State Special Education Advisory Committee (SSEAC) Meeting Minutes

Thursday, December 3, 2015

Members Present: Mr. Adam Amick, Ms. Jill Becker for Dr. Lisa Floyd, Mr. Jack Brandt, Ms. Jackie Cowen for Ms. Jennifer Cooper, Ms. Christy Evanko, 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, Ms. Frederique Vincent, Ms. Jacqui Wilson

Members Absent: Dr. Lisa Floyd, Mr. Brenden Folmar, Mr. Damon Garrison, Mr. Wyllys VanDerwerker

Ex-officio Members Present: Ms. Suzanne Bowers (PEATC), Ms. Heidi Lawyer (VBPD)

Virginia Department of Education (VDOE) Representatives Present: Dr. Pat Abrams, Ms. Jo Ann Burkholder, Dr. Suzanne Creasey, Mr. Andrew Greenidge, Ms. Kathleen Harris, Dr. Dawn Hendricks, Dr. Samantha Hollins

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.

Dr. Pat Abrams introduced Dr. Dawn Hendricks, who is the new Early Childhood/Preschool Coordinator at VDOE.

Business Session

Approval of Agenda

The committee was asked to review the proposed agenda. Since Ms. Pat Haymes is unable to attend, Ms. Kathleen Harris will present on the restraint and seclusion regulations. Mr. Hank Millward was not able to attend and his presentation is stricken from the agenda. Ms. Catherine King made a motion to approve the agenda with changes, and Ms. Alison MacArthur seconded. The motion was approved 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. Catherine King made a motion to approve the minutes as written. Ms. Jacqui seconded the motion. The motion passed with two abstentions from Mr. Adam Amick and Mr. Jack Brandt.

Report Follow-up to Public Comment from Previous Meeting

Letters following up on public comment have been created and are in the process of being mailed. There were five public comments in the last meeting and one was a new issue addressing the treatment of advocates in schools. Commenters were provided with resources specific to their issue.

Presentations

The Aspiring Special Education Leaders Academy

• Mr. Doug Cox, Director

The Aspiring Leaders introduced themselves. Mr. Cox shared information about the Aspiring Special Education Leaders Academy and the 8th cohort and took questions. This important initiative has resulted in a number of members moving into special education administrative positions.

Miss Wheelchair Virginia

• Miss Angela West

Miss West, the current Miss Wheelchair Virginia, gave a short presentation about the program that promotes disability education and awareness and distributed a flier on the program. The handout used for this program can be found at

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

Update on Virginia Tiered System of Supports

• *Ms. Jo Ann Burkholder, Director of the Office of Student Services, Virginia Department of Education*

Ms. Burkholder presented on the role of the Office of Student services. She also presented information on the Virginia Tiered Systems of Supports – a systemic approach of integrating academics behavior, and mental health into a singular framework. She discussed the Civil Rights report on the school to jail pipeline and noted that the data were not necessarily comparable, as referrals were often counted as arrests (there is a Virginia law requiring referrals for certain incidents). Ms. Burkholder noted that suspensions and expulsions are decreasing, and it is a focus for her office. She discussed, at length, the effect of absences on education. The slide presentation used can be found at

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

Including Me in Virginia

• Ms. Kim Owens and Ms. Allison Thurman

A flier on the 4th Annual *From PossAbilities to Practical Applications* Conference was distributed to members as well as the presentation and a flier on the Including Me in Virginia organization. Ms. Owens discussed the group's mission and presented its activities. Ms. Thurman presented commendations for the SSEAC as well as requests for the Committee. The group had questions and comments for the presenters. The slide presentation used can be found at http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

Working Lunch

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

Public Comments

There were three public comments. Two were submitted by email and read by SSEAC members. The first was regarding dyslexia and the second was regarding a statement made by the President of the National Education Association. One comment was in person regarding discussion of a presidential candidate impersonating a person with a disability and how this impacts disability awareness.

