holding evening public comment sessions in July 2009 which allowed constituents unable to attend the meeting during the day to provide feedback in the evenings. The committee evaluated this change in the July 2010 meeting and determined that representatives from sites distant from the Richmond area were not attending. To address this concern, the SSEAC agreed to invite representatives (usually the chair) from local Special Education Advisory Committees (LSEACs) to attend once during the 2010-2011 year. Representatives from two of the eight superintendents' regions were invited so that all LSEACs from all regions would be represented during the 2010 year. A variety of activities were used to engage those attending. Again, it was determined that this was not successful in reaching those areas distant from Richmond. It was suggested that regional meetings be conducted by the VDOE with the assistance of the parent representatives from the SSEAC.

The meeting schedule through 2013:

September 27-28, 2012
December 6-7, 2012
April 11-12, 2013
July 18-19, 2013
September 19-20, 2013
December 5-6, 2013

PRESENTATIONS

Over the past year, a number of presentations were made to the committee by members of the VDOE staff as well as other agencies and organizations. Topics included:

- Response to Intervention (RtI) Update
- Accessible Materials Center of Virginia (AIM-VA)
- Intellectual Disability Instructional Resources
- Annual Update from the Office of Dispute Resolution
- Special Education Data and Finance Updates
- Educating Youth Held in the Justice System
- State Operated Programs
- Family Navigators Program
- Virginia Severe Disabilities Consortium
- Alternate and Alternative Assessment Updates
- Virginia Special Education Aspiring Leaders Program
- Training for Drivers of Students with Special Needs
- Online Testing in Virginia
- Teacher and Principal Evaluation Guidelines
- Overview of Annual Virginia Trends in the Due Process, Mediation, and Complaints System in Virginia
- Autism Paraprofessional Modules from the VCU Autism Center for Excellence (VCU-ACE)
- Speech Therapy Guidelines and Telepractice Model
- Freedom of Information Act (FOIA) as it relates to meeting

PUBLIC COMMENTS

A public comment period was held at each meeting. Staff members from VDOE responded to the comments individually according to the subject and the concern. Further, the full committee reviewed the previous meeting's comments with the actions of department staff. During the 2011-2012 year, public comments were related to:

- needs of “twice exceptional” students – those who are both gifted and have disabilities,
- cheating on VAAP portfolios,
- suggestion for the use of “nanny cams” in classrooms,
- requirements for reporting teacher abuse of nonverbal students,
- bullying of students with disabilities,

- attendance requirements for students with chronic medical issues,
- request that SSEAC respond and make recommendations related to public comments, and
- needs of students with autism.

ISSUES IDENTIFIED THROUGH CONSTITUENCY REPORTS

Each member of the SSEAC is provided an opportunity at each meeting to report issues from their constituency groups. The following issues were reported during the past year:

- There were concerns expressed about diploma changes for students with disabilities, assessment changes and how assessment changes would affect diplomas;
- Teacher burnout was identified as an issue resulting from insufficient staff to provide inclusive services;
- There continue to be misunderstandings about extended school year including what it is and who is eligible;
- Having computerized testing that requires that assessments be completed in one session and one day does not provide the opportunity for students with disabilities who need multiple testing sessions;
- With the focus on curriculum content, teachers are concerned that they do not receive in-service training on disability specific teaching strategies;
- Instructional assistants were reported to be providing services that go beyond their qualifications;
- Accessibility for students with disabilities in school playgrounds and external school properties was identified; and
- There is confusion related to the IEP process when a student needs intermittent homebound services.

TOPICS ADDRESSED IN SUBCOMMITTEES OF THE SSEAC

Personnel

The shortage of teachers in certain areas is an issue that the subcommittee has discussed. Issues discussed include:

- the sustainability of the Severe Disabilities Consortium and other partnerships that may be reliant on the leadership of a certain individual rather than a state implemented program,
- funding for teacher preparation programs as opposed to funding tuition reimbursement programs,
- new evaluation systems of teachers, principals, and superintendents and the potential effects on special education programs and teacher preparation programs, and
- evaluation of teams who co-teach.

The personnel subcommittee also indicated that they would contact the VCU-ACE to request that they develop a fact sheet that can be distributed that will direct those interested to the Web site. A great deal of good information is available, and it was a concern of the subcommittee that many may not know about this resource.

Response to Intervention (RtI)

In July 2011, VDOE staff reported on the progress of the RtI statewide pilot programs. Based on information provided, the subcommittee believes that the state RtI initiative is moving forward successfully. Although the SSEAC would like to continue to receive updates on the progress of RtI activities, it was suggested at its last meeting of this year that this no longer needs to be an issue of the SSEAC.

