

DRAFT Meeting Minutes
State Special Education Advisory Committee (SSEAC)
October 2 - 3, 2003

Thursday, October 2, 2003

The executive committee met at 7:45 to review the agenda. The full committee convened at 8:30.

Present: Carmen Sanchez, Heidi Lawyer, Stan Boren, Anne Fischer, Charlene Christopher, Emily Dreyfus, Elizabeth Vincel, Shirley Ricks, David Martin, Rick Richardson

Staff: Pat Burgess, Judy Hudgins, Pat Abrams (morning), Maureen Hajar, Sharon Siler, Carol David, Jeff Schuyler

Others: Marsha Goldberg (Fairfax Parent Resource Center)

Charlene Christopher opened the meeting, and had each of us introduce ourselves to presenters.

It was announced that Stacie Ellis has been appointed to serve Region 3 parent representative.

VDOE Priorities Presentation by Pat Abrams

Dr. Abrams shared with the committee information on the *No Child Left Behind Act* (NCLB) implications for special education. A handout outlining her presentation was distributed. The presentation reflected how the Virginia Department of Education (VDOE) is working within the mandates of the *Individuals with Disabilities Education Act* (IDEA) and the NCLB, and working to ensure that schools make Adequate Yearly Progress (AYP). Schools and school divisions' AYP status and the School Report Cards are available on the VDOE Web site. It was noted that a school could be accredited according to the standards of accreditation but also not make AYP. There was discussion as to the establishment, by the Virginia Board of Education, of 50 as the minimum number ("n") for purposes of determining AYP. Even prior to NCLB, VDOE has been reviewing data collected on students with disabilities state assessment participation and performance to help determine training and technical assistance priorities. These data trends were presented, as well as a description of 13 VDOE priority projects to address students achieving to the general education expectations.

Dr. Abrams shared a sample T/TAC newsletter and asked that if we are not receiving their mailings to let her know. She also distributed information on opportunities for students with disabilities that were disseminated to local special education directors: Youth Leadership Forum application, and a report of effective local programs for students with emotional disturbance described in *Therapeutic Day Treatment Services for*

Children and Adolescents with Serious Emotional Disturbance in a Community Mental Health System of Care.

Concerns and Questions:

- How easily can people see AYP status of schools with less than 50 ("minimum n") students with disabilities?
- How did the Board of Education decide on using 50 for Virginia? For example, schools that are more inclusive may not have the large numbers of students in each school and those school divisions clustering special education students in a one school will have large numbers.

Action: The committee asked for more information from *Virginia's Consolidated Application Accountability Workbook, revised September 10, 2003* that is available on the VDOE Web site.

Enhanced Scope and Sequence Project (SOL) presentation by Maureen Hijar, Director of Secondary Instruction Services

Ms. Hijar presented a brief history of the Standards of Learning (SOL). The resources for teachers, Curriculum Frameworks and Scope and Sequence resources were developed in 2001. This project is evolving into the Enhanced Scope and Sequence. When the Enhanced Scope and Sequence is complete teachers will have available to them lesson plans to help them meet goals in math, history and English/Reading. Teachers will be able to see how SOLs fit the curriculum. This one resource will serve multiple learning styles of students and offer diversified strategies for teachers to use.

Ms. Hijar also provided information about one of the initiatives in the Governor's Education for a Lifetime plan. There are 3 components to the plan: the typical high school sequence, path to industry certification, and students can finish at a community college. The Early College Scholars Program is a new program for Advanced Placement or Dual Enrollment. If the student graduates with 15 hours of college credit they are guaranteed admission to a Virginia college and the 15 hours will be accepted.

Enhanced Scope and Sequence Project presentation by Sharon Siler, Specialist in the Office of Special Education Instructional Services

Ms. Siler shared with the committee how the development team worked on this project to develop lesson plans that will be available to teachers. The math lessons will be finished this fall and the English/reading lesson plans are scheduled to be completed in the spring. Lesson plans can be accessed on the Web site, which should be ready in November. The SSEAC were asked to provide input. Suggestions included:

- Make sure the Web site is easy to use and access.
- Do not limit description to students with "mild and moderate" disabilities.

Trends in Local Improvement Plans presented by Carol David, Evaluation Consultant, College of William & Mary

Dr. David shared the data that has been collected about Local Improvement Plans (LIP) and "sliver grant" funds to support them. She pointed out that in the 2003-2004 LIP proposals more of the LEAs used measurable, comparable data for their objectives and outcomes than in previous years.

Public Comment

Each of the four presenters for public comment was given a copy of the public comment policy.

