

VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE (SSEAC)
ANNUAL REPORT

JULY 2016 – JUNE 2017

**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 2016-2017 operational year satisfied the requirements of the above-referenced regulations.

**COMMITTEE ORGANIZATION**

The activities of the Virginia 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. For the 2016-2017 year, the subcommittees for 2016-2017 were structured as follows:

**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 the 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 2016-2017 year, meetings were held in the Richmond area on the following dates:

* July 28-29, 2016
* October 13-14, 2016
* December 1-2, 2016
* March 30-31, 2017

Meeting dates scheduled for the remainder of 2017 are:

* July 19-21, 2017
* October 5-6, 2017
* December 7-8, 2017

**PRESENTATIONS**

Each meeting included presentations, including updates 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.

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

* Update on Facilitated Communication and Rapid Prompting Method
* The VDOE Inclusion Activity Update
* Report on Dispute Resolution Activities
* Report on Promulgation of Regulations Governing the Use of Restraint and Seclusion
* Aspiring Special Education Leaders Academy
* The VDOE Dyslexia Training
* Update on the statewide online Individualized Education Program (IEP) Project
* Implementation of the Unified English Braille (UEB)
* Update on *Comprehensive Services Act* (CSA) Workgroup
* Update on Restraint and Seclusion Regulations
* Special Education Family Engagement Update
* Virginia Board for People with Disabilities (VBPD) Grant Update
* The Annual Plans Applications
* Pre-Employment Transition Services
* Coordinated Early Intervening Services (CEIS) Update

**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 2016-2017 year, the SSEAC heard commentary on the following topics:

**Inclusion**

Commentary from the public regarding inclusion practices included recommending that the Virginia Department of Education (VDOE):

* engage an external expert to evaluate the status, trends, needs, and barriers across the Commonwealth to guide the development of an inclusion implementation plan;
* seek assistance from the Training and Technical Assistance Center (T/TAC) at Virginia Commonwealth University (VCU) and the Parent Educational Advocacy Training Center (PEATC) in conducting inclusive education symposiums for general and special educators, paraprofessionals, administrators, support personnel (e.g., speech, occupational therapy), higher education facilities, parents, and advocates to be presented by established experts on inclusive educational practices;
* establish a Virginia Inclusion Center of Excellence similar to the Maryland Center for Inclusive Education (MCIE) or the New Jersey Center for Inclusive Education (NJCIE) to meet the need for capacity building of inclusive education at the local level;
* develop inclusion guidance document(s) to clarify:
	+ Least Restrictive Environment (LRE) decision making;
	+ best practices in inclusive education, including gifted students, English language learners, and students with complex and significant support needs, in the general education setting in their neighborhood school, with differentiated or modified instruction for students requiring more intensive supports;
	+ multi-tiered system of services and supports as an essential component to inclusive education; and
	+ how to critically review and, if necessary, revise the vision, mission, policies, procedures, etc. to encourage and support inclusive education.
* encourage an increase in the use of inclusive education for students with disabilities and to provide further guidance to local educational agencies (LEAs) on how to move to a more inclusive model of instruction;
* encourage inclusion practices that do not focus solely on educational placements in the LRE, but also on students with disabilities being excluded from extra-curricular activities; such as, award ceremonies;
* communicate to all local advisory committees (LACs) about: 1) the resources Including Me in Virginia (an advocacy group) is developing, 2) identifying parent advocates as well as educators who have inclusive classrooms with the goal of networking them across the Commonwealth with others, and 3) suggestions for forming and executing an inclusive education subcommittee at the local SEAC level;
* address the lack of inclusive opportunities in private day placements; and
* support more inclusion opportunities throughout all schools by using a reverse-inclusion model.

**Parental and Student Engagement**

Commentary received from the public related to parental and student engagement included:

* The Virginia Council of Administrators for Special Education (VCASE) thanking the VDOE for their development of the new Indicator 8 Parent Survey and collection methodology which lead to a significant rise in the number of respondents to the survey;
* advancing concerns that parents do not often understand their rights and asking SSEAC to address the issue of parents using advocates to assist them;
* requesting guidance and training from the VDOE on parental participation in IEP meetings and ensuring that their views and input are documented; and
* commending the I’m Determined project.