Presentations – continued

School Improvement Update

• Dr. Samantha Hollins, Director of the Office of Special Education Program Improvement, Virginia Department of Education

Dr. Hollins talked about school improvement with regard to federal accountability and state accountability. The federal side includes two parts: the ESEA Flexibility Waiver and IDEA. Under the waiver, it is necessary to identify priority schools and focus schools (based on AMO targets). The VDOE recently developed Webinars for focus schools that are on the VDOE Web site. When talking about state level accountability, it is important to note that Virginia did not adopt Common Core since the Commonwealth already had a rigorous program in the SOL. The Standards of Accreditation were revised in 2015 based on legislation. Over the last couple of years, the number of schools that are not fully accredited increased. This is mostly due to the way the numbers were reported and the change in AMO targets. Dr. Hollins urged members to investigate the DOE Web to Virginia School Report Cards for more info on individual schools

(http://www.doe.virginia.gov/statistics_reports/school_report_card/index.shtml). When looking at interventions for schools that are not accredited, group members agreed that it is necessary to engage the community to create real turnaround. There are some schools that are considered "second slot" schools who do not meet AMOs for students with disabilities. The department is helping to address these issues as well. Finally, Dr. Hollins recommended members go back to their divisions to see how they can partner with the school system to help the schools that are not meeting targets. The slide presentation used can be found at

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

Update on the Promulgation of Regulations Governing the Use of Restraint and Seclusion

• Ms. Kathleen Harris, Complaints Specialist

At the September meeting, a statute that was passed was presented which required the VDOE to develop regulations on the use of restraint and seclusion, consistent with current code and 15 federal principles on the use of restraint and seclusion. The document that includes the 15 principles is a guidance document, but it was specifically identified in the statute. Further, the statute gave guidance to differentiate for age levels and disability status. The department has held stakeholder meetings and has identified an issue with the law that requires reconciliation before a draft can be developed. There is a corporal punishment statute which allows for reasonable and

necessary force to prevent injury of self or others, but also to maintain order and control or damage of property or to obtain possession of weapons or drugs. Since this may be in conflict, the regulations are on hold until this is resolved.

Report on the Use of Complaints and Conflict Resolution at VDOE

• Ms. Kathleen Harris, Complaints Specialist

Ms. Harris provided a handout which details the number of complaints and conflict resolution at VDOE over the past year. Also included were numbers from the previous year. This handout can be found at

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml.

Update on the Development of a Statewide IEP Program

• Mr. Andrew Greenidge, Statewide Online IEP Specialist

Mr. Greenidge gave the Committee an update on the project. The DOE is in the tentative RFP release phase. The project should roll out in the fall of 2016 in limited divisions. Mr. Greenidge discussed the working groups that have been involved. Please see Virginia IEP Web site, http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/iep/virginia_iep/index.shtml. Complete implementation is hopeful for 2020. The slide presentation used for this presentation can be found at http://www.doe.virginia.gov/boe/committees_advisory/special_ed/iep_instruct_svcs/iep/virginia_iep/index.shtml.

Constituency Reports

Name	Report
Mr. Adam Amick <i>People with Disabilities</i>	December 3 is recognized as the International Day of People with Disabilities by the United Nations Organization. Information can be found at the link: <u>http://www.un.org/disabilities/default.asp?id=1637</u>
Mr. Jack Brandt <i>People with Disabilities</i>	• At a recent symposium in DC, it was reported that 70% of educators refer people with disabilities to get guardianship. It is a travesty as we educate people with disabilities, but at the age of majority, we strip away their rights. We need to educate parents and educators on other ways to support students with disabilities.
Ms. Jackie Cowen for Ms. Jennifer Cooper <i>Foster Care - DSS</i>	• The Virginia Department of Social Services (VDSS) wants to help youth secure the resources and support networks to give them the best chance to be successful. On November 3rd, Foster care staff held a meeting with several key stakeholders to increase VDSS' awareness of available resources and services, and to facilitate networking to encourage promising practices in working with foster youth with disabilities. The workgroup was composed of representatives from the following agencies: Department of Aging and Rehabilitative Services (DARS), Virginia Department of Education (DOE), Department of Medical Assistance Services (DMAS), Department of Behavioral Health and Development Services (DBHDS), Virginia Board for People with Disabilities (VBPD), Virginia Housing Development Authority(VHDA), Supplemental Nutrition Assistance Program (SNAP), Virginia Department of Licensing, and disAbility Resource Center. VDSS is also in the process of updating the document, <i>Virginia Department of Social Services Transition of Youth with Disabilities Out of Foster Care</i> and received updated and/or additional information on services and

