

# *State Special Education Advisory Committee*

## **Meeting Minutes**

**April 11-12, 2013**

**Thursday, April 11, 2013**

### **In attendance:**

#### *State Special Education Advisory Committee (SSEAC) Members:*

Jackie Fagan, Chair; Lori Jackson Black, Vice Chair; Christy Evanko, Secretary; Sandy Hermann, Parliamentarian; Adam Amick; Judy Averill; Paula Baker; Cynthia Bauer; Christina Draper; Fran Goforth; Scott Kizner; Darren Minarik; Jacqui Wilson

#### *Ex-officio Members:*

Suzanne Bowers, Parent Education Advocacy and Training Center (PEATC); Heidi Lawyer, Virginia Board for People with Disabilities

#### *Virginia Department of Education (VDOE) Representatives:*

John Eisenberg, Suzanne Creasey, Michele Orr

#### *SSEAC Members Absent:*

Eva Aikins, Jusolyn Bradshaw, Kathryn Hayfield, Alison MacArthur

### **Call to Order**

Ms. Jackie Fagan, Chair, called the meeting to order at 9 a.m. The committee members introduced themselves.

### **Business Session**

#### **Approval of Agenda**

The committee was directed to look over the agenda. Ms. Sandra Hermann made a motion to approve the agenda and Ms. Fran Goforth seconded. There was no discussion and the motion passed unanimously.

#### **Approval of Minutes**

The committee was asked to review the minutes for approval. Ms. Fran Goforth made a motion to approve the minutes and Ms. Sandra Hermann seconded. There was no discussion and the motion passed unanimously.

## **Report on Follow-up to Public Comment from Previous Meeting**

At the prior meeting, a constituent made public comment regarding transition services and indicated that she does not feel her child is prepared for postsecondary needs, including employment. In a response from the VDOE, the commenter was encouraged to share her concerns with her child's Individualized Education Program (IEP) team. She was also informed that the SSEAC's subcommittee on achievement will be exploring the issue, and that it will be considered with others when the committee develops its annual report to the Board of Education.

## **State Operated Programs Annual Applications for Federal Funding**

Mr. John Eisenberg informed the committee that Ms. Tracie Coleman would attend the meeting on Friday to review the annual applications submitted by state operated programs. Mr. Eisenberg noted that the proposals are available in a binder and that members are welcome to review prior to Ms. Coleman's presentation. The agency is required by federal and state regulations to review the applications with the State Special Education Advisory Committee.

## **Resignation of Michael Carrasco, Region 4 Parent Representative**

Mr. Carrasco has resigned from the SSEAC due to work obligations. The Department of Education is accepting applications for his position and other openings.

## **Assistant Superintendent's Report and Presentations**

### **General Assembly Update**

Mr. Eisenberg provided information and facilitated discussion of some of the legislation related to education that was considered and passed by the 2013 Session of the General Assembly.

Selected bills discussed were:

- HB 1871 – This bill defines bullying and requires policies by school boards. Mr. Eisenberg would like representation from the SSEAC when the VDOE begins work on the model policies.
- HB 2019 – This bill requires posting of current policies by school divisions. A member questioned who would enforce the law. Mr. Eisenberg replied that there is no provision for enforcement within the law.
- HB 1344/SB 1097 – These bills state that school divisions may ensure that IEP teams consider communication needs of children who are deaf or hard-of-hearing and that a student may receive instruction in more than one mode or language. The IEP team should ensure that parents are informed of all modes of communication and the parents should be introduced to people who already use the chosen form of communication.
- HB 1420 – This bill defines an “intervener” for the purposes of assisting a student who is deaf and blind. This could affect about 130 to 140 students. The VDOE has a specific training sequence for interveners.
- HB 1999/SB 1207 – This bill changes the accreditation designation of schools from met or denied accreditation to an A-F grading system. There have been other states that have used this method. The grading system will be closely tied to Standards of Learning (SOL)

scores, and the system is to be defined by July 2013.

