

State Special Education Advisory Committee (SSEAC)
Meeting Minutes

Thursday, July 28, 2016

Members Present: Mr. Adam Amick, Ms. Jill Becker, Mr. Jack Brandt, Dr. Jeffrey Cassell, Ms. Christy Evanko, Mr. Damon Garrison, Ms. Christine Germeyer, Ms. Catherine King, Mr. Matt Luther, Ms. Alison MacArthur, Ms. Erica Midboe, Mr. Darren Minarik, Ms. Lisa Richard, Ms. Lora Smith, Mr. Brian Summo, Ms. Joan Sumner, Ms. Jacqui Wilson

Members Absent: Ms. Tashue Mason, Mr. Wyllys VanDerwerker

Ex-officio Members Present: Ms. Kristin Kane for Ms. Suzanne Bowers (PEATC), Mr. John Cimino for Ms. Heidi Lawyer (VBPD)

Virginia Department of Education (VDOE) Representatives Present: Dr. Pat Abrams, Dr. Suzanne Creasey, Mr. Ron Geiersbach, Ms. Pat Haymes, Ms. Marie Ireland, Mr. Daniel Irwin, Dr. Teresa Lee

Call to Order

Mr. Darren Minarik called the meeting to order at 9:03 a.m. The committee members introduced themselves.

Business Session

Approval of Agenda

The committee was asked to review the proposed agenda. The only change is the date of the next meeting which will be October 13 and 14. Ms. Christy Evanko made a motion to approve the agenda and Ms. Erica Midboe seconded. The motion was approved unanimously. New members were instructed not to vote until they have been approved by the Board of Education, which should happen this morning.

Approval of Minutes

The minutes were distributed electronically prior to the meeting and members were encouraged to come prepared with any changes. No changes were offered. Ms. Alison MacArthur made a motion to approve the minutes as written. Ms. Catherine King seconded the motion. The motion passed unanimously.

Report Follow-up to Public Comment from Previous Meeting

All the letters submitted last meeting were done so through constituency reports and therefore no response was required.

Presentation

Update on Facilitated Communication and Rapid Prompting Method

- *Ms. Marie Ireland, Specialist, Virginia Department of Education*
- *Mr. Daniel Irwin, Specialist, Virginia Department of Education*

Ms. Ireland and Mr. Irwin presented on communication and the different methods of teaching and producing communication. They discussed the role that Title II plays and shared some research on the methods. Title II states that the public school must honor the choice of the student (or family by proxy) unless the school can provide a choice that is as effective as if the student had no disability. Title II does not designate a specific process. Under IDEA, there may be conflicting guidance in that the IEP team has responsibility for FAPE, which may conflict with the parent request. Some recent issues have arisen with a method called Rapid Prompting Method where there are multiple lawsuits in multiple school divisions. This intervention is not recognized as evidence-based as researchers are not able to replicate or validate the results and therefore IEP teams do not want to include this intervention in the IEP. In some cases, parents have asked to use Rapid Prompting Method exclusively.

Annual Report to the Board of Education

The committee looked at the draft copy of the annual report that will be presented to the Board of Education in September. Mr. Minarik led the committee through the sections of the report. After reviewing the introduction, committee organization, standing subcommittees, meetings, presentations, public comments, and issues identified through constituency reports, some changes were made and a motion was made to approve those sections by Mr. Adam Amick. Ms. Alison MacArthur seconded the motion and it was carried unanimously with new members, Mr. Jeffrey Cassell, Mr. Brian Summo, Ms. Lora Smith, and Ms. Christine Germeyer abstaining. Next, the committee reviewed commendations and made changes. A motion to approve was made by Ms. Erica Midboe and seconded by Ms. Catherine King. The vote was unanimous with new members, Mr. Jeffrey Cassell, Mr. Brian Summo, Ms. Lora Smith, and Ms. Christine Germeyer abstaining. Finally, the committee had a discussion regarding the recommendations. This discussion was tabled until subcommittee meetings scheduled for Friday.

Working Lunch

Members were asked to discuss commendations and recommendations included in the draft report to the Board of Education. The committee adjourned at 11:56 a.m. for a working lunch and reconvened at 1:10 p.m.

