

# Virginia Board of Education Agenda Item



**Agenda Item:** H

**Date:** September 18, 2014

<b>Title</b>	Annual Report from the State Special Education Advisory Committee (SSEAC)		
<b>Presenter</b>	Mr. John Eisenberg, Assistant Superintendent for Special Education and Student Services Ms. Lori Jackson Black, SSEAC Chair Mr. Darren Minarik, SSEAC Vice Chair		
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**Purpose of Presentation:**

Action required by state of federal law or regulation.

**Previous Review or Action:**

No previous review or action.

**Action Requested:**

Other. Specify below:

Consider the recommendations of the SSEAC.

**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 advice on policies and practices that help increase accountability for academic success for students with disabilities.

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.” [8 VAC 20-81-20 15.c(2)]

The SSEAC 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. The SSEAC approved its annual report at its July 2014 meeting for submission to the Board of Education.

**Summary of Important Issues:**

Subcommittees addressed student achievement, student outcomes, and policy and regulations. Based on the work of these subcommittees, constituency reports, presentations, and public comments, the SSEAC report includes recommendations dealing with diplomas and assessments, communication, inclusive education, and transition. The report also notes commendations in the areas of leadership and advocacy and educational resources.

**Impact on Fiscal and Human Resources:**

The impact on human resources is reliant on any action 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 this report.

VIRGINIA STATE  
SPECIAL EDUCATION  
ADVISORY COMMITTEE  
ANNUAL REPORT

JULY 2013 - JUNE 2014

## 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 one 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 2013-2014 year, the subcommittees were structured as follows:

### STANDING SUBCOMMITTEES

Five standing subcommittees are used to conduct much of the work of the SSEAC. These include Executive, Nominating, Achievement, Outcome, and Policy and Regulations. The five subcommittees are consistent with the Assistant Superintendent's priorities, and the SSEAC supports the VDOE's focus on these priorities.

SSEAC members are each assigned to subcommittees based upon each member's expertise, interests, and concerns. Each subcommittee is chaired by a member of the executive committee. Subcommittees 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. VDOE personnel serve as consultants to each of the subcommittees, providing technical assistance, clarification of Department of Education procedures, and additional information.

**Executive** - The Executive Subcommittee includes the Chair, the Vice-chair, the Secretary, and three At-large members. The subcommittee 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 and Regulations** - This subcommittee focuses on initiatives at the state that either result in policy and regulations or have an impact on policy and regulations as they pertain to students with disabilities. Changes to teacher licensure regulations, diploma options and requirements, and strategies for resolving disputes are examples of topics which are discussed.

**Student Outcomes** - This subcommittee focuses on data relative to the State Performance Plan (SPP) and Annual Performance Report (APR). The committee conducted specific analyses around identified areas of concern including dropout rates, graduation rates, transition, discipline of students with disabilities, and assessment.

**Student Achievement** - This subcommittee focuses on achievement data and the goals under the state plan for students with disabilities. This subcommittee focuses not only on the federal expectations, but also on the growth in achievement for students with disabilities and strategies that are being promoted at the state level to meet expectations.

## **MEETINGS**

The full committee meets in regular session at least four times each year. Subcommittees meet during the regular sessions and as necessary to fulfill their responsibilities to the SSEAC. Every effort is made to consolidate the work of subcommittees with 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 regular meeting.

During the 2013-2014 year, meetings were held in the Richmond area on the following dates:

- July 18-19, 2013
- September 19-20, 2013
- December 5-6, 2013
- April 3-4, 2014

The meeting schedule through 2014-2015 includes:

- July 17-18, 2014
- September 25-26, 2014
- December 11-12, 2014
- March 26-27, 2015
- July 23-24, 2015
- October 1-2, 2015
- December 3-4, 2015

## **PRESENTATIONS**

Each meeting included a presentation by Mr. John Eisenberg, Assistant Superintendent for Special Education and Student Services, who provided information on the status of numerous projects, state and federal legislation, funding initiatives, and other information related to services to students with disabilities. These presentations provided the basis for much of the subcommittee work as well as the desire to have additional presentations on specific topics.

Presentations were provided by VDOE staff on state funded projects. Topics included:

- Procedures of the Virginia Board of Education
- Report on Virginia's Post School Outcomes
- Proposed Licensure Regulations
- Aspiring Leaders Program
- Facilitated IEPs
- Report on Data from the Office of Dispute Resolution and Administrative Services
- Delivery of Occupational and Physical Therapy Services in Schools
- Anti-bullying and Youth Initiatives from the I'm Determined project

## **PUBLIC COMMENTS**

A public comment period was held at each meeting, and the SSEAC members always appreciate the time and effort that it takes to attend a meeting and provide a comment. A written response on behalf of the committee was sent by VDOE staff to each commenter. Further, at each meeting, the full committee reviewed comments from the previous meeting and VDOE staff

provided information on the follow-up. During the 2013-2014 year, public comments were related to:

- the possibility for fraud with the use of Medicaid for funding;
- problems accessing services and the treatment of parents;
- problems with expedited retakes of SOL tests for students with low vision and multiple disabilities since these tests must be scored by hand and scores are not received in a timely manner;
- difficulty, especially in regions 6 and 7, navigating local school division Web sites;
- appropriate identification and eligibility for students with dyslexia;
- appropriate reading instruction for students with dyslexia; and
- effects of the Chafee amendment on the ability to receive alternate textbooks for students with dyslexia.

