VIRGINIA STATE
SPECIAL EDUCATION ADVISORY COMMITTEE (SSEAC)
ANNUAL REPORT
JULY 2022 - JUNE 2023

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## INTRODUCTION

The [*Individuals with Disabilities Education Act (IDEA 2004)*](https://sites.ed.gov/idea/about-idea/), at 34 CFR § 300.167 through 34 CFR § 300.169 and the [*Regulations Governing Special Education Programs for Students with Disabilities in Virginia*](https://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf) (the Virginia Regulations), at 8VAC20-81-20 15. a (1) through (11).require that Virginia establish and maintain a state advisory panel, known in Virginia as the State Special Education Advisory Committee (SSEAC), to advise the Virginia Department of Education (VDOE) and the Virginia Board of Education (VBOE) of the unmet needs of children with disabilities within Virginia. These regulations specify the membership requirements of the SSEAC and require that the membership consist mostly of parents of children with disabilities or individuals with disabilities. Specifically, the regulations require that the membership include one or more of the following:

* Parents of children with disabilities (ages birth through 26);
* Individuals with disabilities;
* Teachers;
* Representatives of institutions of higher education that prepare special education and related services personnel;
* State and local education officials, including officials who conduct activities under

Subtitle B of title VII of the [*McKinney-Vento Homeless Assistance Act*](https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim) (42 USC 11431 et seq.);

* Administrators of programs for children with disabilities;­
* Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
* Representatives of private schools and public charter schools;
* At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
* Representatives from the Virginia’s juvenile and adult corrections agencies; and
* A representative from the Virginia’s child welfare agency responsible for foster care.

In Virginia, the SSEAC membership is appointed by the Superintendent of Public Instruction or a designee and are appointed for an initial term of three years with the opportunity to be reappointed for a second three-year term. This report confirms that the SSEAC membership for the 2022-2023 operational year, July 1, 2022 - June 30, 2023, satisfied the requirements of the above-referenced regulations.

## COMMITTEE ORGANIZATION

The activities of Virginia's SSEAC are governed by the [Virginia Board of Education](https://www.doe.virginia.gov/data-policy-funding/virginia-board-of-education/board-committee-meetings/state-special-education-advisory-committee-sseac)

(BOE) bylaws for advisory committees. The SSEAC meets in regular session four times a year. Each regular session consists of one full day meeting followed by a half-day meeting the next day. Subcommittees and the executive committee meet as necessary to fulfill their responsibilities. Each regular meeting includes a public comment period. As previously noted, the SSEAC year commences on July 1 and ends on June 30 of the following calendar year. Committee members work with [Virginia Department of Education](https://www.doe.virginia.gov/) (VDOE) staff to establish priorities and agenda items for SSEAC meetings. In addition, the SSEAC delegates various subcommittees to monitor programmatic issues and future items of concern.

## STANDING SUBCOMMITTEES

Five standing subcommittees are used to conduct much of the work of the SSEAC. The five subcommittees are necessary for the committee's functioning or consistent with the priorities of the Assistant Superintendent for Special Education and Student Services, and the SSEAC supports the VDOE's focus on these priorities. The SSEAC members are assigned subcommittees based on each member's expertise, interests, and concerns. Subcommittees make recommendations to the full committee. Such recommendations may result in further study with additional information from the VDOE, presentations to the SSEAC, or inclusion in the SSEAC Annual Report to the BOE. Additionally, VDOE staff members serve as consultants to each subcommittee, providing technical assistance, clarification of VDOE policies and procedures, and additional information. The five subcommittees and their function are as follows:

* **Executive** - Includes the Chair, Vice Chair, Secretary, and four At-large members. The subcommittee establishes priorities for meeting agendas and provides overall direction to the SSEAC.
* **Nominating** - Charged with nominating a slate of nominees to fill Executive Subcommittee vacancies.
* **Policy and Regulations** -Focuses on initiatives at the state level that either result in policy and regulations or impact policy and regulations as they pertain to students with disabilities (SWD).
* **Student Achievement and Student Outcomes** - Focuses on achievement and outcome data, goals under the state plan for SWD, transition planning, and best practices. This subcommittee aims to identify and make recommendations to the VDOE.
* **Family Engagement and Community Outreach** - Provides recommendations to the VDOE on Family Engagement and Community Outreach best practices designed to educate parents, students, and schools/community partners on how to strengthen relationships and support one another in the education of SWD.

## MEETINGS

The full committee meets in regular sessions at least four times annually. The executive committee met the evening before the July meeting to propose the goals for the year and before the March meeting to draft the annual report. Subcommittees meet during the regular sessions and as necessary to fulfill their responsibilities to the SSEAC. Every effort is made to consolidate the work of subcommittees within the regular sessions. All meetings and work sessions are open to the public. A public comment period is provided during each convening of the SSEAC at the time designated on the meeting agenda. Notice of the convening of the SSEAC, along with the proposed agenda, is posted to the VDOE website at least 30 days before the meeting date.