Public Comment

There were three letters provided; two discussed issues with Falls Church public schools special education and one addressed assistive technology and dysgraphia. In person, public comment regarding inclusion was presented by three speakers. One comment was provided about the presentation on RPM and how Title II and IDEA interact. One comment was provided about adding time for public comment at SSEAC meetings as a specific accommodation for those with

disabilities, issues with local SEACs being controlled by administration, and a commendation for I'm Determined.

Presentation

VDOE Inclusion Activity Update

- *Dr. Patricia Abrams, Director, Virginia Department of Education*
- *Dr. Teresa Lee, Specialist, Virginia Department of Education*

The summary of the Inclusive Practices Stakeholders Workgroup was distributed and members were asked for priorities. The Department of Education went through the summary and addressed some questions. A guidance document on co-teaching was distributed. Comments and suggestions were solicited from the committee.

Assistant Superintendent's Report

- *Mr. John Eisenberg, Assistant Superintendent, Division of Special Education and Student Services, Virginia Department of Education*
- *Dr. Samantha Hollins, Director, Virginia Department of Education*
- *Ms. Pat Haymes, Director, Virginia Department of Education*
- *Mr. Ron Geiersbach, Specialist, Virginia Department of Education*

Mr. John Eisenberg discussed some current issues on which his department is focusing.

- The recently passed dyslexia bill requires teachers seeking new or renewal licenses to take a course on dyslexia. The department is in the midst of building the content and it should be available next year.
- The recent I'm Determined Summit was very successful and filled to capacity.
- The department held its third annual Move summit (focusing on African-American males with disabilities). More information can be found on www.imdetermined.org.
- The state portion of the new Every Student Succeeds Act (ESSA replacing the No Child Left Behind legislation) is in process. The state is to develop an accountability plan to be approved by the federal government. The process requires wide stakeholder involvement and needs to be completed by December of 2016. Among the new guidelines, the state can pick a fifth accountability area and Virginia is looking at school climate (including chronic absenteeism and school discipline).
- The DOE held a conference that came out of the Governor's initiative looking at the disproportionality of suspensions and expulsions in vulnerable groups (e.g. minorities, disabilities). This is one of the Governor's top priorities. Approximately 800 people attended the conference.
- Mr. Eisenberg is currently the President of National State Directors of Special Educators and works with the Council of Exceptional Children. These organizations, among others, are gearing up for reauthorization of IDEA and will be developing core principles. Mr. Eisenberg will share with SSEAC when more information is known about the core principles.

Dr. Samantha Hollins discussed how Virginia earned the highest possible rating from the United States Department of Education (US DOE) for compliance with IDEA, for the fourth year in a row. Virginia was one of only 14 states to receive the highest rating in each of the four

monitoring areas (results, compliance, dispute resolution, and fiscal). Dr. Hollins went through the Special Education report card and discussed the move from compliance to results-driven accountability. Dr. Hollins discussed the impact of some recent legislation on the profile of a graduate.

Ms. Pat Haymes provided an update on restraint and seclusion and how it relates to corporal punishment. The Office of the Attorney General provided an opinion on the matter and there was a determination that there was not a conflict with the draft regulations previously presented and the agency is moving forward with that draft as a foundation. More stakeholders will be consulted.

Mr. Ron Geiersbach discussed a case that the Supreme Court is hearing from Michigan regarding special education and a service dog used by a student who is quadriplegic and has cerebral palsy. Another case from Texas involving Title II and regarding driver education classes for students with hearing impairments. The department is awaiting those decisions.

