

VIRGINIA STATE  
SPECIAL EDUCATION  
ADVISORY COMMITTEE  
ANNUAL REPORT

JULY 2014 - JUNE 2015

# INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain a state advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The federal regulations specify membership and requires that a majority of members be individuals with disabilities or parents of children with disabilities. Specifically, the regulations require the following membership:

- “(i) parents of children with disabilities (ages birth through 26);
- (ii) individuals with disabilities;
- (iii) teachers;
- (iv) representatives of institutions of higher education that prepare special education and related services personnel;
- (v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
- (vi) administrators of programs for children with disabilities;
- (vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- (viii) representatives of private schools and public charter schools;
- (ix) not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- (x) a representative from the State child welfare agency responsible for foster care; and
- (xi) representatives from the State juvenile and adult corrections agencies.”

(34 CFR 300.167 through 34 CFR 300.169)

In Virginia, the panel is known as the State Special Education Advisory Committee (SSEAC).

## COMMITTEE ORGANIZATION

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the Virginia Board of Education bylaws for advisory committees. The SSEAC year commences on July 1 and ends on June 30 of the following calendar year. 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 2014-2015 year, the subcommittees were structured as follows:

### STANDING SUBCOMMITTEES

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

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 Board of Education. VDOE personnel serve as consultants to each of the subcommittees, providing technical assistance, clarification of Department of Education procedures, and additional information.

**Executive** - The Executive Subcommittee includes the Chair, the Vice-chair, the 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 officers 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. Changes to teacher licensure regulations, diploma options and requirements, and strategies for resolving disputes are examples of topics which are discussed.

**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.

**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.

## **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 2014-2015 year, meetings were held in the Richmond area on the following dates:

- July 16-18, 2014
- September 25-26, 2014
- December 11-12, 2014
- March 26-27, 2015

Meetings scheduled for the 2015-2016 year and the remainder of 2016 includes:

- October 1-2, 2015
- December 3-4, 2015
- April 7-8, 2016
- July 28-29, 2016
- September 22-23, 2016
- December 1-2, 2016

## **PRESENTATIONS**

Each meeting included a presentation by Mr. John Eisenberg, Assistant Superintendent for Special Education and Student Services, who provided information 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.

Presentations were provided by VDOE staff or state funded projects. Topics included:

- Secondary Transition Activities
- I'm Determined Youth Summit Summary
- Dyslexia Activities Update
- Inclusive Education
- Aspiring Leaders Program
- Update on Studies Related to Special Education from the Virginia Commission on Youth
- Licensure Requirements for Reading Instruction
- Annual Report on Dispute Resolution
- Educational Support for Students from Military Families
- Report on Discipline Issues from the Crime and Violence Report
- Annual Report on Applications for Federal Funding from State Operated Programs
- Report on Transfer of Assistive Technology Devices pursuant to Virginia Code § 22.1-129
- Summary of the education portion of the 2014 Virginia Board for People with Disabilities Assessment of the Disability Services System

- Update on the Richmond Career Education and Employment Academy (RCEEA)

## **PUBLIC COMMENTS**

A public comment period was held at each meeting, and the SSEAC members always appreciate the time and effort that it takes to for a member of the public to attend a meeting and provide a comment. A written response on behalf of the committee is sent by VDOE staff to each commenter consistent with the discussion on the topics addressed in public comment at the meetings. During the 2014-2015 year, public comments were related to:

- Dyslexia and the need for early identification and multi-sensory reading instruction (Note: there were multiple comments at the July and September meetings on this topic).
- Denial of access for private professionals to make classroom observations on behalf of parents.
- The need for SSEAC members to talk with local school boards to encourage the inclusion of disability history and awareness in local curricula.
- Proper services for students with autism.
- Concerns with the definitions of disabilities that are presented to parents at eligibility meetings - particularly multiple disabilities.
- Concerns about a complaint issue and the inconsistent communication with the Office of Dispute Resolution and Administrative Services.

It should be noted that the vast majority of public comments were related to issues with the identification and services to students with dyslexia. Although many of these students are not identified as eligible for special education services, commenters expressed concerns about students who are identified with dyslexia, eligible for special education or not, and their need for multi-sensory reading instruction.

## **ISSUES IDENTIFIED THROUGH CONSTITUENCY REPORTS**

Each member of the SSEAC was provided an opportunity at each meeting to report on activities and/or issues from their constituency groups. The following issues were reported during the past year:

- Difficulty with recruitment of local SEAC members and/or large turnover of members.
- Problems with the delivery of intermittent homebound instruction, particularly for those students with chronic medical needs which impacts regular attendance.
- Challenges with school systems providing and implementing assistive technology or adaptive communication systems within the curriculum for students who are non-verbal.
- Confusion regarding certificates versus diplomas for students with disabilities.
- Refusal of parents' requests for classroom observations by private providers.
- The need for a consistent statewide IEP system that would be particularly helpful for students who transfer from one school division to another.
- Inconsistent delivery of inclusive education.
- Inappropriateness of SOL/ASOL for students no longer eligible for the VAAP or VSEP.
- Lack of parental understanding about IEPs and how the process works.
- School budget shortfalls and anticipated impact on services to students with disabilities.
- Participation of students with disabilities in graduation ceremonies and other school events.
- Lack of compliance with IEPs.