## **ISSUES IDENTIFIED THROUGH CONSTITUENCY REPORTS**

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

- Local budgets and possible effects on services for students with disabilities;
- Increase in students with autism;
- Credit accommodations for the standard diploma for students with disabilities;
- Access of services for students with disabilities at charter schools;
- Access to technology at home for all students, including students with disabilities;
- Problems with local SEACs, including lack of those willing to be members, lack of involvement of parents with local SEACs, meetings being run and controlled by school divisions, and lack of bylaws for some SEACs;
- Need for earlier identification of students with disabilities;
- Problems with the use and delivery of intermittent homebound instruction;
- Accountability for students enrolled by school divisions in regional programs;
- Need to streamline paperwork;
- Availability of data on post school outcomes;
- Lack of consistent procedures for the selection of electives by students with disabilities;
- Need for more highly qualified teachers who can provide instruction in alternative settings;
- Problems with accountability for related services providers who are contracted;
- Bullying of students with disabilities;
- Concern with the length of testing sessions for some students with disabilities;
- Frustration with lack of differentiation of instruction in grade level curriculum for students with significant disabilities;
- Web sites are not kept up to date and information on local SEAC meetings is difficult to find;
- Poor SOL passage rate by students with disabilities;
- Need for additional diploma credit accommodations;
- Lack of consistency in the delivery of inclusive services; and
- Lack of transition goals in IEPs that address functional skills.

## 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 or will make a difference to students with disabilities in Virginia. These include:

- The recognition by the US Department of Education that Virginia met the highest ranking on our state performance plan, which is now based on student outcomes.
- The development and progress toward the availability of concurrent licensure endorsement in special education for content teachers. Such licensure will improve the ability of general education teachers to meet the needs of diverse learners through better skills related to data collection, behavior management, and differentiated instruction.
- An increased focus on disability awareness and the use of person-first language, especially with and the work being done by groups such as I'm Determined.
- The exploration and planning for an online statewide system for developing IEPs.
- The involvement of the SSEAC and parents in the planning and development process to increase the rigor of the Special Diploma to support positive postsecondary outcomes.

### Advocacy and Educational Resources

The SSEAC would like to applaud several resources that the committee feels have made a difference to students with disabilities and their families in Virginia. These include:

- The development of a video about bullying that was disseminated throughout the state and is posted on the I'm Determined Web site at <http://www.imdetermined.org>;
- Support and funding for the I'm Determined project that increases self-advocacy and public awareness through the Youth and Family Summit at James Madison University (JMU), youth development, mobile apps, and other projects that occur at other times of the year;
- Support and funding for the Virginia Board for People with Disabilities Annual Youth Leadership Forum (YLF), which can be found at <http://www.vaboard.org>.
- Support and funding for the Center on Transition Innovations Web site, which can be found at <http://www.centerontransition.org>;
- Support and funding for the Center for Family Involvement at the Partnership for People with Disabilities at VCU <http://www.centerforfamilyinvolvement.org>; and
- Support and funding for the Parent Educational Advocacy Training Center (PEATC) (<http://www.peatc.org>).

## RECOMMENDATIONS

Based on public comments, reports from members representing their constituency groups, and other information presented to the committee, the SSEAC makes the following recommendations to the Board of Education.

### Diplomas and Assessments

**Issue:** As shared in last year's report, parents continue to be confused by assessments that their children are required to take and how these assessments impact IEP decisions, diploma options, and graduation.

**Recommendation:** We appreciate work that has been done on credit accommodation guidance, but continue to recommend that VDOE develop a guide to explain testing and the impact on diploma options. We further recommend that this guide be required to be distributed no later than the second grade and annually thereafter. Training linked to this booklet should be made available through webinars, PEATC, Parent Resource Centers, and other resources.

### Communication

**Issue:** Through the SSEAC constituency reports and public comment, it is evident that there are many resources provided by the Department of Education. Parents and administrators, however, are not always aware of and do not always use these resources.

**Recommendation:** We recommend that the VDOE develop a workgroup consisting of parents, students, school personnel, and additional stakeholders to investigate the communication gaps and resolve the issues related to awareness and use of available resources. Although the VDOE Web site is a wealth of information, we recommend revising the site so that it is easier for parents to navigate using either a personal computer or a mobile device.

### Inclusive Education

**Issue:** The SSEAC continues to hear about issues related to the delivery and implementation of inclusive and collaborative practices through public comment, constituency reports and SPP data.

**Recommendations:**

- The SSEAC recognizes that the VDOE convened a workgroup to study and provide guidance on inclusive practices. The committee continues to recommend, however, that the VDOE create a checklist or similar document that identifies exemplary inclusive practices and allows schools to assess themselves in this area.
- The SSEAC recommends that training in collaboration be provided for general education teachers to include the use of co-teaching and the implementation of accommodations included in IEPs.

## **Transition**

**Issue:** Based on the State Performance Plan data, Indicator 14 - postsecondary outcomes for students with disabilities – continues to remain level, resulting in concerns regarding successful postsecondary education and employment of students with disabilities.

- **Recommendation:** The SSEAC recommends that the Center for Transition Innovations at VCU collect and disseminate data through an annual report related to their services to demonstrate and guide their efforts to reach communities throughout the state. The SSEAC also encourages the development and promotion of Transition related initiatives that link academic and career planning with postsecondary goals for students with disabilities and increased partnerships with available community resources. The committee also encourages the development of models and resources for staff and families in school divisions to support transition planning.

## **CONCLUSION**

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.

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