

Impact on Resources:

There is no anticipated impact on resources.

Timetable for Further Review/Action:

No further review or action is required unless desired by the Board.

VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE
ANNUAL REPORT

JULY 2010 - APRIL 2011

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 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 2010-2011 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 agenda and provides overall direction to the SSEAC.

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

State Operated Programs Annual Plan Review – This subcommittee conducts a review of the annual special education plans submitted by state operated programs and the Virginia School for the Deaf and the Blind.

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.

Staff members 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 four times each year, while 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 specified time allotments at each meeting. All regular meetings are recorded to assist with record keeping and the recordings are maintained by the VDOE in accordance with record keeping policies and procedures.

During the 2010-2011 year, meetings were held in the Richmond area on the following dates:

July 15-16, 2010
October 14-15, 2010
February 10-11, 2011
April 14-15, 2011

Prior to each meeting, the SSEAC distributes a flyer to notify the constituents and stakeholders of the upcoming meeting. Members are given copies for distribution to their constituency groups. In addition, the SSEAC, in coordination with the Virginia Board for People with Disabilities, supports and assists in maintaining a database of constituents interested in special education and information sharing. The information from each flyer is distributed through this shared network, named Virginia Special Education Network (VSEN).

Historically, the SSEAC has conducted evening public forums to generate informal exchange between the public and committee members at designated meetings. At the April 2009 meeting, the committee approved a motion to replace the informal forum with an evening public comment period to provide such opportunities for constituents who are unable to attend the meeting during the day. This provision was in force for three consecutive meetings, beginning July 2009. The committee evaluated this change in the July 2010 meeting and determined that representatives from sites distant from the Richmond area were not attending the forums.

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. The representatives were introduced at the beginning of the meeting and they observed during the first day of the SSEAC. A reception was held at the end of the day to provide opportunities for direct interaction between SSEAC members and the local representatives. The second day they attended a training session facilitated by the Virginia Commonwealth University Partnership for People with Disabilities' Center for Family Involvement where they were able to interact with each other to share success stories, challenges and barriers to LSEACs. They also were provided with materials and

information available through state resources to support their local efforts. At the end of the morning they reported back to the SSEAC and also made suggestions on how the SSEAC could provide them with support. Feedback from local representatives on this experience was universally positive.

The meeting schedule for the remainder of 2011-12 year is:

July 14-15, 2011
September 29-30, 2011
December 8-9, 2011
March 22-23, 2012
June 21-22, 2012
September 27-28, 2012
December 6-7, 2012

PRESENTATIONS

During the year presentations were made to the committee by members of the VDOE staff as well as other agencies and organizations. Topics included:

- State Performance Plan-Annual Performance Report Update
- VDOE Disability Guidelines and Resource Documents Update
- Effective Schoolwide Discipline Project Update
- Special Education Discipline Data
- Career and Technical Education
- Autism Spectrum Disorders Activities and Autism Center of Excellence Update
- Emotional Disability Study and Summit Report
- VDOE Assessment Update – the Virginia Modified Achievement Standards Test (VMAS), the Virginia Grade Level Alternative (VGLA), the Virginia Alternate Assessment Program (VAAP) and the Virginia Substitute Evaluation Program (VSEP)
- Standards-based Individualized Education Program
- Early Childhood Special Education – Special Quest Project
- Aspiring Special Education Leaders Academy
- “Show Your Spark” Assembly Program
- Federal Update from the National Association of State Directors of Special Education (NASDE)
- VDOE’s Secondary Transition Initiatives Update

PUBLIC COMMENTS

A public comment period was held at each meeting. VDOE staff members 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 2010-2011 year, public comments were related to:

- The cut-off age of six years for the "developmental delay" eligibility category
- Restraint and Seclusion policies
- Addressing local special education advisory committee issues
- The effects of the special diploma on services after graduation
- Transition services
- The needs of students in elementary school who do not meet The Virginia Alternate Assessment Program (VAAP) criteria but often fall multiple grade levels behind their typical developing peers in reading and mathematics

ISSUES ADDRESSED BY THE SUBCOMMITTEES OF THE SSEAC

PERSONNEL

The Board of Education is implementing the legislative mandate to require teachers seeking an initial license with an endorsement in Special Education – Visual Impairment to pass a Braille proficiency assessment.

