

Virginia Board of Education Agenda Item



Agenda Item: K

Date: September 20, 2018

Title: State Special Education Advisory Committee Annual Report (SSEAC)

Presenter: John Eisenberg, Assistant Superintendent for Special Education and Student Services
Christine Germeyer, Chair, State Special Education Advisory Committee
Jill Becker, Vice-Chair, State Special Education Advisory Committee

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Purpose of Presentation:

Action required by state or federal law or regulation.

Executive Summary:

SSEAC 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 that support the goal for students with disabilities is integrated competitive employment. To achieve that goal, as many students as possible need to receive an advanced or standard diploma or an applied studies diploma that is rigorous in its requirements. This report will assist the Board of Education in meeting priority #1 of the Virginia Board of Education Comprehensive Plan: 2018-2023, which is to provide high-quality, effective learning environments for all students. This report contains recommendations that will assist them in advocating for the resources required to fully support a system of quality education for all students, regardless of background, including tools for collaborative oversight and support at the Virginia Department of Education for schools that are not yet meeting standards.

Additionally, the report commends Mr. John Eisenberg for his leadership and lists a number of initiatives for which the SSEAC would like to commend the Board of Education and the Department of Education.

Action Requested:

No action requested.

Superintendent's Recommendation:

The Superintendent recommends that the Board receive the SSEAC report and its recommendations as it moves forward to create sound policies for student success, specifically as they relate to students with disabilities.

Previous Review or Action:

No previous review or action.

Background Information and Statutory Authority:

In accordance with the requirements of the Individuals with Disabilities Education Improvement Act, effective December 3, 2004, (IDEA 2004), its implementing federal regulations, effective October 13, 2006, at 34 C.F.R. 300.167 through 34 C.F.R. 300.169, and the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, effective July 7, 2009, reissued on January 25, 2010, and July 29, 2015, at 8 VAC 20-81-20 15.c(2); the State Special Education Advisory Committee (SSEAC) assists the Board of Education by providing advice and recommendations on policies and practices that help increase accountability for academic success for students with disabilities. The SSEAC is mandated by federal and state regulations, 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, provides an opportunity for each member to report on his/her constituency group, as well as inviting presentations about initiatives and programs pertaining to students with disabilities. The SSEAC approved its annual report at its July 2018 meeting for submission to the Board of Education.

Timetable for Further Review/Action:

No additional review/action is required.

Impact on Fiscal and Human Resources:

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



VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE (SSEAC)
ANNUAL REPORT

JULY 2017 – JUNE 2018

INTRODUCTION

The *Individuals with Disabilities Education Improvement Act* (IDEA 2004) 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 federal regulations specify membership and require that a majority of members be individuals with disabilities or parents of children with disabilities. Specifically, the regulations require the following membership include:

- parents of children with disabilities (ages birth through 26);
- individuals with disabilities;
- teachers;
- representatives of institutions of higher education that prepare special education and related services personnel;
- 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.*);
- administrators of programs for children with disabilities;
- representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- representatives of private schools and public charter schools;
- not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- a representative from the State child welfare agency responsible for foster care; and
- representatives from the State juvenile and adult corrections agencies.

See the IDEA 2004 implementing regulations at 34 CFR § 300.167 through 34 CFR § 300.169 and the *Regulations Governing Special Education Programs for Students with Disabilities in Virginia* (the Virginia Regulations) at 8VAC20-81-20 15.a (1) through (11).

In Virginia, the panel is known as the State Special Education Advisory Committee (SSEAC). This report serves to confirm that the SSEAC membership for the 2017-2018 operational year satisfied the requirements of the above-referenced regulations.

COMMITTEE ORGANIZATION

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the Virginia Board of Education (BOE) bylaws for advisory committees. The SSEAC year commences on July 1 and ends on June 30 of the following calendar year. Committee members work with the Virginia Department of Education (VDOE) staff in establishing priorities and agenda items for SSEAC meetings. The SSEAC delegates various subcommittees to monitor programmatic issues and future items of concern.

STANDING SUBCOMMITTEES

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

The 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 SSEAC's Annual Report to the BOE. The VDOE personnel serve as consultants to each of the subcommittees, providing technical assistance, clarification of VDOE policies and procedures, and additional information.

- **Executive** - The Executive Subcommittee includes the Chair, Vice Chair, 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 nominations for Executive Subcommittee vacancies.
- **Policy and Regulations** - This subcommittee focuses on initiatives at the state level that either result in policy and regulations or have an impact on policy and regulations as they pertain to students with disabilities.
- **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.
- **Student Outcomes** - This subcommittee focuses on data relative to the State Performance Plan (SPP) and Annual Performance Report (APR). This subcommittee conducts specific analysis around identified areas of concern including dropout rates, graduation rates, transition, discipline of students with disabilities, and assessment.