**Instructional Practices**

Commentary received from the public related to instructional practices included:

* supporting the SSEACs efforts regarding concerns associated with dyslexia and literacy;
* addressing the need for appropriate reading instruction; which includes the use of certified teachers who will deliver the instructional methodology consistently with fidelity;
* advancing concerns addressing the use of assistive technology;
* stating the need for the read-aloud or audio accommodation and extending that accommodation to more who need it including those who read below grade level;
* recommending that the VDOE expand its efforts in addressing the issue of dysgraphia;
* recommending that the VDOE expand its efforts in addressing the use of the facilitated communication and rapid prompting method (RPM); and
* information on Language Equality & Acquisition for Deaf Kids (LEAD-K).

**General Commentary**

Commentary received from the public related to general matters included:

* stating the lack of resources to address the rise in mental health incidents in the Shenandoah Valley region;
* soliciting the SSEAC to consider increasing the time limit for individuals with disabilities to make public comment;
* seeking clarification on how Title II and IDEA interact; and
* addressing the regulatory requirements related to the LAC with LEA administrators and emphasize the LEA’s responsibilities to the LAC and its work.

**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 2016-2017 year, the following concerns were shared through each SSEAC member’s constituency report and are group by topic area as indicated:

**Inclusion**

Commentary received through the constituency reports related to inclusion practices included stating that:

* with regard to inclusive classrooms, teachers in the general education classrooms are not truly prepared for the change nor are the students;
* the transition to inclusive classrooms does not appear smooth; students are just taken from a self-contained classroom and put in a general education inclusive setting and it is not working for many of these students;
* there seems to be a large gap in the system where students do not fit in either a self-contained classroom or in a general education inclusion program;
* many students have needs somewhere in between the self-contained setting and the general education setting and the system is failing them;
* students in the general education classroom do not understand the inclusion process and are not taught how to handle this new arrangement;
* bullying of students with disabilities has increased due to a lack of understanding of the differences in some students;
* placing students in a classroom with large differences and not discussing the differences and expectations with all affected students and expecting the students to be understanding is not realistic;
* stating that, if VDOE is truly interested in improving transition services and long-term outcomes for students with disabilities, it is incumbent upon VDOE to mandate greater enforcement and implementation of the LRE requirement;
* the VDOE needs to improve on preparing school divisions around the Commonwealth to meaningfully educate all students with disabilities in the general education setting;
* the practice of the segregation of students with disabilities is discriminatory, it is not evidence-based, and is harmful;
* expressing concern that students who are segregated are unprepared for life in a non-segregated world;
* the need for improvement of the rate and meaningfulness of Indicator 5 - inclusive education for low incidence disability categories; and
* inclusion is implemented in different school systems differently, and there is no consistency.

**Local Advisory Committees (LACs)**

Commentary received through the constituency reports related to local advisory committee (LAC) included requesting that the VDOE and/or the SSEAC:

* provide guidance that the SSEAC can provide to local advisory committees regarding the recruitment and retention of committee members, development of bylaws, and receiving public comment;
* request further clarification of FOIA procedures as the information currently provided by VDOE is helpful but needs expanding; and
* advise on how to address the issue of advocates audio recording and video recording local advisory committee meetings and the impact that could create with regard to parents wanting to participate on the committee or to present public comment at such meetings.

**Parental and Student Engagement**

Commentary received from constituents related to parental engagement included:

* the need for continued parent advocacy training regarding special education laws and what are appropriate special education services;
* the need for more resources and information available about disabilities and how to address a child’s educational needs at school and at home;
* the need for continued parent and LEA staff training on how to work collaboratively when engaged in the special education process; and
* several regions indicated the need for the establishment of more parent resource centers (PRCs) within their school division.

**Instructional Practices**

Commentary received through the constituency reports related to instructional practices included:

* IEPs are not being followed with authenticity (e.g., Career and Technical Education, Health, and Physical Education are not always able to give accommodations and modifications);
* consistency with IEPs, thus the need for a statewide IEP system;
* site based management of special education funds does not always meet the needs; and
* seeking to see more teachers trained in the Orton-Gillingham instructional approach.