1. Gwendolyn Smutz, from Henrico Co.

Ms. Smutz came to thank the committee for the opportunity her boys have had in school. She has two boys with disabilities and both are mainstreamed in regular classes. She shared pictures of them participating in school and extracurricular activities.

2. Cheryl Ward, from the Endependence Center. Ms. Ward read us a letter concerning the No Child Left Behind legislation and the fact that the number 50 was set by the state of Virginia as the defining number for sub group per school in regard to AYP. The Endependence Center is asking the committee to recommend to the state board of education that the number be lowered.

3. Jennifer Peers, from Chesterfield County. Ms. Peers and her daughter visited with the committee to express her concern that her six-year-old daughter is not yet in school because the school will not include her in the neighborhood school regular classroom.

4. Kristy Wynn, from Chesterfield County. Ms. Wynn has Jennifer's daughter in her Brownie troop. She spoke in support of including Ms. Peers' child in her neighborhood school's regular classroom with the friends from the Brownie troop.

Local Improvement Plan Policy Study, continued - presentation by Jeff Schuyler, Evaluation Consultant, College of William & Mary

Dr. Schuyler provided a report on the LIP study and some preliminary findings. The VDOE requires the LEAs (school divisions and state operated programs) to develop a Local Improvement Plan (LIP) that is aligned with the State Improvement Plan. This state requirement is being evaluated, as was discussed last year with the SSEAC.

The state policy of requiring Local Improvement Plans is being evaluated three ways:

- 1) Interviews with VDOE staff who developed the application, review and approve plans,
- 2) Site visits to 16 school divisions and 3 state operated programs, which were completed this summer, and
- 3) Survey to all LEA special education directors.

Preliminary findings were presented that suggest the local administrators noted an improvement in the state's LIP application instructions and technical assistance. They

request that the state develop a system for sharing effective practices that improve student achievement towards graduation, personnel development, and parent involvement.

Business

Actions to be taken in response to Public Comment are:

1. Request a letter to be sent to Mrs. Smutz thanking her for sharing with us the practice and promise of inclusion in her children's lives.
2. The committee discussed this request to recommend to the Board of Education that the minimum "n" of 50 be lowered. It was requested that a letter be sent acknowledging the fact that it is not feasible to make a recommendation because the decision to use 50 has already been made by the Board of Education, however we are checking into how the decision was made so that we will understand their process and thinking and possibly address the issue in the future.
3. The committee will ask VDOE to follow-up to Ms. Peers concerns, possibly relieving the tension between the two parties so that they can find some resolution.
4. It was requested that a letter be sent thanking Mrs. Wynn for her visit in support of the Peers family.

Discussion Items

NCLB - AYP

Members discussed whether or not public comment was held addressing the minimum "n" used in calculating AYP. We cannot make a recommendation or comment without more information from the Board of Education as to how they came to their decision. Our past minutes reflect that we had a discussion as to the choosing of a number. The committee felt we need to be made aware of such decisions with plenty of time to comment before decisions are made. Concern was expressed regarding the conduct of business items; and it was agreed that it would be helpful if committee members had and would review materials ahead of time to familiarize ourselves with the topics and formulate questions. In the future it is requested that those making presentations send their materials to all members in advance.

Motion: made by David Martin **The SSEAC moves to have the agenda developed jointly between the chair of the SSEAC and VDOE and that materials be sent to the members 5 working days before the meeting.**

Second: Carmen Sanchez

Motion passed and will be discussed with Pat Abrams and Doug Cox.

Minutes The minutes from the July meeting were approved electronically, August 22, 2003.

Membership Stan Boren reported that since Karen Tompkins resigned as the representative of private schools because of her recent job change. The membership subcommittee reviewed nominations and reported that they met the specifications to fill this vacancy. Mr. Boren informed the committee that the list of SSEAC members' terms was reviewed and it was noted that six members' terms will expire in June 2004.

Motion: by David Martin. **The SSEAC recommends to the State Board of Education that five of the six members eligible for reappointment be reappointed for another 4-year term ending June 2008.**

Seconded by Anne Fischer
The motion passed.

Nominating Committee

Shirley Ricks, Heidi Lawyer, Stan Boren and Ann Fischer have been appointed to serve on the nominating committee to recommend next year's officers.