- SB 1324 – This bill creates the Opportunity Educational Institution (OEI) that will take over schools that have been denied accreditation a specified number of times. The OEI will be administered and supervised by a nine-member board, which includes four legislative members and five non-legislative members and has no relationship to the VDOE. While the law did pass, there may be legal challenges to it. This bill was part of the Governor’s “All Students” package.
- HB 2028/SB 807 – This bill requires that every teacher seeking initial licensure or renewal of licensure be required to complete certification in CPR and emergency first aid. The board may waive the requirement for people with disabilities. The bill also requires 2016-2017 ninth graders to complete the same certification to receive a Standard or Advanced Studies diploma.
- HB 2084/SB 1175 – This bill creates a two-year provisional license for participants in “Teach for America.”
- SJR 330 – This bill directs the Joint Commission on Health Care to study the service needs of individuals with autism spectrum disorder that are transitioning out of school, including needs related to housing, employment, and day support services. The study should be completed around October or November of this year.

The above list includes only the bills discussed at the SSEAC meeting. Interested parties can go to the VDOE Web site: <http://www.VDOE.virginia.gov/boe/legislation/index.shtml> to learn more about bills that affect education.

### **Charter School Application**

Mr. Eisenberg discussed charter schools as part of the Governor’s schools initiative. Richmond City Public Schools (RCPS) has developed a proposal for a charter school that focuses on functional life skills in addition to traditional academic skills and that gives students the opportunity to work in the community prior to graduation. The model will be individualized and only 10 students will be accepted annually. The selection will be based first on eligibility and then a lottery. The VDOE will provide a startup grant; however, the school division will need to secure future funding. The classroom-based instruction will be held in a local high school and students will be included in all aspects of the school. A team from RCPS plans to present the proposal to the Richmond City Board of Education and would like the SSEAC to provide a letter of support.

Ms. Christy Evanko made a motion that the SSEAC develop a letter of support for the Richmond City charter school and Ms. Cynthia Bauer seconded the motion. The motion passed unanimously. The subcommittee on student achievement will draft a letter of support and present it to the SSEAC on Friday to make changes and vote. Members of the committee, in discussing the motion, indicated that it was important to include that this charter school would be a model for future similar schools and therefore data must be collected and shared. Members also want the letter to highlight the inclusion aspect of the program. Members wanted to clarify the letter not actually be a typical letter of support (in that the committee would be involved), but emphasize the committee’s excitement about the project.

The committee adjourned for lunch at 12:07 p.m.

### **Lunch**

The committee reconvened at 1:01 p.m.

### **Public Comment**

Two letters were presented taking opposite views of potential changes to special education teacher licensure. The licensure regulations are currently in the revision process. The Administrative Process Act (APA) process will take approximately 18 months.

The first letter read was from George Mason University. It offered three proposals for changes to the regulations including offering licensure with the completion of a bachelor's degree, and the ability to focus on specific disability or content areas.

The second letter read was from Radford University indicating satisfaction with the regulations in their current form.

The committee members wish to learn more about the regulations and how they can comment on any changes.

### **Assistant Superintendent's Report and Presentations (continued)**

#### **Standard Diploma Accommodations for Students with Disabilities**

Mr. Eisenberg discussed the new accommodations for the standard diploma, in the wake of the removal of the modified standard diploma. These accommodations have been approved and are effective immediately for children who are currently seeking diplomas. They can also be used for any child who has not yet reached the age of 22. It is important to note that any accommodations must be documented in the child's IEP.

Other topics on Mr. Eisenberg's agenda, including staffing updates, the annual performance report summary, and the special diploma reform were not covered due to time constraints. The SSEAC expressed interest in hearing more about the special diploma changes.

## Virtual Schools

*Presenter:* Ms. B. Jean Weller, Instructional Technology Specialist  
Virginia Department of Education

Ms. Weller presented information regarding virtual learning and how it may impact students with special needs. Ms. Weller differentiated between informal virtual learning, which can take place anywhere, and formal virtual schooling, which requires an Internet connection. There are also blended learning courses that combine virtual and traditional learning environments, which have been shown to be very effective. Students entering ninth grade in 2013-2014 and beyond will be required to take one virtual course, but the VDOE is leaving the specifics up to school boards. The virtual course is not required to be credit-bearing. The Commonwealth of Virginia provides virtual learning opportunities through Virtual Virginia, and other content is provided by both not-for-profit and for-profit institutions.

