

# Virginia State Special Education Advisory Committee Annual Report

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Prepared for  
Virginia Board of Education

by  
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# Table of Contents

Part I: Mission and Structure.....	1
Membership.....	2
Organization.....	2
Meetings.....	3
Part II: Strategic Issues in Special Education.....	3
Proposed Regulations Governing Special Education Programs .....	3
Virginia’s State Improvement Plan for Special Education.....	5
State Wide Assessments.....	5
School Completion.....	7
Speech and Language Pathologist Caseloads.....	8
Special Education Teacher Retention and Shortages.....	8
Technical Assistance and the Proposed Virginia Special Education Regulations.....	9
Part III: Future Issues .....	9
Individuals with Disabilities Education Act (IDEA) Regulations .....	9
Outcomes for Students with Disabilities and Virginia’s State Improvement Plan.....	9

## Part 1: Mission and Structure

The State Special Education Advisory Committee (SSEAC) for the Commonwealth of Virginia is organized and functions in accordance with the mandate in the Board of Education's Annual Plan for Special Education and in Sections 300.650-300.653, Rules and Regulations for the Administration of Public Law 105-17 the Individuals with Disabilities Education Act (IDEA) 1997. The committee's functions include the following:

- 1) Defining plans for identifying children with disabilities,
- 2) Formulating and developing long-range plans that will provide services for children with disabilities,
- 3) Determining the unmet educational needs of children with disabilities within the state,
- 4) Developing priorities and strategies for meeting identified needs of children with disabilities,
- 5) Reviewing and making public comments on the procedures for the distribution of funds under Part B of the (IDEA),
- 6) Reviewing and making public comments on rules and/or regulations proposed by the state regarding the education of students with disabilities,
- 7) Reviewing findings and decisions regarding due process procedures for parents and children,
- 8) Submitting reports of findings and recommendations regarding the education and training of children with disabilities to the Virginia Board of Education and to the State Superintendent of Public Instruction, and
- 9) Preparing and presenting an annual report to the Virginia Board of Education.

## Membership

The committee is composed of representatives of stakeholder groups as prescribed by the IDEA. These individuals share a common interest in meeting the educational needs of children and youth with disabilities throughout the Commonwealth. The membership includes eight parents of children with disabilities, two individuals with disabilities, a teacher, a representative of institutions of higher education that prepare special education and related services personnel, a local superintendent, a local special education director, a representative of an organization concerned with transition services, a representative of another state agency involved in the financing or delivery of related services to children with disabilities, and a representative of a corrections agency. Members are appointed by the Superintendent of Public Instruction to a four-year term and are eligible for reappointment for an additional four-year term. Individual citizens and organizations are invited to nominate candidates for appointment to the committee. Terms of membership are staggered to assure continuity. Members are reimbursed for expenses incurred while attending meetings; however the membership serves without compensation. The committee is staffed by a designated liaison from the Department of Education who is knowledgeable in the field of special education. The Department also provides technical and clerical assistance to the committee.

## Organization

The activities of the committee are governed by its by-laws, which were last revised in April 2000. The SSEAC year runs from July 1st to June 30th. The work of the committee has traditionally been conducted by three standing subcommittees. In addition, the SSEAC has authorized the creation of a standing membership committee to assist with the appointment process when vacancies occur within the membership. Staff members are available to each of the subcommittees to provide technical assistance, clarification of Department of Education procedures, and background information. Committee members are assigned to one of the three subcommittees to take advantage of each member's expertise, interests and concerns. Each subcommittee is chaired by a member of the SSEAC Executive Committee. Subcommittees meet independently and report to the full committee, which discusses the issues and topics raised and makes recommendations for further action if it is needed. Such action may take one of several forms - further study, requests for additional information from the Department, or referral to the Board of Education by written communication, oral presentation, or public comment. The three

subcommittees are Instruction, Related Services, and the Comprehensive System of Personnel Development (CSPD).

## Meetings

The committee meets in regular session four times a year; subcommittees and the executive committee meet as necessary to fulfill their responsibilities. All meetings are open to the public, and a public comment period is offered at each meeting.

All meetings in 1999-2000 were held in Richmond. In addition to its four regular meetings, two called meetings were held to work on the committee's comment to the Virginia Board of Education on the proposed state regulations governing special education. Department staff was available and provided technical support at each meeting.