MEETINGS

The full committee meets in regular session at least four times annually. 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 2017-2018 year, meetings were held in the Richmond area on the following dates:

July 20-21, 2017

December 7-8, 2017

October 4-6, 2017

March 8-9, 2018

Meeting dates scheduled for the remainder of 2018 are:

October 4-5, 2018

December 6-7, 2018

PRESENTATIONS

Each meeting included presentations, updates on the status of numerous projects, state and federal legislation, funding initiatives, and other information related to services for 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.

The following topics were presented by VDOE staff or other community stakeholders:

- Update on Activities of the Virginia Department of Education
- Coordinated Early Intervening Services (CEIS) Update
- I'm Determined Youth and Parent Summit Out-brief
- Ft. Eustis – Project SEARCH Update
- *Virginia Freedom of Information Act* (FOIA) Training
- Dispute Resolution Report
- Training and Orientation for Members of the SSEAC
- Update on the Virginia IEP On-line Initiative and Demonstration
- Private Schools for Students with Disabilities Update
- Virginia Tiered Systems of Supports (VTSS)
- Positive Behavior Intervention and Supports (PBIS) Data Presentation
- Special Education December 1 Child Count
- The VDOE “Back to Basics” Initiative Presentation
- The Annual Plans Applications
- “Bridges Out of Poverty” Presentation
- Presentation on “Jill’s Buddy Camp”
- “Proposed” Applied Studies Diploma Requirements
- Aspiring Leaders Academy and 10 Year Anniversary Celebration
- Inclusive Practices Partnership

Assistant Superintendent Report included the following presentations:

- Profile of a Virginia Graduate
- *Virginia Every Student Succeeds Act* (ESSA) Plan Update

- Standards of Accreditations Update
- Restraint and Seclusion regulations update
- Regional program reform updates
- Disproportionality as it relates to suspension and expulsion
- Report on Strategic investment with IDEA Funds
- Pre-Employment Transition Service
- Legislative Efforts
- Inclusive Practices Initiatives
- Dyslexia Mandates
- Functional Behavior Assessments (FBA) and Behavior Intervention Plans (BIP) trainings to teachers, administrators, and families
- The IEP Facilitator Pilot Program
- Credit Accommodations

PUBLIC COMMENTS

A public comment period was held at each meeting. The SSEAC members appreciate the time and effort of Virginia citizens to attend or provide a written narrative of their commentary for presentation at meetings to ensure their voices are heard. During the 2017-2018 year, the SSEAC heard commentary on the following topics:

Inclusive Practices:

Physical placement,
 Service planning and delivery,
 Professional development for service providers, and
 Belonging

Equity:

Discipline and discrepancies,
 Standards of quality and accountability, and
 Comprehensive Services Act (CSA) funding

Homebound:

Parental consent requirements
 Health Insurance Portability and Accountability Act (HIPAA)
 Delivery of services

Other Concerns:

Transitions
 Diploma options
 Child Find
 Bullying

ISSUES IDENTIFIED THROUGH CONSTITUENCY REPORTS

Each member of the SSEAC was provided an opportunity at the SSEAC meetings to report on activities and issues from their constituency groups. During the 2017-2018 year, the following concerns were shared through each SSEAC member's constituency report and are grouped by topic area as indicated:

- Inclusive practices
- Transition
- Shortage of staff
- Discipline reduction utilizing VTSS
- Parent participation, community education, and available local resources
- Mental Health/Trauma Informed Care
- CSA funding issues
- Diploma critical decision with applied studies
- Bullying
- Importance of private facilities

COMMENDATIONS

The SSEAC wishes to take this opportunity to commend the exceptional leadership practices being exhibited by Mr. John Eisenberg, Assistant Superintendent of Special Education and Student Services on behalf of students with disabilities. Numerous initiatives, programs and resources supported by the BOE have been implemented to serve students with disabilities. In particular, we would like to commend the BOE and VDOE on the following:

1. For the sixth consecutive year, Virginia is one of only nine states recognized by the U.S. Department of Education, for earning its highest rating on improving outcomes for students with disabilities.
2. Continuing innovative citizenship opportunities through career awareness, prevocational and vocational training courses and programs that have included I'm Determined, MOVE Youth Institute, Project SEARCH, ACE-IT in College, Start on Success, and CTE courses that help students earn credentials, life ready skills, and improve post-secondary outcomes.
3. Collaborating with successful partnerships; Parent Educational Advocacy Training Center (PEATC), the Center for Family Involvement (CFI), the Center for Transition Innovations (CTI), and the Autism Center for Excellence (ACE) all of which support collaboration with schools, advocates, and families by providing information and training.