Advantages of virtual schooling include students' opportunities to learn content outside of the expertise of the personnel in their school divisions, and to learn in ways that are useful to them. Benefits for students with special needs include learning in a quiet atmosphere free from distractions, learning at an individual pace, retaking a course that was failed in the traditional environment, and the ability to take classes in situations where there are health or other life challenges that interfere with traditional learning. Many virtual courses, however, are not being designed with students with special needs in mind, and it is very difficult to retrofit them. It will be important to communicate to IEP teams on how to incorporate virtual learning and provide the necessary accommodations.

### Constituency Reports

<i>Name</i>	<i>Report</i>
Darren Minarik	<ul style="list-style-type: none"><li>• The Radford University (RU) School of Teacher Education and Leadership's (STEL) Project MERGE (Merging Expertise for Results in General Education) is in its final year. The MERGE grant is funded by the U.S. Department of Education, Office of Special Education Programs. The grant is part of OSEP's personnel preparation improvement program, which emphasizes the goal of increasing the numbers of special education teachers who are highly qualified according to the standards of IDEA.</li><li>• The project also produced an eleven-minute video, "Transforming Our Practice," that shares personal testimonials about collaboration and co-teaching from RU students in their field placements and recent graduates. The video was shown at the SSEAC meeting as a part of the constituency report.</li><li>• Dr. Patricia Abrams and the Special Education Instructional Services Office staff requested input from higher education special education program faculty regarding the <i>Licensure Regulations for School Personnel</i> and the <i>Regulations Governing the Review and Approval of Education Programs</i>, which are being revised. This request was made because the teacher competencies must be aligned with the Standards</li></ul>

	<p>of Learning (SOL) and professional standards. There is concern that it has been over five years since the last revision of the regulations.</p> <ul style="list-style-type: none"> <li>• During SSEAC public comment, letters drafted by George Mason University and Radford University were shared. George Mason University is requesting some significant changes to extend special education program offerings while Radford University supports the current standards</li> <li>• As the higher education SSEAC representative, I encourage my constituents in the higher education community to share thoughts regarding licensure to the VDOE. You may also share your ideas with me and I will provide an update during the Summer SSEAC meeting.</li> </ul>
Cynthia Bauer	<p>Custody Assistance has been available to relatives to move children from foster care; Virginia will eliminate that assistance due to lack of funds. April is “Child Abuse Prevention Month.” This recognition was established in 1989 by a grandmother of a 3 year old. This is a blue ribbon campaign and all are encouraged to wear blue on Monday, April 15, to show support for the prevention of child abuse. The Governor wants to increase the number of adoptions in Virginia so efforts to find adoption homes are necessary.</p>
Christy Evanko	<p>Multiple localities within the region have received public comment regarding transition services and students not being prepared for life after high school. Families are very interested in this topic and look forward to more information from the Department of Education.</p>
Judy Averill	<p>This is my last constituency report. CEC’s Division on Career Development and Transition will hold its 17<sup>th</sup> international conference in Williamsburg on November 14-16, 2013. This will be a good opportunity to go to a national conference.</p>
Heidi Lawyer	<p>The Board issued a “Request for Proposals” under its Competitive Grant Program in December 2012 and, after reviewing 31 Letters of Interest, selected 13 to move on to full proposal stage. The Grant review team will make recommendations to the full Board for grant awards at its June meeting. Up to \$800,000 is available. Applications for Partners in Policymaking Class of 2014 are due on April 30. If you know of anyone interested, there are still 2 weeks left for this great program. The Board conducted a 30-day social media campaign on its Facebook page and E-news for Developmental Disabilities Awareness Month. The Governor developed a 30 second PSA for us and we worked with DBHDS and the Arc of Virginia to have a proclamation issued. Between March 1 and August 31, the Board is seeking public input for our 2014 Assessment of the Disability Services System to identify service system strengths, weaknesses, and gaps in areas such as early intervention, education, employment, housing, transportation, community supports and more. Our comment form is online at the Board’s Web site at <a href="http://www.vaboard.org">www.vaboard.org</a>. You can also comment by letter, fax, or phone. We are holding several focus groups and are conducting video conferences in the southwest part of the state, working with Centers for Independent</p>