Constituency Reports

Name	Report
Mr. Adam Amick <i>People with Disabilities</i>	<ul style="list-style-type: none"> No report
Ms. Jill Becker <i>Juvenile Justice</i>	<ul style="list-style-type: none"> Juvenile Justice systems across the nation are changing (some mandated to make change, other not) from a less punitive to a more rehabilitative model. It is noteworthy that VA Department of Juvenile Justice (DJJ) is voluntarily making those changes. After reviewing various models across several States, VA DJJ chose to use components of the Missouri Model, which is a Community Treatment Approach. Currently, the transformation is about 1/2 completed. The projected completion date is June 2017. Recently, both general education and special education students from DJJ were represented at the June 30, 2016, DJJ Re-Entry Summit in Portsmouth, VA, to speak to stakeholders about the new model. Also, during breakout sessions, the DJJ Director of Special Education presented and answered several questions related to students with disabilities and the process for students returning to the community (local school divisions). DJJ was represented at the recent Juvenile Justice Symposium offered by PEATC on July 23, 2016. The presentation from DJJ was focused on the Community Treatment Model and current data that is being collected by DJJ regarding students with disabilities, to include: parent participation at meetings (IEP's, 504, manifestation determinations...etc.), ethnicity, graduation and diploma types, the number of students with disabilities moving into the Community Placement Programs (CPP) and Detention Re-Entry, and the number of students with disabilities removed from the typical education setting and data that supports services are being provided.
Mr. Jack Brandt <i>People with Disabilities</i>	<ul style="list-style-type: none"> No report
Dr. Jeffrey Cassell <i>Local Education Officials</i>	<ul style="list-style-type: none"> No report
Ms. Christy Evanko	<ul style="list-style-type: none"> No report

Name	Report
<i>Parent Representative, Region 1</i>	
Mr. Damon Garrison <i>Parent Representative, Region 2</i>	<ul style="list-style-type: none"> • One parent sent a comment to include in the constituency report. To help Virginia improve its inclusive education, she asked that the Virginia SSEAC include the following recommendations in the annual report to the Virginia Board of Education. <ul style="list-style-type: none"> • She would like to recommend that the VDOE explore options for an external consultant to evaluate status and trends across the Commonwealth that would guide the development of an inclusion implementation plan. • She would like to recommend the VDOE and TTAC conduct Inclusive Education Symposiums for general and special educators, paraprofessionals, administrators, support personnel (e.g., speech, OT, etc.), higher education facilities, and advocates to be presented by established experts on inclusive educational practices. This would be part of an ongoing education series that builds on videos and learning associated with co-teaching demonstration sites with a focus on best practices identified for students with low-incidence disabilities and those on alternative assessments. • She would like to recommend that the VDOE establish a Virginia Inclusion Center of Excellence similar to Maryland Center for Inclusive Education (MCIE) or New Jersey Center for Inclusive Education (NJCIE) to meet the need for capacity building of inclusive education at the local level. • She would like to recommend improved communication with all local Virginia SEACs concerning: a) the resources “Including Me” in Virginia and it’s continued implementation, b) identifying parent advocates for inclusion as well as educators who have inclusive classrooms with the goal of networking them across the Commonwealth with others, c) and suggestions for forming and executing an Inclusive Education subcommittee at the local SEAC level. • She would like to recommend that the VDOE develop an Inclusion guidance document(s) to clarify the following: <ul style="list-style-type: none"> ○ LRE decision making (i.e., students would only be removed from LRE setting upon student or parent request, or when meaningful and appropriate supports and accommodations have been provided to allow that student to succeed in the general education setting -- academically, behaviorally, and emotionally -- and those efforts have failed.) ○ Best practices in inclusive education (including gifted students, ELLs, and students with complex and significant support needs) in the general education setting in their neighborhood school, with differentiated or modified instruction for students requiring more intensive supports. ○ Multi-tiered system of services and supports as an essential component to inclusive education. ○ How to critically review, the vision, mission, policies, procedures, etc. to encourage and support inclusive education.
Ms. Christine Germeyer <i>Parent Representative, Region 4</i>	<ul style="list-style-type: none"> • Frederick County SEAC celebrated its 3rd year hosting a county-wide <i>I’m Determined Youth & Parent Mini Summit</i> for elementary, middle and high school students and their families.
Ms. Catherine King <i>Parent Representative, Region 6</i>	<ul style="list-style-type: none"> • No Report