**General Commentary**

Commentary received through the constituency reports related to general matters included:

* recommendations to closely evaluate the requirements dual enrollment policies regarding attendance;
* disabilities and grades that typically defer to the high school and county regulations;
	+ concerns that there are increased caseloads, especially for speech and language pathologists;
	+ high stakes testing has negative consequences for students with disabilities;
	+ trying to implement what is best in the co-teaching models (such as keeping teams that work well together for consistency and what is best for the students);
	+ both special education and general education teachers work additional hours outside of contracted hours due to missing planning time for meetings or attending meetings;
	+ concerns with what will happen with new administration and the push for vouchers (or vouchers in disguise);
	+ concerns with teachers having limited time to focus on lesson planning with team teachers to provide a cohesive model of team teaching;
	+ stating that local education officials continue to have concerns regarding the rapidly expanding and increasingly significant needs of students in the areas of social, emotional, behavioral, mental health, and even medical supports;
	+ concerns related to the growing need for “wrap-around” services at an exponential rate with no funding supports to assist localities in providing these services;
	+ stating that in addition to new or increased funding sources, localities need increased flexibility to utilize current funding sources; i.e., *Comprehensive Services Act* (CSA) for at-risk youth, and Standards of Quality (SOQ) to support appropriate student support positions; and
	+ expressing concerns that, while there seems to be widespread agreement among stakeholder groups as to the need for these “wrap around” services, there seems to be little, if any, progress toward providing the resources necessary to provide these services.

**COMMENDATIONS**

The SSEAC wishes to take this opportunity to commend the visionary leadership and advocacy for children with special needs by Mr. John Eisenberg, Assistant Superintendent of Special Education and Student Services, VDOE. Through his leadership, a number of 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. Recognition of the VDOE, for the fifth consecutive year, by the U.S. Department of Education, awarding Virginia its highest rating for improving outcomes for students with disabilities.
2. Continuing the I’m Determined project that just had its 11th year Anniversary, leading to the development of the MOVE Youth Institute that focuses on African American males with disabilities, now in its fourth year.
3. Expanding the Project SEARCH initiative to include a site at Ft. Eustis, Virginia, this focuses on students with Autism from military connected families.
4. Now beginning its tenth cohort, the Aspiring Special Education Leadership Academy producing highly motivated and well-trained individuals who gain employment in a variety of key special education leadership positions throughout the Commonwealth.
5. Offering ongoing training sessions, such as the Functional Behavioral Assessments (FBA)/Behavioral Intervention Plans (BIP) and Back to Basic initiatives, for staff and families to promote collaborative problem-solving, leading to positive student outcomes and safe, nurturing, and inclusive school communities.
6. Supporting initiatives brought forth from constituents and advocates, such as the Inclusion Project Steering Committee, the Dyslexic Awareness Training Module, and the development of guidance on the Universal Design for Learning model.
7. Moving forward with 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 working through the IEP development process.
8. Continued successful partnerships with the 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 information, training, and collaboration with schools, advocates, and families.
9. Continuing 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.
10. Addressing the critical shortage of teachers in special education throughout the Commonwealth by awarding a grant to Radford University to offer the course, EDSP651- Diverse Learners and the Special Education Process, tuition free.

**RECOGNITIONS**

During our March 31, 2017, meeting, the SSEAC recognized Dr. Suzanne Creasey, former VDOE Administrative Services Specialist, for her over ten years of contributions made and assistance provided to the SSEAC. We also recognized Dr. Darren Minarik, Ms. Christy Evanko, and Mr. Adam Amick for the service to the SSEAC at the conclusion of their six-year term. Mr. Wyllys VanDerwerker was also recognized for his service during his three-year term.

**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 BOE.

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. Completion of rigorous diploma requirements requires that, to the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities. As such, all of the following recommendations are in support of that goal.

1. Through identification of school divisions who are providing exceptional best practices and utilizing existing platforms in inclusion, we recommend that VDOE conduct research and explore the feasibility of establishing a Virginia Inclusion Center of Excellence, or other like titled center or program, designed to meet the needs at the LEA level for capacity building of inclusive practices.
2. Utilizing current inclusive initiatives and analyzing data from Indicator 5 of the State Performance Plan (SPP) and Annual Performance Report (APR), identify and highlight inclusive education practices which are successfully addressing the educational needs of students with disabilities in a general education setting; as well as in extra-curricular activities.
3. Ensure that career and college readiness courses are offered for all students with disabilities to emphasize collaborative transition planning to improve Virginia’s post-secondary employment outcomes through Workforce Readiness, Career and Technical Education (CTE) programs, and credentialing.
4. Create a user-friendly resource page of existing topic related webinars and resources to help promote the understanding of the process and steps involved when having a child or family member with a disability in the Commonwealth.
5. Review, update, and disseminate existing guidance documents for local SEACs while encouraging LEAs to develop a mechanism for effectively communicating with local SEAC members as it pertains to the regulations.

**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.