	Living. I have copies of the written form here today.
Sandy Hermann	<ul style="list-style-type: none"> <li>• Numerous SEACs in my region have continued to identify challenges with member attendance. A couple of them are also in the process of reviewing and revising their bylaws. Williamsburg-James City County and Virginia Beach both continue to meet monthly.</li> <li>• Williamsburg-James City County has discussed proposed cuts in the special education budget; FBAs and BIPs; ESY; bullying; transition issues, particularly the lack of services and options once students age out of the public school system; the role of school psychologists; the changes to standard diploma credit for those with disabilities; and new policies to address graduation rates for children with disabilities.</li> <li>• The Virginia Beach SEAC has continued to regularly work with the division in identifying training for paraprofessionals working with children identified with autism; disability awareness for all individuals and students within the division; consistency in inclusion opportunities within schools; transportation concerns for children with disabilities; SMART goal development; use of People First language within all school policies and procedures; changes to standard diploma options for students with disabilities; and education for new school board members and parents. The SEAC also received a favorable decision from OCR. The SEAC coordinated an awards ceremony for students who had won a People First Language bookmark contest and provided each of the winning schools' principal bookmarks printed by Kathie Snow, national disability advocate.</li> <li>• This year I have not heard from any SEACs who were precluded from participation in the review of the Annual Plan and Funding application, as I did last year. Thanks to Dr. Wright for reiterating the importance of SEACs participation in that process.</li> </ul>
Suzanne Bowers	<ul style="list-style-type: none"> <li>• Some of the trends we've identified this quarter include suspension, new diploma requirements, mental health, and eligibility. We provided assistance to 2,486 families in the last quarter through the PTI grant. We had 18,711 unique visitors on our Web site over the last quarter; 1,130 friends on Facebook; and 138 followers on Twitter which is directly linked to Facebook.</li> <li>• With the Virginia Latino grant, over the past quarter we have had 923 intakes; 7 resource fairs with a total of 324 participants; and 3 new translated fact sheets.</li> <li>• A number of trainings are planned for the next quarter and can be found on our Web site.</li> </ul>
Jackie Fagan	In Region 7, Pulaski County will have 140 paraprofessionals and general education teachers who have completed the online autism course. CPR and first aid certification is also being provided. If the state approves the budget, there will be no reported layoffs in our region. We now have iPad carts placed in all schools in Pulaski County with 10 per cart. Teachers have been trained mostly by the students with assistance from the Instructional Technology department.

Fran Goforth	<ul style="list-style-type: none"> <li>• The spring VCASE meeting will be held in Virginia Beach May 22 – 24. In addition to presentations from Dr. Marilyn Friend and Dr. John Hodge, John Eisenberg, Assistant Superintendent of Special Education and Student Services will be giving his first VDOE State of the State address. Attorneys from Reed Smith will also be providing a legal update at the conference.</li> <li>• Superintendent’s Memo #057-13 was posted recently asking for nominations for the Aspiring Special Education Leaders Academy. This will be the sixth cohort of training provided by VDOE. Application packets of interested staff members must be submitted and postmarked by April 26, 2013.</li> <li>• Additionally, VDOE has notified the LEAs that it will be sponsoring a training on traumatic brain injury to a third cohort. If a school division is interested it must submit an application no later than May 3.</li> </ul>
Jacqui Wilson	<p>Local SEACs continue to have difficulty with attendance at meetings. In Region 5, we have been trying to bring more awareness to physical/extra-curricular activities for children/adults with disabilities. There are local concerns from parents regarding summer remedial programs for students who don't pass SOL but do well all year with classes. There are also concerns about continuity of paraprofessionals with students with disabilities when they transfer from elementary to middle and middle to high school. There continue to be questions regarding what is considered appropriate educational-based therapy services.</p>
Paula Baker	No Report
Scott Kizner	<p>Superintendents are concerned about the new grading system for schools and believe there may be unintended consequences such as an effect on real estate values in areas where schools get lower grades.</p>
Lori Jackson Black	<p>A local Resource Council has been formed in Mathews County. It has worked in cooperation with resource councils in Gloucester, Middlesex and King and Queen Counties to share resources. These councils will be represented at a regional resource fair that will take place at New Hope UMC in Glens (near Rappahannock Community College) on Saturday May 18 from 10 a.m. to 2 p.m.</p>
Christina Draper	<p>Parents have had questions about diploma changes, but for the most part, the attitude is positive. Students who have developmental disabilities who have a one-on-one paraprofessional to accompany them to classes and assist them with personal needs expressed concern along with their parents about transitioning to college. The concern was that the college does not, nor is it required to provide a one-on-one person to help with personal needs such as toileting. I told the students and parents about the Consumer Directed Waiver that allows individuals to hire their own personal care attendants to assist them with their daily living needs wherever they are, including college campuses. The Arc of Martinsville and surrounding counties of Henry, Patrick and Franklin are spreading the word about an online registry for personal attendants to register. Families and</p>