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	programs from the members of the workgroup. This document will be used as a tool for local department of social services staff.
Ms. Christy Evanko Parent Representative, Region 1	 The Region 1 list of local Special Education Advisory Committee (SEAC) chairs is being updated. In at least one locality, they are having difficulty electing a chair because they cannot get a quorum at the meetings. There are a few LEAs that do not yet have chairs in Region 1. In Chesterfield County, there is a focus on two topics: Currently, all Instructional Aides are required to have training in Autism. However, regular education teachers are not required to have any training in Autism. Autism training is an option for regular educational Aides would be easy to use for regular education teachers as well. With the incidence rates of students with autism and the mandate for least restrictive environment, it seems it would be best practice for regular education teachers to have a required training on autism. Transition services - Too many students with disabilities are underemployed or unemployed after high school is over. In Henrico County, the hot topic for parents is the over-use of assessment and testing, teaching toward a specific test, and students with disabilities not passing the SOLs. Their Superintendent reported that he spoke with Mr. Eisenberg and the LSEAC feels it is important that the parent community is raising their voices as well. In addition, there are concerns over the diploma options: According to VDOE, students with all Q score of 55 and below and adaptive behavior scores of 55 and below (three standard deviations below the means) can take the alternative assessment (VAAP). However many students classified as slow learners with IQs of 56-75 struggle with the SOLs and are not able to pass them to receive a standard diploma. What chances do our children have for the future if they are not able to obtain a standard diploma? This is a struggle, so many parents fight. Some parents said that the children are being tested too much and some of them sit all day long behind the computer to take the SOLs
Ms. Jill Becker for Dr. Lisa Floyd <i>Juvenile Justice</i>	• In November, the Virginia Department of Juvenile Justice Association held its annual Institute. Approximately 300 people were in attendance across the State from Detention Centers, Court Service Units, public schools, and correctional facilities (juvenile and adult). The Association asked DJJ's education department to provide one of the presenters to speak to the entire group during the morning and also for someone to present during two short break-out sessions later in the afternoon. Since about 40% of the student population at DJJ are students identified with disabilities, we took this opportunity and recruited a local attorney who is well versed in the area of special education law. Jason Ballum, from Reed Smith LLC, gave a very nice presentation of Federal/State regulations and how

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	those laws also apply to students who are incarcerated. In the afternoon, our DJJ staff followed-up with break-out sessions reinforcing the information Jason presented and allowed participants an opportunity to ask more specific questions related to special education.
Mr. Brenden Folmar <i>Private Education</i>	No Report/Absent
Mr. Damon Garrison Parent Representative, Region 2	No Report/Absent
Ms. Catherine King Parent Representative, Region 6	 Botetourt County SEAC was invited to join and participate in the Roanoke County SEAC. (Please see Roanoke County SEAC Report) Craig County SEAC is investigating the Regional Classroom including the purpose, number of students, and the benefits to see if it is appropriate for Craig County. Craig County SEAC would like to have additional parent members on the committee who have students in secondary education and will work with the school division to identify secondary parents who may be interested in participating on the SEAC. Recommendations for new membership will be brought to the next Craig County School Board meeting. The Guide for Local Special Education Advisory Committees in Virginia was presented which outlines the legal obligations for SEAC. This guide provided the committee information on their role and responsibilities. One item identified was the committee's need to provide annual notice and it was noted that there is a need for community and public awareness for SEAC. The SEAC will work with school personnel to get SEAC notice on the school website. The role of the committee was identified to serve as an avenue for parents as a group to come and voice concerns and learn. Franklin County SEAC was updated on the fast growing success of CATS (Children's Assistive Technology Services). Cathie Cummins, a retired physical therapist in the area started an organization that accepts and distributes OT and PT equipment to families in need. The program is FREE! Waiting for insurance aproval can take months sometimes. When an item is no longer needed it can be donated back to the organization which has 501(c) status with the federal and state governments. This program is offered in the state to any family. They are partnering with two other similar organizations to combine their inventories across the state. CATS is also partnered with GoBabyGo which modifies ride-on toy cars to fit a child's unique needs. Voluneers are encouraged to help out by cleaning, sanitizing, upgr

