

**State Special Education Advisory Committee (SSEAC)
Subcommittee for State Operated Programs' Annual Plan Review**

**Meeting Summary
May 11, 2010**

SSEAC Committee Members Present: Jacqueline Nelson, Lori Jackson

Virginia Department of Education (VDOE) Staff Present: Patricia Abrams,
Merilee Fox, Melissa Smith

Interpreter: Cat Clough

State Programs Representatives: Sharon Trimmer, Department of Correctional Education; Sherwin Davis, State Facilities for Intellectual Disabilities; Linda Bradford, State Mental Health Facilities; Rachel Potter, Detention Homes; Nate Sparks, Hospital Education Programs

Public Observers: None

All school divisions, state-operated programs, and the Virginia School for the Deaf and the Blind are required to establish eligibility for funding under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). IDEA requires that each local educational agency (LEA), in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State's policies and procedures, which have been established in accordance with IDEA. This Annual Plan process helps ensure the LEA's accountability, and in turn the Virginia Department of Education's accountability, for implementation of the IDEA requirements in providing programs for children with disabilities. Annual special education plans for State Operated Programs (SOPs) are submitted to establish eligibility to receive Section 611 and 619 funding under Part B of the Individuals with Disabilities Education Improvement Act 2004 (IDEA). These documents are collected as a component of the department's overall responsibility to ensure compliance with the IDEA, its federal implementing regulations, and the *Regulations Governing Special Education Programs in Virginia*. This funding is made available on the condition that special education policies and procedures are implemented in compliance with applicable legal mandates.

SOPs are not responsible for the development of a local advisory committee, and are not required to complete the local special education advisory committee section of the Annual Plan. Rather, SOPs conduct a review of their policies and procedures with an assigned subcommittee of the State Special Education Advisory Committee on an annual basis on a date designated by the Virginia Department of Education. The Department of Correctional Education's Annual Plan is also reviewed by their Board. The regional and

local detention homes do not receive special education federal funds and therefore are not required to submit Annual Plans. However, a representative from the detention homes participated in the SSEAC sub-committee review of SOPs. Mental Health programs not serving preschool age populations are not eligible for 619 funds. In addition, several requirements do not apply to SOPs. These are not included in their Annual Plan documents. In addition to monitoring SOPs, staff at the department work with individual SOPs, including detention homes, to refine areas where the need for modification of the policies or procedures may exist.

The SOP Annual Plans were mailed to the SSEAC sub-committee members prior to the meeting for their review.

The SOP representatives reported that they will submit assurances that indicate the necessary changes in their policies and procedures to be in compliance with state and federal guidelines. They also reported on the extent to which the current plan has been implemented. Other information specific to each facility is listed below.

Hospital Education Programs

The hospital education programs provide services to over 3,000 students with special education needs and 4,000 general education students of average age 10 years old. The average length of stay is 4-7 days. In addition to making the required changes in procedures to reflect federal and state guidance, the hospital education programs are evaluated at various times for adherence to federal and state laws, program effectiveness, and other audits. IDEA Part B funds are used for technology improvement, data collection, and staff development including research-based practices. Early childhood funds are used for assistive technology, "Reach Out and Read" programs, instructional materials and adaptive toys. Issues raised about least restrictive environment (LRE) have been resolved. School divisions are providing transportation from the hospital to public schools where appropriate.

State Mental Health Facilities

The four mental health facilities serve over 2,000 students each year that are hospitalized on an acute basis. The southwestern facility will no longer be serving children under age 18 years old. The education manuals are designed to be in compliance with IDEA. The education programs offer an array of courses including art, music and speech and language services. They use research-based instructional techniques and students are assessed on academic progress. The facilities continue to address challenges in providing the state Standards of Learning (SOL) tests with the shifting student population. Federal funds are used for updating the materials used to prepare students for taking the General Education Development (GED) test, technology and staff development.

State Facilities for Intellectual Disabilities

The five state facilities for intellectual disabilities are operated under the Virginia Department of Behavioral Health and Disabilities. Four of the five state facilities for intellectual disabilities are currently serving school-age children with intellectual

disabilities and have education manuals designed to be consistent with IDEA and the guidance document provided by the Virginia Department of Education. The northern Virginia facility does not have children in the education program. The southeastern facility is undergoing renovation to include neighborhood housing, which is scheduled to be open in September 2011. Services to students in the local school divisions are determined on an individual basis. At this time, these education programs have very few children. The decrease in the size of these programs over the past few years reflects success in local public school programs addressing the needs. Federal funds are used for educational materials.

Woodrow Wilson Rehabilitation Center

Virginia's Woodrow Wilson Rehabilitation Center (WWRC) is one of seven comprehensive rehabilitation centers in the United States. All clients/students attending WWRC have already been identified with a disability. WWRC serves approximately 500-600 students a year. Approximately 60% of the clients are 18 to 22 years of age and are participating in transition. WWRC assures that all applicable requirements are followed. Funds are used primarily to support materials and technology.

Department of Correctional Education (DCE)

DCE has 29 facilities. On average 1,500 students are served each year. Approximately 40% of the population is identified as needing special education (approximately 42% emotional disability, 25% learning disability, 20% other health impairment, 6% intellectual disability). DCE functions as a public school and students with disabilities are primarily integrated with non-disabled peers in classes. There is a Board that oversees DCE, which also reviews the Annual Plan. The education program offers the diploma options and was fully accredited this year showing an average 86% pass rate on the state Standards of Learning (SOL) tests. Federal funding is used to support personnel to provide special education and/or support services and staff development activities.

Regional & Local Detention Homes

The detention homes are not required to submit an Annual Plan; however they were included in this review process. The detention homes operate under a policy and procedure manual, which is designed to be in compliance with IDEA. The average length of stay varies according to predisposition (15-20 days) or post-disposition, which could range from 4-6 months. The past few years, the facilities are seeing more girls and younger children. Literacy coaches are being used in the school programs. Two of the centers (Shenandoah and northern Virginia) are participating in a federal program that provides for English language learners through the federal Office of Refugee Resettlement Division of Unaccompanied Children's Services. There are challenges to complete ESL testing and teaching of English along with the regular instruction.

Future Plan Announcements

The Virginia Department of Education will use a comprehensive automated system for the next submission of Annual Plans. SOP directors were informed to begin working through the automated OMEGA system to build the necessary approval flow before the Plans are due next year.

The SSEAC committee members and VDOE staff expressed appreciation to the presenters for their assistance.

No public comment was received.

The meeting was adjourned.