Name	Report
<p>Mr. Matt Luther <i>Department of Aging and Rehabilitative Services</i></p>	<ul style="list-style-type: none"> • DARS continues to serve individuals who are considered the most significantly disabled. Currently there is no wait list for services. DARS has been explaining the Workforce Innovation and Opportunity Act (WIOA) and the Pre-Employment Transition Services (PRE-ETS) to all counselors. More funds will be spent on transition services and currently DARS is reviewing best practices for implementation.
<p>Ms. Alison MacArthur <i>Teacher</i></p>	<ul style="list-style-type: none"> • Concerns of teachers across the Commonwealth include: <ul style="list-style-type: none"> ○ Appropriate coverage when Special Education teachers are pulled from the classroom or absent. There is not always a substitute. ○ IEPs are not being followed with authenticity (for example, CTE/Health/PE aren't always able to give accommodations and modifications). ○ Site based management of special education funds does not always meet the needs. ○ Inclusion is implemented in different school systems differently, and there is no consistency. ○ There are increased caseloads, especially for speech and language pathologists. ○ High stakes testing has negative consequences for students with disabilities. ○ Trying to implement what is best in the co-teaching models (such as keeping teams that work well together for consistency and what is best for the students). ○ Both special education and general education teachers work additional hours outside of contracted hours due to missing planning time for meetings or attending meetings. ○ Would like to see continued efforts in creating a state-wide IEP system in order to help with consistency of services across localities.
<p>Ms. Tashue Mason <i>Parent Representative, Region 8</i></p>	<ul style="list-style-type: none"> • No Report (Absent)
<p>Ms. Erica Midboe <i>Transition and Vocational Services</i></p>	<ul style="list-style-type: none"> • From the ENDependence Center of Northern Virginia <ul style="list-style-type: none"> ○ Transition Services has been added as a Fifth Core CIL Service with the latest reauthorization of the Workforce Opportunities and Investment Act, which amended the Rehabilitation Act to add the Fifth Core Service and also moved the federal IL Program from the Department of Education to the U.S. Department of Health and Human Services, Administration on Community Living. CILs have always been dedicated to helping transitioning youth, but this Fifth Core Service defines youth as those who have already exited the school system. • Currently, the Statewide Independent Living Council (SILC) is working on a new three year Statewide Plan for Independent Living (SPIL), and we know that transition services (the Fifth Core Service) is likely to be the focus of that plan.
<p>Mr. Darren Minarik <i>Higher Education</i></p>	<ul style="list-style-type: none"> • No report
<p>Ms. Lisa Richard <i>Parent Representative, Region 7</i></p>	<ul style="list-style-type: none"> • No report
<p>Ms. Lora Smith <i>Foster Care - DSS</i></p>	<ul style="list-style-type: none"> • No report

Name	Report
Mr. Brian Summo <i>Private Education</i>	<ul style="list-style-type: none"> No report
Ms. Joan Sumner <i>Parent Representative, Region 3</i>	<ul style="list-style-type: none"> Northumberland County is working on a PRC and is completing the paperwork. Northumberland County also had one student attend the <i>I'm Determined Youth Summit</i> in June with excellent reviews. One particular parent expressed concerns on bullying and wanted to know the school's plan for bully prevention. Richmond County is also working on a PRC and also had one student attend the <i>I'm Determined Youth Summit</i>.
Mr. Wyllys VanDerwerker <i>Local Directors of Special Education</i>	<ul style="list-style-type: none"> VCASE held an outstanding conference in May. In addition to two full days of professional development activities, VCASE members received important information on "executive functioning" from Margaret Searle, Searle Enterprise, Inc. The VCASE Executive Committee spent time on Capitol Hill on July 12th. Their ongoing advocacy for the provision of quality educational services to students with disabilities is greatly appreciated. VCASE is looking forward to an outstanding school year.
Ms. Jacqui Wilson <i>Parent Representative, Region 5</i>	<ul style="list-style-type: none"> Campbell County SEAC is planning 2 events for fall. They will host their 3rd annual Touch a Truck/Trunk and Treat on October 29th. Last year over 150 kids with special needs attended. <ul style="list-style-type: none"> On November 19th, they will be hosting a Special Education Symposium and VDOE will be there. It will be open to all localities in their area. They have seen an increase in SEAC membership this year and parents continue to be concerned about diploma options and how the new high school structure will impact their children with disabilities. They are hoping for more updates on The Applied Studies Diploma. Amherst County SEAC is continuing to work on increasing membership. We plan on current SEAC members and the Amherst County students who have attended "I'm Determined" giving more information about SEAC to interested families at each school's open house. <ul style="list-style-type: none"> SEAC members and "I'm Determined" students plan on working together in October to improve inclusion of students with disabilities in our school division. The SEAC is also planning to work with parents and educators to have a better understanding of diploma options and how early testing and placement options can affect those options.
Ms. Suzanne Bowers <i>Ex-officio member, PEATC</i>	<ul style="list-style-type: none"> PEATC has a new satellite office in Hampton, VA (in addition to Charlottesville, Tazewell, and Tidewater). As the Parent Training and Information Center for Virginia, we serve the entire Commonwealth through one-on-one intakes with families and professionals, workshops and trainings, webinars, and various outreach initiatives. We have been partnering with VDOE to host a variety of trainings for parents and professionals throughout the summer. Please go our website to register! http://www.peatc.org/
Ms. Heidi Lawyer <i>VBPD</i>	<ul style="list-style-type: none"> No report (absent)