Priority Setting

The committee had a lengthy discussion as how to prioritize issues so that we can offer more guidance to the Board of Education and to VDOE. Some concerns noted were:

- Subcommittees need to prioritize and bring issues back to the committee as they feel they need to be addressed.
- We need to review the Board's and VDOE's priority list in order to be better informed
- Alternate Assessment aligned with the curriculum needs to be looked into and addressed.
- We need more guidance in setting goals, issues, structuring from the VDOE.
- We should be informed as to the issues that are coming in the future.
- We need to narrow or focus and choose a few items to work on that will make a difference.
- There may be an opportunity for another State Improvement Grant, since Virginia is in the last year of the current one in which the parent involvement committee could participate.
- We need to have a continuous update on public comments. More discussion was held as to how we can best respond to public comment. We need to make sure that VDOE has the questions that we would like addressed concerning each situation. It was suggested to number public comments so that we can follow their progress and as they are resolved, we should be informed. We should thank all participants in public comment for sharing their information with the committee.
- The committee as a whole expressed the concern that we need to get a clear direction from the Board of Education. A letter will be presented to the Board when the SSEAC Annual Report is presented that will address our concerns that we were appointed to be an advisory committee and we would like to function more in that capacity. Also included will be some suggestions as to how we might be more helpful to them.

Procedural Safeguard Quick Reference Guide Emily Dreyfus presented the committee with the finished Reference Guide, which will accompany the Procedural Safeguards.

Comments:

The committee was pleased with the final copy.

Suggested changes include:

- The references in parenthesis could be explained in an additional bullet under “notes”
- List how to get the federal regulations
- Change the title to "Quick Reference Guide For Parents for the Attached Procedural Safeguards"

Ms. Dreyfus requested any other additional edits and comments be sent to her as soon as possible.

Letter to Local Special Education Advisory Committees (LSEAC) Carmen Sanchez shared with us that the letter to LSEAC’s and Parent Resource Centers (PRC) is ready to be distributed. The committee agreed that the letter she developed looks great and should be sent. A Yahoo Web account has been set up so parents can communicate with us. This will serve as the way in which parents and LSEAC can contact us. At this time only the names of the parent representatives will be included on the newsletter. A complete list of committee members is available on the Web site.

Revisions to Teacher Licensure - Pat Burgess shared with the committee a summary of the revisions to the licensure regulations for school personnel. The changes have been to the State Board of Education. The public comment period has not been set. Important changes affecting special education include:

- 1) Page 5, B. All candidates seeking an endorsement in early/primary education prek-3, elementary education prek-6, special education, and reading specialist must meet the requirements of a reading instructional assessment prescribed by the Board of Education, effective July 1, 2004. The assessment shall be aligned with the Virginia Standards of Learning and the following five key components of reading instruction: phonics, phonemic awareness, vocabulary, comprehension, and fluency.
- 2) Page 6, g. Special Education: Individuals with an endorsement in special education can add endorsements in Virginia’s core academic areas of English, history and social sciences, science (biology, chemistry, physics, and earth science), and mathematics by completing assessments.
- 3) Page 6, B. An individual who holds an endorsement in special education-emotionally disturbed, special education-learning disabilities, or special education-mental retardation may add an endorsement in special education-emotionally disturbed, special education-learning disabilities, or special education-mental retardation by passing a professional teacher’s assessment when prescribed by the Board of Education
- 4) Page 11, 5. Supervised classroom experience. The student teaching experience should provide for the prospective teacher to be in classrooms full time for a minimum of 500 clock hours, (including pre-post clinical experiences) with at least 300 clock hours spent supervised in direct teaching activities (providing direct instruction based on the Virginia Standards of Learning) at the level of endorsement.

- 5) Page 11, d. Have a planned program of study in the assigned endorsement area, make progress toward meeting the endorsement requirements each of the three years of the license, and have completed course work in the core competencies of foundations for educating students with disabilities and an understanding and application of the legal aspects and regulatory requirements associated with identification, education, and evaluation of students with disabilities. A survey course integrating these competencies would satisfy this requirement. The Special Education Conditional License shall not be issued without the completion of the prerequisites. During the three years the Alternate Route, Special Education Conditional License is valid, the individual must complete all requirements for the special education endorsement area, complete professional studies requirements, and meet Virginia's professional teacher's assessment requirement prescribed by the Board of Education.

Discussion:

- Concerns about how to maintain flexibility and recruit teachers were voiced.
- Positives include allowing flexibility. It is difficult to Find a high school teacher that is certified in content (i.e., math) and special education.
- Changing the categories to Mild, Moderate, and Severe instead of categorical would give more flexibility for schools. Most states have gone to this system.

In order for the whole committee to discuss the licensure changes and have a chance to review the recommendations, it was requested that VDOE staff look into scheduling a telephone conference meeting preferably for October 28 or 29. It was requested that VDOE send all materials to those members not in attendance.