	individuals may go online to find attendants for their children or for themselves if they are 18 years of age or older. This registry is free and contacting the attendants is free.
Adam Amick	“I’m Determined” youth leaders will be planning the June summit. Youth leaders Cameron Wilmer and Annie Downing met with John Eisenberg last Friday to discuss a proposal about an anti-bullying project.

**Announcements**

Mr. John Eisenberg announced that in the 60 days prior to the application deadline for Part B funds, there are certain requirements for the VDOE. The details have been posted for 30 days and the public has been officially notified that they can provide comment. The revised budget is not available, so last year’s allocation is quoted. Public comments should be sent to Mr. Eisenberg at [john.eisenberg@VDOE.virginia.gov](mailto:john.eisenberg@VDOE.virginia.gov)

Mr. Eisenberg also stated that there has been an instance where the public has made negative comments about an SSEAC member. This type of behaviour is inappropriate and unprofessional. SSEAC members are volunteers and their time and services is appreciated. Those making comments do not attend the meetings and do not understand the commitment of the members. He expressed his appreciation for the commitment of the committee members, and he apologized to members personally. Members in this situation should contact Mr. Eisenberg.

Jackie Fagan called for a motion to adjourn. Sandy Hermann moved that the meeting be adjourned. Fran Goforth seconded the motion. The motion was passed unanimously, and the meeting adjourned.

**Friday, April 12, 2013**

**In attendance:**

*State Special Education Advisory Committee (SSEAC) Members:*

Jackie Fagan, Chair; Lori Jackson Black, Vice Chair; Christy Evanko, Secretary; Sandy Hermann, Parliamentarian; Adam Amick; Judy Averill; Paula Baker; Cynthia Bauer; Christina Draper; Fran Goforth; Scott Kizner; Darren Minarik; Jacqui Wilson

*Ex-officio Members:*

Suzanne Bowers, Parent Education Advocacy and Training Center (PEATC); Heidi Lawyer, Virginia Board for People with Disabilities

*Department of Education Representatives:*

John Eisenberg, Suzanne Creasey, Michele Orr, Patricia Haymes, Hank Millward, Samantha Hollins, Jeff Phenicie, Tracie Coleman

*SSEAC Members Absent:*

Eva Aikins, Jusolyn Bradshaw, Kathryn Hayfield, Alison MacArthur

**Call to Order**

Ms. Jackie Fagan, Chair, called the meeting to order at 8:59 a.m. Visitors from the Department of Education were asked to introduce themselves and Ms. Fagan welcomed them.

**Applications for Federal Funding from State Operated Programs  
for the 2013-2014 School Year**

Ms. Tracie Coleman spoke to the committee about the applications for federal funding from state operated programs. Review of these applications (but not approval) by the SSEAC is required under state and federal regulations. Each state operated program submits an annual request for funding. There are currently 13 state operated programs - all receiving funding from IDEA 611: School age funds, and three programs receiving funding from IDEA 619: Preschool funds. The Department of Juvenile Justice tends to receive higher funding because it serves students on a more consistent basis.