Ms. Alison MacArthur made a motion to adjourn and Ms. Erica Midboe seconded. The meeting adjourned at 4 p.m.

Friday, July 29

Members Present: Mr. Adam Amick, Mr. Jeffrey Cassell, Ms. Christy Evanko, Mr. Damon Garrison, Ms. Christine Germeyer, Mr. Matt Luther, Ms. Alison MacArthur, Ms. Erica Midboe, Mr. Darren Minarik, Ms. Lora Smith, Mr. Brian Summo, Ms. Jacqui Wilson, Ms. Joan Sumner, Ms. Lisa Richard, Ms. Catherine King.

Members Absent: Ms. Tashue Mason, Mr. Wyllys VanDerwerker, Mr. Jack Brandt, Ms. Jill Becker

Ex-officio Members Present: Ms. Kristin Kane for Suzanne Bowers - PEATC, Mr. John Cimino for Ms. Heidi Lawyer - VBPD

Virginia Department of Education (VDOE) Representatives Present: Ms. Pat Haymes, Dr. Samantha Hollins

Call to Order

Mr. Darren Minarik, called the meeting to order at 9:01 a.m.

Subcommittee Meetings

The subcommittees met to discuss the commendations and recommendations to be included in the annual report and then presented a summary of the discussions to the full group. Changes were made based on the subcommittees' work. Below are the motions made:

- Initial paragraph – Ms. Catherine King made a motion to accept the amended information, and Ms. Christine Germeyer seconded. The motion passed unanimously.
- Goal regarding use of Indicator 5 data – Mr. Adam Amick made a motion to accept the amended information, and Ms. Lora Smith seconded. The motion passed unanimously.
- Goal regarding access to higher education and career classes – Ms. Christy Evanko made a motion to add the goal and Mr. Brian Summo seconded. The motion passed unanimously.
- Goal regarding Universal Design – Ms. Alison MacArthur made a motion to accept the amended information, and Ms. Catherine King seconded. The motion passed unanimously.
- Goal regarding state-mandated testing and diploma options – Ms. Alison MacArthur made a motion to accept the amended information, and Ms. Catherine King seconded. The motion passed unanimously.
- Goal regarding professional development – Ms. Christy Evanko made a motion to accept the amended information, and Ms. Joan Sumner seconded. The motion passed unanimously.

A motion was then made by Christine Germeyer to accept all the recommendations and seconded by Mr. Matt Luther. The motion passed unanimously.

Finally, a motion was made by Ms. Alison MacArthur to accept the annual report as amended and was seconded by Ms. Erica Midboe. The motion passed unanimously.

Public Comment Review

Members discussed the public comment. Follow-up will be provided to those who commented and their comment will be used to inform annual report recommendations.

Future Meeting Agenda Discussion

Suggested agenda topics include:

- State and Federal update on Accreditations and ESSA (Oct)
- Update on CSA workgroup (Oct)
- Statewide IEP update (Dec)
- (WIOA) Workforce Investment Opportunity Act briefing
- Dispute Resolution Update (Dec or Oct)
- Aspiring Leaders (Dec)
- Report back on School Board presentation of Annual Report (Oct)

Note the next meeting date has changed to October 13-14, 2016.

Adjourn

Ms. Christy Evanko made a motion to adjourn the meeting and Ms. Erica Midboe seconded the motion. The meeting adjourned at 11:57 a.m.

Future Meeting Dates

- October 13-14, 2016
- December 1-2, 2016