Friday, October 3, 2003

Present: Anne Fischer, Heidi Lawyer, Stan Boren, Charlene Christopher, Emily Dreyfus, Elizabeth Vincel, Shirley Ricks, Fannie Page, Carmen Sanchez

Staff: Judy Hudgins, Doug Cox, Pat Abrams, Sandra Ruffin,

VDOE Report, Doug Cox, Assistant Superintendent for Special Education and Student Services -

Mr. Cox reported on the task force appointed to consolidate the Schools for the Deaf and Blind. There was discussion of 3 options:

1. Leave both schools open with some changes,
2. Close one school and consolidate the two in one facility,
3. Close both facilities and build one new state of the art facility at a new location.

Student Placement Data - Paul Raskopf, Specialist for special education data brought data to follow-up to a question about special education student placement. Mr. Raskopf indicated that federal reporting requires schools to report the percent of time students spent outside the regular classroom. Virginia reports the percentage of time students

spend in special education. Currently, Virginia data address whether or not some or all of special education services are provided in the regular classroom, but does not identify the students' placement in a regular class when there are no special education services needed during that placement. VDOE is revising its data collection to capture the time students spend outside the regular classroom. Mr. Raskopf shared data collected from all local school divisions and state operated programs concerning the amount of time spent in special education and percent of students receiving special education services in the regular classroom. The 2002 data reflected that approximately 50 percent of students are receiving some or all of their special education in the regular classroom, but the data do not show the actual amount of time the student is in the regular classroom. Mr. Raskopf indicated that a memo will be going out to the school systems explaining how to correctly configure the data they are reporting and offered to send a copy of the memo to the committee.

Currently the VDOE is looking for a vendor to create a student level data system. This would help data to be collected at the school level. The implication of VDOE staff and for the SSEAC is that in the future, it is likely that required data for students with disabilities will be collected through this process rather than through existing procedures.

Graduation Requirements 2+4 in '04

Dr. Sylinda Gilchrist, School Guidance Counseling Specialist shared a presentation explaining the graduation requirements and different diplomas and school completion options in the Standards of Accreditation. Some of the highlights included:

- 1) Graduation requirements are those that were in effect when a student entered the ninth grade for the first time.
 - 2) Standard Credit involves a minimum of 140 hours completed successfully.
 - 3) A student must have a passing score on the End-of-Course SOL test and successfully pass the course to earn the verified credit.
 - 4) The Advanced Studies Diploma requires 24 standard credits and 9 verified credits.
 - 5) School divisions wanting to have additional local diploma requirements must seek approval from the Board of Education.
 - 6) The Standard Diploma has some flexibility but the flexibility is reduced beginning with the graduation class of 2007.
- The Modified Standard Diploma (MSD) is an IEP decision at any point after 8th grade:
 - 1) The MSD requires written consent from parent/guardian and the student.
 - 2) A student may change to a Standard or Advanced Studies Diploma at any time.
 - 3) The student should not be excluded from courses and test required to earn a Standard or Advanced Studies Diploma.
 - 4) Student must pass literacy and numeracy competency assessments as prescribed by the Board of Education (currently the 8th grade SOL math and English - reading/literature/research). Students may substitute higher level tests for the 8th grade SOL assessment.

- 5) If the students are enrolled in a course that has an end-of-course SOL test, they must take the test.
- The Special Diploma requires that students meet their IEP goals established by the IEP team.
 - The General Achievement Diploma option is available for dropout students who have withdrawn from school or those not enrolled in school. The student must achieve 20 standard credits and a passing score on the General Equivalency Development (GED) test.
 - The Certificate of Program Completion is for students who have completed a local program of studies determined and approved by the local school board.
 - Students participating in career & technology education programs may earn verified credits by successfully completing the vocational courses and passing the associated licensure exam.
 - Students can use approved substitute tests to earn verified credits (such as AP, IB, SAT II, or CLEP).

The Board of Education has built in flexibility for the Standard Diploma. Graduation classes of 2004 to 2006 can earn up to 4 verified credits through a local process, in which local school boards may award up to 4 verified credits if the student scores 375-399 on SOL test after taking the test twice, and need the verified credit for graduation. These locally awarded verified credits can only be awarded in science and history. The student must demonstrate achievement in the academic content through an appeal process.

Students who fail a SOL test may take an expedited retest. They may take an expedited test only once after the regular test administration. If they fail the expedited re-take, then they must wait for next test administration time. In order for students to be given an expedited retake, they must need the test for verified credit, and must have passed the course.

Dr. Gilchrist's presentation is available on the VDOE Web site.