**Other Business**

In the Thursday meeting, the SSEAC voted to write a letter of support of the charter school program for Richmond City Schools. Members of the Achievement Subcommittee drafted a letter that was discussed among the committee. Revisions were made based on the discussion. Ms. Sandra Hermann moved to approve the letter, with changes, in support of the model charter program in Richmond, and to submit the letter to the appropriate parties. Ms. Fran Goforth seconded. The motion passed with all members in attendance voting for the motion with the exception of Mr. Adam Amick, who abstained. The letter was printed and signed by Ms. Jackie Fagan, chair. It will be delivered to the necessary parties.

The subcommittees met.

## Subcommittee Reports

### **Policy and Regulation Subcommittee**

The subcommittee was updated on several policy and regulations areas.

- With the teacher licensure guidelines being revised, the subcommittee suggested that Ms. Patty Pitts be invited to present at the next meeting to address licensure related to needs of students with disabilities.
- The subcommittee also recommended that the SSEAC members review the VDOE Web site to become familiar with it. It was also suggested that Ms. Melissa Luchau be invited to attend the next meeting to review briefly how the Board of Education operates.
- There are Medicaid billing changes that allow the school division to move forward with Medicaid billing with only one consent per year.
- FERPA changes allow Social Services to have access to student records.
- There is a military families' guidance document currently being revised for those moving into Virginia.
- There is a guidance document related to service animals for LEAs to develop policies that meet the law.
- Representative Miller from California is still trying to push through legislation on restraint and seclusion in Congress, but does not believe it will pass.

### **Student Achievement Subcommittee**

The subcommittee reviewed the Part B Annual Performance Report for 2010-2011, as well as the new Credit Accommodations. Additionally, the group discussed the need for the balance of functional and academic skills and how those skills tie in with the Personal Finance requirement and 21 Workplace Readiness Skills. Next steps for the subcommittee include introducing new members to the group. The subcommittee also looks forward to hearing more about the new requirements for the special diplomas, including competency-based skills. In the future, the group plans to discuss the new special education teacher licensure regulations, specifically looking at the supports and education provided to teachers regarding behavior principles.

### **Student Outcomes Subcommittee**

Ms. Samantha Hollins provided the data that the group had requested at the last meeting. Based on the data, the group discussed:

- How to improve outcomes, not just academic, but also resources and parental involvement in the community.
- The need for guidance, such as a document to help parents understand the ramifications of their decisions regarding diplomas. Information may be disseminated via IEP meetings, webinars, links on VDOE Web site, etc.
- Dropout rates and graduation data.

Mr. John Eisenberg asked the group to hone in on the outcomes on the state performance report

that are controllable, such as graduation and dropout indicators. Some ideas for early childhood, discipline, and other outcome indicators would be helpful.

### **Next Meeting Agenda**

Some members expressed their pleasure with the new subcommittee format but suggested that the VDOE staff have structured agendas for the subcommittee meetings. It was suggested that the next meeting include a presentation from Ms. Patty Pitts about licensure for special education teachers and that Ms. Melissa Luchau present briefly about how the Board of Education operates with respect to its agenda items and public comment. It was also noted that it is important that Mr. John Eisenberg provide current information about initiatives. He indicated that budget information will be important in July. He will plan to present an update on the status of legislative actions, initiatives of the VDOE and the budget.

### **Public Comment Review**

The Committee thanks George Mason University and Radford University for bringing the special education teacher licensure regulations to its attention and plans to discuss the topic in future meetings.

### **Appreciation to Members Whose Terms are Expiring**

Certificates were presented to Christina Draper and Judy Averill for their years of service. The committee appreciates their dedication and wishes them the best in their future endeavors. The SSEAC also invited them to participate as visitors in future meetings.

Currently there are openings on the SSEAC as follows:

- an individual with a disability;
- a representative of transition-vocational education for students with disabilities;
- a representative of private schools that provide special education services; and
- a parent of a student with a disability from Region 4.

Ms. Christy Evanko made a motion to adjourn and Ms. Sandy Hermann seconded. The vote was unanimous and the committee adjourned at 11:35 a.m.