4. Moving forward and launching the Statewide Online IEP System and the Facilitated IEP Meeting initiatives as a means of providing parents and LEA's with a resource that may assist them in communicating and working through the IEP development process.
5. Creating initiatives that promote total inclusive school programming through the Inclusion State-wide Plan which showcases inclusive practices in the classroom, within extra-curricular clubs, athletic programs and interagency partnerships and community business leaders which improve learning outcomes.
6. Recognizing the critical teacher shortage and increasing efforts to boost incentives and partnerships for the recruitment, training, mentoring, and sustaining of teachers and other education professionals while researching solutions.
7. Celebrating the tenth anniversary of the Aspiring Special Education Leadership Academy which is producing highly motivated and well-trained individuals in a variety of key special education leadership positions throughout the Commonwealth.
8. Receiving and utilizing an award that will allow for the support and expansion of the Virginia Tiered Systems of Support (VTSS), the framework for establishing the academic, behavioral and social-emotional supports needed, into more school divisions.
9. Completed the work, through a grant received from the Virginia Board for People with Disabilities (VBPD), in developing a training program and associated guidance document to inform families and school personnel, upon initial IEP, regarding the use of different state-mandated assessments and their implications for diploma options; as well as other critical decision points within the special education process.

RECOGNITIONS

During our March 8, 2018, meeting, the SSEAC recognized Ms. Jacqui Wilson and Ms. Alison MacArthur with a certificate and recognition of six years of service to the SSEAC. Ms. Lisa Richard and Mr. Jack Brandt were also recognized for their three-year term of service.

RECOMMENDATIONS

Although, the percentage of students receiving a standard or advanced diploma has increased in Virginia, there are concerns surrounding the number of students who meet the requirements for a standard or advanced diploma, the SSEAC recommends the BOE continue to support the State Systemic Improvement Plan. The SSEAC is in agreement with the BOE's goal to make each individual a "life-ready," successful citizen who can participate in the global economy; this is inclusive of students with disabilities.

Poverty, implicit bias, environmental factors, access to assistive technology, staff shortages, and mental health can negatively impact student outcomes and their ability to obtain integrated

competitive employment and independent living. For students with disabilities, parents need to be supported in a way that provides accurate information which will lead to positive academic experiences, career choices, and provide positive outcomes as student's transition into adulthood. To the maximum extent appropriate, students with disabilities should be educated with students who do not have disabilities in the least restrictive environment.

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 BOE:

1. Facilitate a workgroup consisting of, at minimum, Virginia's parent information training center (PITC), the community parent resource center (CPRC), the Virginia Commonwealth University (VCU) Center for Family Involvement (CFI), the Disability Law Center of Virginia (DLCV), Virginia Bar Association, Virginia Board for People with Disabilities (VBPD); along with other parent advocacy groups to research and discuss how other states may be training and credentialing lay advocates who provide services to parents of children with disabilities. The workgroup should also discuss the feasibility of doing similar training and credentialing within the Commonwealth. The research should focus on how to ensure that such advocates are well versed in special education law, the special education process, and best practices.
2. Continue to support the increasing needs of the VDOE Division of Special Education and Student Services to provide more localized trainings and workshops for parents to become more involved, actively engaged, and better informed participants in their local SEAC.
3. Develop an online family engagement module and accountability system demonstrating a community of practice to develop, sustain, and strengthen parent participation and recruitment for local SEACs.
4. Conduct further research and explore the feasibility of establishing a Virginia Inclusion Center of Excellence, or similar program, designed to meet the needs at the LEA level for capacity building of evidenced-based system-wide inclusive practices. Provide professional development and instrumentation for administrators that help to identify and evaluate specific co-teaching knowledge and skills in co-teaching pairs.
5. Develop online learning modules and offer training in Trauma Sensitive Universal Practices and Culturally Responsive Universal Practices for administrators and teachers to maintain licensure. Increase opportunities for professional development for all school personnel and learning opportunities for students and families related to Social Emotional Learning and Mental Health First Aid.
6. Promote initiatives, innovative ideas and trainings which support students and families with the transitions from pre-k through high school. Emphasize collaborative transition planning to improve Virginia's post-secondary employment outcomes through Workforce Readiness, Career and Technical Education (CTE) programs, and credentialing.

CONCLUSION

The SSEAC appreciates the opportunity to present these recommendations to the Board of Education and hopes that they will be considered and implemented, as deemed appropriate, without delay. While we recognize the many competing requests for resources, we feel that these requests are reasonable. We look forward to a response from the Board of Education.