<http://www.pen.k12.va.us/VDOE/studentsrvcs/guidance-cnsl.shtml>

AYP Minimum "n" of 50

Doug Cox and Shelley Loving-Ryder, Assistant Superintendent for Assessment & Reporting, addressed questions concerning the Board of Education's decision of 50 as the minimum "n" when calculating AYP. The information, which the Board used to make this decision is available on the Web site in the *NCLB Act Virginia Consolidated State Application Accountability Workbook*. The number must be large enough to minimize year-to-year fluctuations in the data but also be small enough not to be perceived as excluding groups of children. The Board reviewed the SOL test data of different numbers and 50 was determined to achieve stability as well as excluded no school divisions. If children are not counted at the school level, they are counted at the school division level for AYP determination. The graphs used for this review were distributed to the committee. Schools with less than 50 students will still be reviewed as

they have to submit a body of evidence for their AYP determination. The draft policy was distributed showing the choices of data they have to submit.

While the expectation is that all students will participate in statewide assessments no matter the number of these students, if fewer than 10 students are in a group or subgroup, the performance of the groups or subgroups will not be reported. This will ensure that individual students are not personally identifiable. In Virginia, the minimum of 50 applies to all subgroups. Some states have chosen a different number for the students with disabilities subgroup. The question was raised if the minimum number of 50 will change after we add the new annual testing (tests in 4,6,7th grades)? There has been no discussion, yet, on changing the minimum number of 50 in the future. The committee requested data for 2002-2003 of school systems and schools as well as schools with minimum number of 50 students with disabilities, be shared at the next meeting.

Emily Dreyfus offered the following motion:

Motion: The SSEAC recommend to the Board of Education that the minimum number of 50 go no higher in the future for students with disabilities.

Discussion:

- Are we moving before we have new information?
- We need to express that the minimum "n" was a concern as well the fact that we do not want the "n" to rise.
- We did not have input into the process.
- We understand that the number was chosen for valid reasons but it was changed after we last saw documents, and we were not informed of the change.
- The first information we had was from an overview of various data scenarios, when a minimum number of 30 was being considered.
- It was suggested to have the Results for Students subcommittee keep up with the data and possible changes to the minimum number in the future and keep the whole committee informed.

Heidi Lawyer added a friendly amendment changing the motion to:

Motion: The SSEAC recommends that the minimum number for students with disabilities (for calculating AYP) remain at 50 or lower. We regret that we were not included in the process of developing the number of 50 and hope that in the future that the Board of Education requests our assistance.

Second: Elizabeth Vincel

Motion passed

Numeracy and Literacy Assessments for the Modified Standard Diploma

Mr. Cox and Ms. Loving-Ryder discussed a proposal to adjust the cut scores on the 8th grade Standards of Learning reading and math tests for students pursuing the Modified Standard Diploma. Ms. Loving-Ryder explained how the standard setting process would utilize special education teachers. They noted that the proposal is being fully developed and will be presented to the Superintendent and the Board. Mr. Cox and Ms. Loving-

Ryder also noted that VDOE staff continue to consider substitute tests to assess numeracy and literacy for the Modified Standard Diploma.

Heidi Lawyer moved and Shirley Ricks seconded that:

The SSEAC is concerned that these students would indeed be left behind and essentially drop out of the system and therefore, all forms of accountability. The committee is intensely interested in working with the VDOE as they institute current and planned programs and strategies for addressing these concerns.

The motion was adopted with one in opposition.

Charlene Christopher will make editorial corrections and members will approve amendment by email.

Follow-up on Public Comment -Charlene Christopher reminded the committee that public comment will be discussed during the business part of the meeting. The VDOE will be given any questions or concerns and after they look into the matter will inform us of any action taken.

Constituency Reports

Anne Fischer– The Virginia Beach Special Education Advisory Committee has developed a committee to find out how to access the SOL curriculum in special education classrooms. This was an issue brought forward by complaint last year.

Charlene Christopher - The VA Education Association will be making recommendations for the VA Alternate Assessment Program (VAAP). There was a concern expressed that a House Bill was in Congress would delete special education students from accountability. This bill is not actually in existence, but was talked about.

Pierre Ames for PEATC reported that they will be sending the committee several dates for the "Understanding Special Education" (USE) course and workshops.

Heidi Lawyer– The Youth Leadership Forum material is not just for use with students with learning disabilities, but with all students with disabilities. She requested members to please include other disability areas when making nominations.

Other Announcements:

Doug Cox shared that a belief is circulating that a student does not get credit if the teacher is not highly qualified under NCLB. A special education teacher teaching content to a student is not going to cause a student to lose the credit; however, this is an issue for the school system.

Sandra Ruffin announced the Cultural Competency training for T/TAC and VDOE staff in Charlottesville on October 7, 2003.