Policy and Regulation

The policy subcommittee has focused efforts this year on the SSEAC bylaws. Suggested changes have been discussed and are awaiting action by the SSEAC. Of note, the issue that has not resulted in agreement is related to attendance at meetings and the definition of a meeting.

Constituency Involvement

Based on the July 2011 SSEAC recommendations, local Special Education Advisory Committee (SEAC) chairs and special education directors were invited to regional meetings. In addition, lists of local SEAC chairs were sent to the parent representatives from each region to assist in their communication with their constituents as well as to assist in soliciting attendance at the regional meetings. These recommendations are in response to local SEAC requests for more communication from SSEAC and their acknowledgement that they would benefit from local training.

During the 2011-2012 year, the Department of Education, with the assistance of the parent representatives from the SSEAC, held evening meetings in each region of the state. Both special education directors and local SEAC chairs were invited. Goals of the meeting were to:

- provide networking opportunities between and among local SEAC chairs,
- provide regulatory requirements related to local SEACs,
- provide an opportunity to identify strengths, challenges, and recommendation to the SSEAC, and
- review Freedom of Information requirements.

COMMENDATIONS

The SSEAC wishes to take this opportunity to recognize a number of programs and resources supported by the Board of Education to improve services to students with disabilities. In particular, we would like to commend the Board of Education on the following:

Leadership

The SSEAC would like to applaud several areas of leadership that the committee feels have made a difference to students with disabilities in Virginia. These include:

- Recognition of Doug Cox for his leadership and commitment to students with disabilities and his dedication to the SSEAC for the past 18 years,
- The Aspiring Leaders Program,
- Regional meetings for SEAC chairs and local Special Education directors, and
- Support of funding of Regional Special Education Collaboratives.

Educational Resources

Resources focused on particular needs help teachers and families as they work together to design and implement effective and appropriate services for students with disabilities. In particular, growing populations of students with particular disabilities are helped when the state provides direction through available resources. Two programs deserve recognition in this area:

- VCU Autism Center for Excellence (VCU-ACE) and associated resources for students with autism, and
- Virginia Accessible Instructional Materials Center (AIM-VA).

Advocacy

Activities that influence a positive view of disabilities and are designed to help people with disabilities become included in all facets of society are important extensions to our school programs. We would like to highlight two programs that help this effort:

- I'm Determined Project (includes Growing Leaders program) for increasing self-advocacy, with appreciation to the TTAC at JMU for providing this program a home, and
- Recognition through a Superintendent's Memo along with the development and dissemination of information promoting Disability History and Awareness month.

RECOMMENDATIONS

Based on public comments and reports from members representing their constituency groups, the committee makes the following recommendations:

Bullying and Disability Harassment

The SSEAC recognizes that the Department of Education has directed localities to study the nature and effectiveness of school divisions' anti-bullying policies (House Joint resolution No.

625). Through the study it was recommended that the VDOE provide technical assistance and training for school divisions in best policies, practices, and procedures for implementing bullying prevention and responding to bullying incidents. **This committee recommends that added to those recommendations be a strand of training that focuses on students with disabilities and those who cannot speak for themselves.** We suggest that consideration be given to take advantage of the resources of the I'm Determined program.

Diplomas and Assessments

Parents are not always informed of the impact that taking the VAAP, for example, may have on their children's participation in a general education diploma track. **The SSEAC recommends that VDOE develop a guidance document to be given and reviewed with parents each year beginning with the second grade IEP meeting.** The document should explain the impact that certain choices, such as alternative assessments and testing accommodations, may have on their ability to get a standard or advanced diploma. Students should also be included in this discussion when developmentally and educationally appropriate.

Inclusion and Accessibility

- **The SSEAC recommends that VDOE develop and implement statewide guidance and training focused on ensuring that all students with disabilities participate in emergency evacuation and safety procedures conducted in the schools.**
- **The SSEAC recommends that the VDOE, through Superintendent Memos and ongoing technical assistance, support local education agencies to develop strategies and implementation plans focused on ensuring that all school playgrounds and external school property provide full inclusion and accessibility of all students, teachers, school staff, and guests. We further recommend that these memos and technical assistance also focus on ensuring the inclusion of all students with disabilities in all curricular and extracurricular school activities (e.g., recess, PTA sponsored events, field days, field trips, school carnivals, etc).**

The SSEAC appreciates the opportunity to provide advice to the Board of Education and hopes that the recommendations are implemented without delay. While we recognize the many competing requests for resources, we feel that these requests are reasonable. We look forward to hearing from the Board of Education.

2011-2012 Virginia State Special Education Advisory Committee (SSEAC)

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