The General Assembly funded the third year continuation for Personnel Preparation Grants for special education teachers. General Assembly funds were added to IDEA funds to offer the following high need programs across the state:

- Early Childhood Special Education Consortium
- Vision Impairment Consortium
- Hearing Impairment program
- Severe Disabilities Consortium
- Personnel Preparation for General Curriculum endorsement Speech - Language Consortium
- Autism Certificate programs

The New Special Education Directors Academy was ongoing through the year, and the group attended and observed the April State Special Education Advisory Committee (SSEAC) meeting. Additionally, members of the Aspiring Leaders Academy attended the February SSEAC meeting. It was announced that the fourth cohort of Aspiring Leaders will begin in summer 2011.

Expansion of offerings in teacher preparation university programs include:

- The University of Richmond has developed a new undergraduate and graduate level general curriculum special education program
- The Autism Center of Excellence (ACE) is working with George Mason University, Virginia Commonwealth University, and Old Dominion University to develop a consortium for Board Certified Behavior Analysts (BCBA) and Applied Behavior Analysis (ABA).
- James Madison University is currently conducting pilot programs providing telepractice sessions in areas like Wise County in order to address the speech-language pathologist shortage.
- Virginia Commonwealth University (VCU) received a grant to work with two community colleges on programs focused on college-age persons with intellectual disabilities. This is similar to programs currently being offered at George Mason University.

Training initiatives centered on the Virginia Modified Achievement Standards Test (VMAST) and the standards-based individualized education program (IEP), which were offered for higher education faculties and local educational agencies during winter and spring. Additionally, the VDOE in conjunction with the VCU Autism Center for Excellence has chosen 12 school divisions as sites for embedded coaching, which will involve up to three years of intensive training to expand autism programs and certify individuals in Applied Behavior Analysis. Additional webinars are ongoing throughout the year for all school divisions.

This committee has had discussion regarding the importance of ongoing grants and tuition assistance for teachers with provisional licensing. Future work of the personnel subcommittee will focus on issues surrounding the critical shortages of special education teachers, related services providers, and the identification of those individuals committed to the pursuit of certification in the field of Applied Behavior Analysis.

RESPONSE TO INTERVENTION (RtI)

In July 2010, VDOE staff reported on the progress of the RtI statewide pilot programs. The pilot schools were beginning their third year of implementation of RtI with four coaches consulting.

Goals for the upcoming year included:

- New coaching manuals
- Development of an online training manual
- A new cohort of approximately 15 school divisions
- Updated evaluations

Dr. Steve Kukic was hired as a contractor to provide assistance with:

- Guidance Document
- Coaching Manual
- Training Modules

In February 2011, it was reported that currently there are 19 cohort divisions, six of which were RtI pilot divisions. The first RtI cohort/pilot training session was held December 15-16, 2010, in Roanoke. Dr. Dan Reschly spoke on the topics of: RtI - fundamental principles and pre-requisites, assessing district current status and applying basic principles and multi tier supports to achieve improved outcomes for all students.

On March 1 and 2, the second training session took place in Charlottesville. Dr. Denise Sequine and Mr. Neil Guthrie from Wichita Public Schools presented on “Multi-Tiered Systems of Support: Academic Structuring Guide.” Dr. Tom Jenkins presented on “The Formative Evaluation Component of Your Multi-Tiered Intervention Model” and “Data Based Instructional Decision Making from the Building Level to the Individual Student Level.”

On April 6 and 7, 2011, the third training session took place in Richmond. Dr. Mark Shinn and Dr. Tom Jenkins presented on the fundamentals of middle and high school implementation and behavior interventions. The final training for this school year will be on June 27 and 28 in

Blacksburg. Brenda Labrasse will speak on RtI implementation at the middle and high school levels as well Dr. Randy Spricks who will discuss behavior interventions.

POLICY & REGULATION

The committee continued to review state progress on implementing IDEA requirements through the standing report on policy and data.

CONSTITUENCY INVOLVEMENT

Based on the July 2010 recommendations, local Special Education Advisory Committee (SEAC) chairs have been invited to attend SSEAC meetings (2 regions per meeting). These local SEAC have shared their perspectives regarding the accomplishments and problems at the local level. Although the anticipated participation was not received from all regions, this interaction has provided valuable information between local and state advisory committees as well as personal networking opportunities. The Constituency subcommittee offers two recommendations:

- 1. VDOE will provide regional lists of local SEAC chairs to the regional representatives of the state SEAC to include E-mail and mailing addresses.*
- 2. VDOE will provide budget and support to plan and conduct one meeting/training in each of the eight regions. Local SEAC chairs and special education directors will be invited and also encouraged to bring one emerging parent leader within the region for a maximum of 40 participants. As a part of this recommendation the sub-committee requests VDOE support in messaging to special education directors as well as financial support for requested accommodations for individuals with disabilities.*

These recommendations are in response to Local SEAC requests for more communication from SSEAC and their acknowledgement that they would benefit from local training.