## Part II: Strategic Issues in Special Education

### Proposed Regulations Governing Special Education Programs for Children with Disabilities in Virginia

The SSEAC spent the majority of this year in formulating its comment to the Virginia Board of Education regarding the proposed Regulations Governing Special Education Programs for Children with Disabilities in Virginia. The SSEAC met for approximately seven days over a six-month period to develop these recommendations. The committee identified over 307 issues through both individual and group discussion. Members who could not support specific recommendations were invited to express concerns. These concerns were addressed by amending the recommendation or by not making the recommendation. A consensus was required for all recommendations. The accepted definition of consensus was:

*Agreement among a group of people to the extent that all persons can live with and support a decision after:*

- 1) *Individual concerns have been expressed and heard, and*

- 2) *The decision has been based on all expressed concerns.*

The SSEAC identified four outcomes for making recommendations as follows:

- 1) To satisfy Federal requirements to report to the Board of Education and State Superintendent of Public Instruction,
- 2) To report to our constituents that certain areas were of higher priority than other areas,
- 3) To provide leadership to the State on the issues of concern, and
- 4) To encourage the Board of Education to influence the Virginia Department of Education's response to the SSEAC's recommendations.

The committee identified five types of decisions. They are:

- 1) Consensus to recommend a change in the proposed regulations;
- 2) Consensus to recommend that the Virginia Department of Education provide clarification through policy, guidance, or training activities;
- 3) Consensus not to recommend a change in the proposed regulations;
- 4) No consensus to recommend a change in the proposed regulations or for the Virginia Department of Education to develop policy, guidance or training; and
- 5) Insufficient information existed on the nature of the issue on which to base a decision.

Of these decisions there was consensus to recommend amendments regarding 107 issues, consensus to recommend technical assistance on 22 issues, consensus not to recommend amendments on 84 issues, no consensus on 16 issues and insufficient information on 8 issues. Areas with the highest number of issues were eligibility, individualized education program, discipline procedures and procedural safeguards. The entire document is appended to this report.

## **Virginia's State Improvement Plan for Special Education**

As in last year's report, the remainder of this document will be organized around the strategic directions listed in Virginia's State Improvement Plan for Special Education per the Individuals with Disabilities Education Act.

### **Strategic Direction #1 - To facilitate, in cooperation with local school divisions, the increase of the school completion rate of students with disabilities in the context of higher academic expectations**

As with other students enrolled in Virginia's public schools, outcomes for students with disabilities are to be measured through improved performance on statewide assessments and school completion.

### **Statewide Assessments**

The SSEAC has closely monitored the implementation of the Virginia Comprehensive State Assessment System and its impact on students with disabilities. It is anticipated that a very high percentage of these students will participate in this system. The testing accommodations approved by the Virginia Board of Education should assist students with disabilities in approaching these assessments on an "Alevel playing field". In other words, a student's particular learning style should not be a hindrance to his/her participation in this assessment system. During its September, 1999 meeting, the SSEAC addressed a request by the Board of Education to discuss issues regarding the participation of students with disabilities in the Standards of Learning (SOL) Assessments and how these results should be treated under the Standards of Accreditation.

**Recommendation #1 -** Revisit and revise the existing list of accommodations for the SOL assessments that do not change the nature of the test. Now that these assessments have been administered several times, it would be appropriate to determine whether the accommodations put in place actually assist the student with a disability in performing up to his/her ability on these assessments.

**Recommendation #2 -** Administer SOL tests given at grades 3, 5, and 8 on a more frequent basis. Tests could be given annually rather than every three years. This would allow for a better understanding of the student's abilities and knowledge.

Recommendation #3 - Break both grade level assessments and the end of the course tests into smaller "chunks" so that students could be assessed as they master the subject matter and not have to wait a long period of time between instruction and assessment. Given the criterion measurement nature of the SOL assessments, this would again allow for a better understanding of the student's abilities and knowledge.

Recommendation #4 - Investigate and develop computer-assisted versions of the SOL assessments. This would assist in the participation and performance of the maximum number of students as well as facilitate Recommendation #3.

Recommendation #5 - Develop an alternate version of the current SOL assessments that is SOL-based but that would assess student performance by means other than a pencil and paper test. The results of this assessment would count the same as the current SOL assessment both for the individual student and the school. This would assure that the measurement of a student's performance is not hindered by his/her disability.

Recommendation #6 - Allow out-of-grade level SOL assessment based upon the recommendation of the individualized education program (IEP) team. Aggregate and use these scores at the state level under a continuous progress assessment model - tracking the scores to observe that students make progress toward the Standards of Learning objectives. This would better match the student's pacing and content needs with the assessment process. Explore how this would be handled in the School Report Card and the Standards of Accreditation accountability process.

In considering these recommendations, the SSEAC would like to restate its strong belief that the level of participation of a student with a disability in the SOL Assessments should be a decision of that student's IEP team. It is also our strong belief that the student's performance should be part of the accountability process under the Standards of Accreditation as is any other student's performance.

It is hoped that the State Board of Education will continue to hold schools to high expectations with regard to the State Assessment System and corresponding school accreditation. Students with disabilities should benefit from the enhanced accountability system fostered by this initiative.