- Denial of ESY services.
- Use of inappropriate discipline strategies.
- Restrictions on parental classroom observations.
- Lack of awareness and use of electronic textbooks (AIM-VA) and lack of awareness of eligibility criteria change.

## **COMMENDATIONS**

The SSEAC wishes to take this opportunity to recognize a number of programs and resources supported by the Board of Education to improve services to students with disabilities. In particular, we would like to commend the Board of Education on the following:

- a) Virginia's 2014 state determination from the U.S. Department of Education that the Commonwealth met the highest ranking on the State Performance Plan, which is now based on student outcomes.
- b) Supporting the amendment in Virginia Code to change the Special Diploma to the Applied Studies Diploma.
- c) Creating the Inclusion Academies and Co-teaching demonstration sites as well as the inclusion workgroup.
- d) Including disability history and civil rights history in the revised Social Studies Standards of Learning.
- e) Moving forward on the development of regulations governing restraint and seclusion in public schools, given the passage of §22.1-279.1:1. This is a frequent topic of concern from constituents, and the SSEAC welcomes the opportunity to be involved in the development of the regulations.
- f) Supporting the Military Community, as well as parent/teacher outreach through initiatives and resources such as the Guidance Document for Educational Support for Students from Military Families.
- g) Leadership on Virginia Alternate Assessment Program (VAAP) improvement and responding to feedback regarding the use of the Dynamic Learning Maps.

## **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 Board of Education.

### **Dyslexia**

**Issue:** Given the number of public comments concerning dyslexia and the needs of both general and special education to focus on student reading deficits, the SSEAC notes the necessity to address the concerns further, while commending the work that has been done so far.

**Recommendations:**

- Create online training modules and guidance documents for general education and special education teachers regarding dyslexia awareness, characteristics, toolkits, classroom supplemental aids, services and testing accommodations. These documents should also be

available for the public.

- Create and provide professional development opportunities focused on increasing the capacity of instructional staff to meet the needs of students with and at risk for dyslexia.
- Provide tools, services, and supports for early (preschool and elementary) and continual dyslexia screening and assessment in general and special education.
- Recommend that the Board of Education consider having the Advisory Board on Teacher Education and Licensure (ABTEL) examine collaborative opportunities to create professional development specifically focused on dyslexia within general and special education teacher preparation programs.

### **Diploma Information Communication**

**Issue:** This issue was addressed in the 2014 SSEAC annual report and the committee continues to hear from constituents on the topic. The lack of understanding of the ramifications of the testing decisions made, beginning at the elementary level, creates problems for students with disabilities in secondary schools, especially with regard to diplomas.

#### **Recommendations:**

- In order to improve communication about the ramifications of making decisions to participate in alternatives to Standards of Learning (SOL) testing earlier in the Individualized Education Program (IEP) process (such as when the first decision is made to take alternative testing), identify ways to make local resources (such as IEP meetings, LSEACs, Parent Resource Centers, guidance counselors, parent/teacher organizations, PEATC Webinars, etc.) more effective at disseminating existing and new information focusing on:
  - flexibility regarding Virginia's accountability system addressing high expectations for students with disabilities,
  - continuing full participation in the assessment system, and
  - credit accommodations for the Standard Diploma for eligible students with disabilities.
- Identify ways to use online IEP systems to improve communication with families. Clarity on the ramifications of testing decisions needs to be included in these programs. Plans to include this information should be included in the planned statewide IEP system.
- Modify existing state sample forms to include references to resources regarding diploma implications.

### **Inclusive Education**

**Issue:** The inconsistency of inclusive practices was noted as a concern in constituency reports and public comment. Areas of concerns centered on equal access to extra-curricular activities, access to public meetings, and access to the general education classroom and curriculum.

#### **Recommendations:**

- Continue VDOE programs that encourage the growth and development of best practices involving co-teaching and collaborative instruction. The goal of this work is to support high quality instruction for all students and allow for appropriate supports for general and special education teachers.
- Develop a guidance document that identifies exemplary inclusive practices such as universal design for learning (UDL).

- Work with the Training and Technical Assistance Centers (TTACs) to increase professional development on the use of assistive technology to provide equal access to the general curriculum.
- Work with the TTACs to develop a self-assessment to determine barriers and challenges for universal accessibility and cultural/linguistic diversity throughout instruction, school events and public meetings. By making supports and resources available to school divisions through the VDOE and TTACs, school divisions will be address identified challenges.

## **CONCLUSION**

The SSEAC appreciates the opportunity to provide advice to the Board of Education and hopes that the recommendations are implemented 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.