STATE OPERATED PROGRAMS

The subcommittee met April 14, 2011, to review the annual plans submitted by the state operated programs (SOP) and the Virginia School for the Deaf and the Blind.

The SOP representatives reported that they will submit assurances that indicate the necessary changes in their policies and procedures to be in compliance with state and federal guidelines. They also reported on the extent to which the current plan has been implemented.

OTHER ISSUES

CAREER AND TECHNICAL EDUCATION

In 2009, the Commission on Youth (COY) completed a gap analysis of career and technical education (CTE) programs in the Commonwealth. The goal of this analysis was to assess whether the existing career and technical education structure was meeting the needs of students and Virginia communities, as well as to identify any resources or system improvements.

In conducting this study, the Commission convened advisory groups comprised of representatives from agencies and organizations with expertise and/or special interest in these study topics. The advisory groups helped identify issues and develop recommendations for the Commission on Youth. At the Commission's meeting held on December 7, 2009, the Commission on Youth recommended that the SSEAC review the status of CTE programs with regard to students with disabilities.

During the 2010-2011 year, the SSEAC heard several presentations from staff representing the Virginia Department of Education's (VDOE) Division of Career and Technical Education and the Division of Special Education and Student Services, Office of Federal Program Monitoring. The following information was transmitted to the COY:

When CTE enrollment data were compared with special education incidence data, it appears that students with disabilities are enrolled in CTE programs at essentially the same incidence that they are found in the school population for those age groups. Of all students enrolled in CTE courses, 12.9% were reported as students with disabilities (SSCCER Report 2009-2010). In the same time period Virginia's incidence rate for students with disabilities in grades 7 and above was 13.2%. This suggests that there is no general systematic exclusion of students with disabilities from CTE programs.

The committee did learn of an issue related to students with disabilities with respect to industry certification examinations. Some students with disabilities are not able to access the certification examinations for CTE courses offered by the various vendors because for some examinations there are no provisions for specific accommodations for individuals with disabilities. However, students with disabilities that cannot be accommodated on the tests may be considered as successfully completing the course(s) without taking the examination. There is no evidence that the lack of accommodations affects enrollment.

In addition to the incidence and enrollment data, the SSEAC was provided with information from recent CTE civil rights monitoring reports of comprehensive on-site reviews in selected school divisions. The Virginia Department of Education (VDOE) is required to conduct a minimum of four on-site civil rights reviews annually. These reviews focus on the following areas: administrative; staff employment; student recruitment; access and admissions; accessibility; comparable facilities; services for students with disabilities; student financial assistance; counseling and pre-career and technical programs; site location; work study; cooperative education; and job placement and apprentice training. While the monitoring reports show

noncompliance for each of the eleven school divisions that received on-site civil rights monitoring; there was no evidence to support that a student was denied access or enrollment in any CTE programs. The most frequent finding of noncompliance was in the area of accessibility; however, generally, schools had implemented alternate methods to ensure access to all programs and services.

When noncompliance is determined in any of the aforementioned areas of the on-site CTE civil rights reviews, the school division or state-operated program must develop a corrective action plan. The VDOE provides continuous follow-up activity to ensure implementation of these plans within a reasonable time period.

The SSEAC has not received any public comment that students with disabilities are experiencing barriers to participation in CTE programs. Likewise, the Division of Special Education's Office of Dispute Resolution and Administrative Services has received no complaints nor requests for due process hearings involving students with disabilities' participation in CTE programs.

The SSEAC will continue to monitor this issue and to request periodic updates from the VDOE concerning enrollment trends and other pertinent data about students with disabilities accessing CTE programs.

RESTRAINT & SECLUSION

The SSEAC continues to be concerned about policies across the state regarding the use of restraint and seclusion of students with disabilities and has continued to work collaboratively with the VDOE to remind superintendents of the guidelines document issued in 2006.