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	 they are nervous about taking on the duties and responsibilities that come with holding an office. During the September meeting, they had a presentation from Smart Beginnings, a community agency focused on early literacy. The group gave each families several books. During the November meeting, they had a presentation from Intercept, a community based agency providing a variety of services to families including parent training, intensive in-home, mental health skill building, therapeutic mentoring and GPS monitoring. Montgomery County SEAC held an open house of Parent Resource Center in our county and most of SEAC members and school special education administrators were present to advertise and listen to parents of kids with disabilities in the local county. Roanoke City SEAC met in September and October and finalized parents day which was held on October 17. Approximately 200 parents and educators attended. A keynote was provided about the ADHD brain and there were breakouts led by VDOE personnel and PEATC. There were approximately 50 vendors who exhibit which included therapists, doctors, and community involvement partners. Roanoke County SEAC met on Tuesday November 17. First Assistant United States Attorney Anthony Giorno announced the formation of the Western District of Virginia Human Trafficking Task force. The group provides law enforcement support, training resources and victim services in cases of human trafficking throughout the Western District of Virginia. He discussed how youth are targeted by sex traffickers, especially those who may be vulnerable including children with disabilities. What to look for in the school setting to determine if a youth is being sexually trafficked includes markings/ tattoos, clothing, behavior, poor attendance, promiscuity, and changes in friends. He shared ways youth can be trafficked or exploited (even with the use if cell phones for videoing or pictures), what to do when a child reports sex trafficking or abuse, how sex trafficking
Dr. Scott Kizner Local Education Officials	No Report
Mr. Matt Luther Department of Aging and Rehabilitative Services	• DARS continues to serve individuals with the most significant disabilities first which is called order of selection. DARS serves individuals under Priority Category 1 (must have at least 3 functional limitations) and has restructured the regions into 7 districts so that district managers are closer to case services. There is waiting list for services which at this time it looks like it is taking approximately 60 days to receive services once an individual is determined eligible.
Ms. Alison MacArthur <i>Teacher</i>	 Concerns from teachers include: Testing of Special Education students including the over testing of students who are struggling to begin with; lack of alternate testing; graduation requirements, particularly those students who are not able to meet SOL requirements for a standard diploma; testing students on grade level when data shows they are several years behind that grade level; allowing accommodations that the students use in the classroom to help them on classroom assessments. Caseload numbers for special education – there is a huge disparity throughout the state and with different disabilities (higher caseload numbers for Speech and Language as compared to LD or even ID). Number of students with a disability in team-taught classes is varied from locality to locality. Some teachers are feeling that these classes are becoming a larger self-contained class rather than what a team-taught class should look like in order to best help the students with a disability.

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	 Special education teachers would like more say in some of the policies/regulations concerning students with disabilities. Many decisions in education are made by those who have not taught and do not always seek guidance from those who are. Properly addressing the gap between general education students and special education students should be done as early as possible. Many students make it to higher grade levels without interventions put in place to help address the deficits of the students. Statewide IEP system should consider that some systems have IEPs that are connected through their gradebook system where all teachers are able to access the IEP for the students (don't want to lose that). Teacher assessment needs to be reviewed and how that applies to special education teachers that are solely a team-teacher and do not have self-contained classes. Identifying student's current levels should be identified on both the IEP and on report cards. Over representation of African American students is prevalent in special education due to behavioral concerns, not due to educational needs.
Ms. Tashue Mason Parent Representative, Region 8	No Report
Ms. Erica Midboe <i>Transition and Vocational</i> <i>Services</i>	• The ENDependence Center of Northern Virginia welcomes its new Executive Director, James Garrett, who has been with ECNV for approximately one month. ECNV also put out another newsletter with a strong focus on youth with disabilities. In its November newsletter, it highlighted the APRIL (Association of Programs for Rural Independent Living) conference, which took place in mid-October in Virginia Beach.
Mr. Darren Minarik Higher Education	Associate Professor Kris Tilley-Lubbs from the Virginia Tech School of Education and Roanoke City ESL director, Corey Allder, presented information to the SOL Innovation Committee regarding modifications to assessments to support ESL and students with disabilities, impacting the committee's proposals. The governor's November 18th press release <u>http://www.doe.virginia.gov/news/news_releases/2015/11_nov18_gov.sht</u> <u>ml</u> noted that the committee's seven proposals are calling for shorter and more developmentally appropriate assessments, including those that are responsive to the needs of English Language Learners and students with disabilities.
Ms. Lisa Richard Parent Representative, Region 7	• Bristol continues to have a strong SEAC and spent the fall working on disability awareness, family involvement, and transition planning. Parents continue to be involved in all areas of planning and were instrumental in starting an autism and disability support group in Bristol which was covered by two local news stations.
Ms. Joan Sumner Parent Representative, Region 3	 As the parent representative for region 3, I have contacted all of the Directors of Special Education to introduce myself and asked each of them to pass along my contact information to their county's SEAC. I have attended 2 local SEAC meetings and will be attending another one next week so I can try to keep informed of their concerns and to let them know that their voice is heard at the state level. I went to the Northumberland County PFO meeting with information about our local SEAC and to recruit parents of younger children. Northumberland County SEAC has had 2 meetings and is planning its annual Transition Fair which will take place in spring of 2016. Gloria Dalton from VDOE came to the last SEAC meeting to discuss diploma options. A major complaint is that general education students are well aware of testing