## School Completion

This winter the Virginia Board of Education considered a proposal for the establishment of a new diploma to be awarded students with disabilities who were not successful under the Standards of Learning-based assessment program to the point where they could receive a Standard Diploma. This proposed diploma was termed the "Basic Diploma". The content of this diploma is as follows:

- 1) Basic competency in English and mathematics as measured by an independent, valid, and reliable assessment instrument;
- 2) Occupational competency;
- 3) Scores on the assessment instrument will be used for school accountability; and
- 4) Students can enter this program only after 8<sup>th</sup> grade, thus guaranteeing exposure to the Standards of Learning curriculum and instruction throughout elementary and middle grades.

The SSEAC would like to express support for the Board of Education's initiative to establish a Basic Diploma for secondary students with disabilities. We feel that this is an important alternative for those students with disabilities who, even with appropriate interventions, accommodations and remediation, are unlikely to meet the requirements for a standard diploma. The emphasis on a program of studies aimed at occupational skills and basic competencies in English and mathematics should help prepare these students for employment directly upon high school graduation.

## **Strategic Direction #2 - To improve the performance of children and youth with disabilities by enhancing the knowledge, skills, abilities, and performance of all personnel who work with children and youth with disabilities**

### **Speech and Language Pathologist Caseloads**

The SSEAC continues to support the reduction of the caseloads of speech and language pathologists to 60 students per professional. Along with this support is the recommendation that efforts be made to increase the number of speech and language pathologists being trained in the Commonwealth of Virginia.

### **Special Education Teacher Retention and Shortages**

The SSEAC has closely reviewed teacher licensure issues and expressed concern about endorsement procedures particularly in the area of vision and hearing services. Given that this issue is closely tied to that of supply and demand, it is our recommendation that further study be conducted regarding the Department of Education's plans to increase the supply of these teachers through training and personnel programs using a distance-learning format. In addition, any study regarding the effectiveness of this model of personnel preparation should utilize both employer and trainee satisfaction information.

Given the changes in certain health care professions, more therapists are seeking employment as related services providers within the public schools. The committee discussed the problems faced by these personnel when moving from one setting such as a medical facility to school-based practice. We suggest that the Department of Education provide assistance and possibly additional training to these individuals to facilitate this transition.

## **Technical Assistance as Part of the Proposed Virginia Special Education Regulations**

As part of its comment to the Board of Education on Virginia's Proposed Special Education Regulations, the SSEAC identified twenty-two areas that require further technical assistance to school personnel, students and parents. The majority of this need for added assistance centered in the following areas: interpretation of definitions, evaluation, mediation, and due process hearings. (Please refer to the document appended)

### **Part III: Future Issues**

#### **The Implementation of the New Regulations Governing the Education of Students with Disabilities in Virginia**

Once these new regulations are approved, it will be time to provide significant training and assistance on the implementation and impact to all those involved in the education of students with disabilities whether student, school professional or parent. We ask that the Department of Education plan now for this effort and share the plan with the SSEAC so that the SSEAC may give input on these efforts and facilitate communication of the plan to the various groups represented on the committee. A common understanding of these requirements from the very beginning will be necessary if we are to achieve the cooperative working relationship required to educate these students and thus reach their educational goals and dreams.

#### **Outcomes for Students with Disabilities as Stipulated by Virginia's State Improvement Plan**

Virginia's State Improvement Plan alongside the Revised Standards of Accreditation, continues to emphasize the need to measure the quality of a student's education, not just the teaching program. It is through this Plan that we will be able to gauge learning that occurs in the public schools. We continue to strongly support the inclusion of testing results (both standard and alternate assessments) in the accreditation process of each school. In addition to the recommendations listed previously in this document, we believe that the following should be included in areas of future study as the assessment system is reviewed:

Recommendation #1 - Design assessment measures for additional high school courses (e.g., vocational education, fine/practical arts, general math and other general level courses). The current set of assessments may place too much emphasis on a college preparatory curriculum.

Recommendation #2 - Investigate the impact that these assessments have on the referral rate for special education and the rate of drop-outs due to failure on the assessments.

Recommendation #3 – Provide on a comprehensive basis and develop supplementary resources to support the preparation of students with disabilities in the SOL assessment process. This recommendation includes the need to update special education teachers in the core content areas of reading/writing, mathematics, science and social studies.

Finally, the SSEAC has reviewed the preliminary data drawn from the testing program and the other outcomes listed as part of Strategic Direction #1 of the State Improvement Plan. The SSEAC requests and expects to be kept current on this data as it becomes available in the future. Without this information, we cannot fulfill our charge as spelled out under the Individuals with Disabilities Education Act. Additionally, we suggest that this information be readily shared with others involved in the education of students with disabilities in order to permit them to fulfill their respective roles in this process.