ASSESSMENT AND ACCOUNTABILITY

The Virginia Modified Achievement Standards Test (VMASST) was introduced to the committee and continues to be monitored as completion and pilot testing proceed. The SSEAC is represented on the steering committee of this new assessment tool. The SSEAC continues to study the reports of the State Performance Plan/Annual Performance Report (SPP/APR), specifically the indicators related to results of assessment for students with disabilities and supports the changes to the VGLA that are planned for next year. The committee will continue to monitor testing results for students with disabilities. The SSEAC is pleased that the VMASST Algebra 1 and end of course reading will meet the state's verified credit requirement for a standard diploma.

VIRGINIA ACCESSIBLE INSTRUCTIONAL MATERIALS CENTER (AIM-VA)

The SSEAC was informed about Virginia's progress in meeting the federal NIMAS (National Instructional Materials Accessibility Standards) requirements. This requirement specifies that local divisions provide students with print disabilities access to alternate formats of textbook

(large print, audio, Braille, and electronic versions). The VDOE has contracted with George Mason University to develop the Accessibility Instructional Materials Center of Virginia (AIM-VA). AIM-VA partners with a number of national providers such as Recording for the Blind and Dyslexic, Don Johnston Inc., Bookshare, and the National Federation of the Blind to produce Virginia textbooks into these alternate formats. AIM-VA also works directly with the NIMAC (National Instructional Materials Accessibility Center) to download files produced by Educational Publishers. The SSEAC receives continued updates on the dissemination of textbooks in alternate formats from AIM-VA.

FUTURE ISSUES

Listed below are areas on which the SSEAC will continue to monitor and advise the Virginia Department of Education and the Board of Education as they work for the families and students of Virginia.

SPECIAL EDUCATION REGULATIONS

The Policy & Regulations subcommittee will be charged to monitor the implementation of the regulations as the next academic year commences. Specifically, the SSEAC will continue to focus efforts towards parent education and training on the regulations, in addition to the new “Parent’s Guide to Special Education.”

BULLYING AND DISABILITY HARASSMENT

As a result of the changes in the new regulations that require LEAs to have policies that prohibit disability harassment, the SSEAC will be reviewing programs that have been implemented in Virginia and across the country. This has become a national issue and has received much press recently.

RESTRAINT AND SECLUSION

The SSEAC will continue to monitor the implementation of restraint and seclusion policies and procedures.

SECONDARY TRANSITION AND SELF ADVOCACY

The SSEAC will continue to monitor self advocacy initiatives throughout the Commonwealth and encourage expansion of such programs. The committee will also monitor secondary transition programs and receive reports from the statewide postsecondary outcomes survey conducted by the VDOE as part of the SPP/APR requirements. The SSEAC will follow developments from provisions in the Higher Education Act of 2008 that made students with Intellectual and Developmental Disabilities eligible for Pell grants and work study.

ACCESSIBLE INSTRUCTIONAL MATERIALS

The SSEAC is planning to review and monitor potential expansion of the statewide library AIM-VA services to children under 504 plans as well as students needing accessible instructional materials under their IEPs.

SPECIAL EDUCATION TEACHER SHORTAGES

Due to the continued needs for licensed special education teachers and the fact that they continue to be the top shortage area in the state, the SSEAC plans to research alternatives available in other states to addressing the critical shortage of special education teachers.

AUTISM

The SSEAC will continue to monitor the educational issues related to instructional strategies for students with Autism Spectrum Disorders (ASDs). The committee will request periodic updates from VDOE staff, review updated information, and assist in Virginia's future plans for addressing the educational needs of students with ASD.

ASSESSMENT ISSUES

Based upon the variety of assessment options that have been developed in Virginia for students with disabilities, the SSEAC will study the phase out of the use of the Virginia Grade Level Alternative Assessment (VGLA) and use of the Virginia Substitute Evaluation Program (VSEP) in order to address issues that have appeared as a result of public comments and the data presented by VDOE. The SSEAC will also provide feedback to VDOE on the development of the new Virginia Modified Achievement Standards Test.

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

The committee will request periodic updates on emerging federal education policies including pay for performance, use of growth models, and changes in assessment practices.

DISCIPLINE

The committee will continue to monitor issues related to disciplinary practices pertaining to children with disabilities, including suspension and expulsion.

DISABILITY HISTORY AWARENESS

The committee will report periodic updates concerning activities related to disability history awareness.

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