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	dates and special education students do not always have adequate notification.
Mr. Wyllys VanDerwerker Local Directors of Special Education	No Report/Absent
Ms. Frederique Vincent Parent Representative, Region 4	 Fauquier SEAC has been following the Governor's initiatives in the field of education and hopes to see organizations that serve students with disabilities included in the newly created Council on Youth Entrepreneurship as it is essential for Virginia to improve its disabled population's unemployment rate. Loudoun County SEAC would like to know if other SEACs have included students as members on their SEAC. Warren County SEAC is experiencing growth in the numbers of core committee members and hoping this will make it easier for them to take on more of the tasks that a SEAC should be doing. In the fall, they set up "auto calls" and emails to families to let them know about their meetings. Attendance has been up at meetings, and it seems that parents have questions and want to be involved. Additionally, they are looking into "spinning off" the supportive role they are trying to play by looking for resources that will help the school division to set up a parent education and information/support group. The same group that attended the PEATC SEAC training in June listened in on the PEATC FOIA webinar earlier this month. They feel like there are still a lot of unanswered questions and that too much is being left to local SEACs in terms of figuring out compliance, particularly regarding the retention of emails, recordings, written records, etc. They intend to watch the You-Tube video and put further questions together. Discussion of this is ongoing.
Ms. Jacqui Wilson Parent Representative, Region 5	 Bedford County SEAC has new members serving on the committee and was wondering if Hank Millward would be offering SEAC member training. Campbell County SEAC held their 2nd annual Truck or Treat, open to the community. It combined Touch a Truck and trick or treating for all children with disabilities. It was very successful and they look forward to continuing with this event next year. As per request by teachers and some parents, Amherst County SEAC is working on educating/assisting/mentoring parenting through the IEP/504 process. They are also working to incorporate I'm Determined techniques in all schools by educating teachers, students, and parents. Amherst County has also made great strides in students with disabilities participating in extra-curricular activities and providing the support needed to assist those students.
Ms. Suzanne Bowers Ex-officio member, PEATC	 We are pleased to announce our newest team member, Lisa Wakeman, Military Outreach Specialist, who is working out of our new Tidewater Satellite Office. Please check out the PEATC website for our latest editions: Workshops for our Family Engagement Initiative Workshops and trainings for our Juvenile Justice Initiative Engaging Dads Workshops PEATC's Youth Advisory Board (also a Blog) New On-Demand webinars We are scheduling trainings for the Spring and Summer. Please contact Heather Arbeen (arbeen@peatc.org) 703-923-0010 / 800-869-6782 to schedule.
Ms. Heidi Lawyer VBPD	• The Board will be holding its Youth Leadership Forum for rising high school juniors and seniors with disabilities in late July, early August. We don't have a date yet but keep your eyes out for recruitment materials. We are continuing to

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	focus on alumni engagement of our Partners in Policymaking and Youth Leadership Forum graduates. More activity will begin in 2016. We continue to be involved in a variety of initiatives related to children and students with disabilities our public comment and policy positions are on our website at <u>www.vaboard.org</u> .

Friday, December 4, 2015

Members Present: Mr. Adam Amick, Ms. Jill Becker for Dr. Lisa Floyd, Mr. Jack Brandt, Ms. Jackie Cowen for Ms. Jennifer Cooper, Ms. Christy Evanko, Ms. Catherine King, Mr. Matt Luther, Ms. Alison MacArthur, Ms. Tashue Mason, Ms. Erica Midboe, Mr. Darren Minarik, Ms. Lisa Richard, Ms. Frederique Vincent, Ms. Jacqui Wilson

Members Absent: Dr. Lisa Floyd, Mr. Brenden Folmar, Mr. Damon Garrison, Dr. Scott Kizner, Ms. Joan Sumner, Mr. Wyllys VanDerwerker

Ex-officio Members Present: Ms. Suzanne Bowers (PEATC), Ms. Heidi Lawyer (VBPD)

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

Mr. Darren Minarik, called the meeting to order at 9:05 a.m.

Subcommittee Meetings

The subcommittees met to discuss the request from the Board of Education to identify the lever that moves forward the other recommendations. After the subcommittees met, each group shared ideas for a response. Much discussion followed. A motion was made:

The ultimate goal for students with disabilities is integrated competitive employment and one way to achieve that goal is to see that as many students as possible receive an advanced or standard diploma and that the applied studies diploma is rigorous in its requirements. As such, all of our recommendations are in support of that goal.

Ms. Alison MacArthur made the motion and Erica Midboe seconded. The motioned carried unanimously.

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 the April meeting are as follows:

- Applied Studies Diploma & Credit Accommodations
- 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

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:

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