

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

**Summary of Meeting
May 8, 2008**

SSEAC Committee Members Present: Jacqueline Nelson, Judy Averill
Virginia Department of Education (VDOE) Staff Present: Patricia Abrams, Merilee Fox, Karen Trump, Melissa Smith

State Programs Representative: Sharon Trimmer, Department of Correctional Education; Karen Trump, Virginia Schools for the Deaf and Blind; Sherwin Davis, State Facilities for Intellectual Disabilities (formerly known as Mental Retardation); John Whalen, State Mental Health Facilities; Rachel Potter, Detention Homes; Nate Sparks, Hospital Education Programs; Maggie Clower, Woodrow Wilson Rehabilitation Center

Public Observers: Sarah Herzog, Senate Finance Committee Staff

All school divisions, state-operated programs, the Virginia School for the Deaf and the Blind at Staunton, and the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton 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 funding under Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and 619 and Project Set Aside funds. 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*, effective March, 2002. This funding is made available on the condition that special education policies and procedures are implemented as approved by the Virginia Department of Education.

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 regional and local detention homes do not receive these federal funds and therefore are not required to

submit Annual Plans. However, representatives from the detention homes participated in the SSEAC sub-committee review of SOPs. Mental Health programs not serving pre-school age populations are not eligible for Application to 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 submitted the assurance document that indicates 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.

1. Department of Correctional Education (DCE)

DCE submitted an assurance document that indicates it has made all the necessary changes to be in full compliance with state and federal regulations. The policies and procedures manual deleted references that do not apply to the unique population of students served and where appropriate, references were made to indicate who is responsible for carrying out the procedure that are self-explanatory. State and federal funding are used to support personnel and operational costs, including instructional materials. Activities were implemented for staff development especially to address research-based instruction/intervention, data analysis, transition, and to develop teachers to be highly qualified.

2. Virginia School for the Deaf and the Blind at Staunton and Virginia School for the Deaf and the Blind and Multi-Disabled at Hampton

The Hampton school will provide services until June 2009. The school at Staunton met requirements for Adequate Yearly Progress (AYP). The Staunton school psychologist has been recognized for leadership in implementing visual-phonics training and increasing reading intervention programs. The General Assembly appropriated funds to help the Hampton area develop a day regional program, but no public entity has identified a need yet. Funds may be used to help support a program for preschool children with cochlear implants. Part B funds are used to supplement staff salaries, for student tuition to Valley Voc-Tech, contracted interpreting services, summer programs and ancillary services to enhance the program. The staff at the Staunton campus continues to be involved in planning for the consolidation of the two schools and serving students who also have cognitive and other disabilities in addition to hearing and visual impairments.

3. State Facilities for Intellectual Disabilities

Four of the five state facilities for intellectual disabilities (formerly, mental retardation) are currently serving school-age children with intellectual disabilities. These education programs are very small, serving 10 students. The gradual decrease in the size of these

programs over the past 15 years, reflects success in the growth of community-based services for people with intellectual disabilities and local public school special education program. Approximately 50% of students in the facilities are enrolled in local public school programs; the remaining students receive their education program on facility grounds. The four facilities maintain education policy and procedure manuals. The manuals were updated in accordance with guidance provided by the Virginia Department of Education. Federal funds are used for staff development and conference attendance, supplies and equipment, assistive technology, substitute coverage, and partial support of one staff position.

4. State Mental Health Facilities

The Mental Health facilities develop one Annual Plan with separate grant applications for the federal funds. No major changes were made to the policies and procedures. The education programs use research-based instructional techniques and students are assessed on academic progress. It is difficult to measure the effectiveness of the program as students do not stay in the facility for extended time. 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 instructional materials, supplies to support access to the general curriculum and students' IEP goals, supporting students in community-based activities, and staff development.

5. 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. Changes were made to the procedures manual for detention home education programs to address the new reenrollment regulations, records retention, transfer student procedures, and school completion, including the General Education Development (GED) program and Individual Student Alternative Education Program (ISAEP). In addition, the manual clarifies that each detention home education program shall offer summer enrichment services for the purpose of providing students with engaging and enriching academic activities that may or may not be SOL or core area directed.

6. Hospital Education Programs

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. Further reviews are conducted by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and the hospitals of residence for each program. These evaluations and reviews reflect adherence to JCAHO standards and the Health Insurance Portability and Accountability Act (HIPAA) and regulations. Fiscal monitoring is completed through cooperative activities between each program and its local supporting school division. Funds are used for professional development including research-based practices and response to intervention, books, materials, and assistive technology, updating parent information, expanding video streaming, and diagnostic and screening services for

preschool age children. Having children participate in state SOL testing remains challenging due to the nature of the medical/health complexities while they are in the hospital.

7. Woodrow Wilson Rehabilitation Center

Virginia's Woodrow Wilson Rehabilitation Center (WWRC) is one of eight 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 54% of the clients are 18 to 22 years of age. WWRC assures that all applicable requirements are followed. Recent monitoring found no violations. Funds are used primarily on supporting 8 full-time equivalent instructors that provide academic, employment skills, and occupational training skills to students. A new accountability standard set for WWRC is to have 80% clients employed after services have been provided.

The participants were asked to discuss needs for, or challenges with, providing services in the SOPs. The following challenges and needs were mentioned by SOP staff:

1. High student enrollment turnover makes it difficult to evaluate the program effectiveness on student outcomes.
2. High turnover and students from multiple jurisdictions make state Standards of Learning (SOL) testing challenging, with the limited department staff assigned to coordinate this task.
3. There have been some challenges in determining the source for awarding standard credit toward graduation.

The VDOE Annual Plan coordinator requested feedback on the process and reminded the group that the state special education regulations are in the revision process, and invited representatives to review, and make comment on, the sections pertaining to state programs represented at this meeting. A suggestion for future review meetings was to put the public comment time earlier on the agenda, as less time was needed for the presentations than anticipated. The SSEAC committee members and VDOE staff expressed appreciation to the presenters for their assistance. The state operated programs representatives invited the SSEAC committee members to visit the programs.

No public comment was received.

The meeting was adjourned.