During the 2022-2023 year, meetings were held on the following dates:

* July 13-15, 2022
* October 13-14, 2022
* December 1-2, 2022
* March 1-3, 2023

Meeting dates scheduled for the remainder of 2023 are:

* July 12-14, 2023
* September 28-29, 2023
* December 7-8, 2023

## PRESENTATIONS

Each meeting included presentations, updates on the status of numerous projects and state and federal legislation, funding initiatives, and other information on services for students with disabilities. These presentations provided the basis for much of the subcommittee work and additional requested presentations on specific topics. During the 2022 - 2023 SSEAC period, the following topics were presented by VDOE staff or other community stakeholders:

* Department of Special Education and Student Services (SESS) update on Virginia’s dispute resolution systems, including information related to due process hearings and decisions;
* Special Education Ombudsman Report on Constituency Issues;
* Teacher Recruitment and Retention Initiatives;
* State Performance Plan and Annual Performance Report (SPP/APR) Data Discussion, indicators for Early childhood, transition, disproportionality, and other indicators;
* Virginia's State Systemic Improvement Plan (SSIP) update;
* Inclusive Practices in Early Childhood Special Education;
* Joint Legislative Audit and Review Commission (JLARC) Reports
	+ Pandemic Impact on student achievement
	+ Teacher Shortage;
* General Assembly updates and information on pertinent legislation;
* Transfer Rights at the Age of Majority;
* Update on the Applied Studies Diploma
* Update on the Virginia Alternate Assessment Program (VAAP to VESOL);
* Statewide growth assessments;
* Supplemental Guidance on Evaluation and Eligibility;
* Supporting local special education advisory committees (LSEACs); and
* History of disabilities using three models: moral, medical, and civil rights.

## PUBLIC COMMENTS

A public comment period was held at each meeting. The SSEAC members appreciate the time and effort of Virginia citizens to attend or provide a written narrative of their commentary for presentation at meetings to ensure their voices are heard. During its 2022-2023 term, the SSEAC heard comments from various constituency on the following topics:

* Provision of Services for Special Education Students.
* Management and oversight of independent hearing officers.
* Need for services for twice exceptional students.
* Concerns related to the Virginia Procedural Safeguards document.
* The effectiveness of Virginia’s due process hearing dispute resolution option.
* Reported concerns with the general provision of a free and appropriate public education (FAPE) to students.
* Reported lack of FAPE during the COVID-19 pandemic.
* The United States Department of Education’s Office of Civil Rights (OCR) findings regarding Fairfax County Public Schools not providing FAPE during the COVID-19 pandemic.
* Comments regarding school divisions asking parents to waive their student's rights to special education during the COVID-19 pandemic.

## ISSUES IDENTIFIED BY CONSTITUENCY REPORTS

Each member of the SSEAC was provided an opportunity during the SSEAC meetings to report on activities and issues from their constituency groups. As a result, during the 2022-2023 year, the following concerns were shared through the SSEAC member constituency report and are grouped by topic area as indicated.

**Students with disabilities**

* Compensatory services.
* Mental health services.
* Foster Care and Homelessness and the Intersection with IDEA.
* Addressing learning or skill gaps.
* Concern that there is an increase in homeschooling since the pandemic and many students with disabilities are not receiving specialized instruction, and the lack of accountability when this occurs.
* Concern that assessments with visuals and graphs are not accessible for students with visual impairments.
* Individualized Education Program (IEP) implementation, lack of progress monitoring and measurable goals.
* Efforts to reduce wait lists and serve more students in the vocational educational program.
* Disproportionately affected by grading practices.
* Parent’s navigation of the due process system.
* The need for more funding for the inclusion of students with disabilities in academics and extra-curricular activities.
* More support for transition programs.
* Including discussion of the social impacts of disabilities on child study teams, not just the academic.
* Supplying accommodations as outlined in IEP.
* Lack of services to students due to the lack of personnel.

**Schools**

* Teacher and other service provider shortages, including related service providers.

Lack of substitutes.

* Substitutes for special education in co-taught classes.
* Teacher recruitment and retention
* Compensation and salaries for teachers, sign-on bonuses, equity across school divisions – Impact on retention.
* Increase support and pay for paraprofessionals.
* Alignment of services with evidence-based practices.
* Need for trauma-informed interventions and skills among staff.
* Lack of therapeutic day treatment providers/counseling staff for the social-emotional needs of students.
* Lack of speech-language therapists, behavior support specialists, and specialists for students with visual impairments.
* Grant cycles for higher education teacher preparation programs supporting special education teachers.
* Increased staff fatigue, mental health concerns, and stress.
* Limited inclusive opportunities for students with significant cognitive disabilities.
* Ratios and workload expectations to implement services with fidelity.
* Training for all teacher candidates in data collection.
* Training for trauma-informed care and what to do when students are in crisis.
* Training teachers to use blended learning environments.
* *Child Services Act* (CSA) Process and the Impact on Public and Private Schools.

**Community**

* Lack of effective communication with community stakeholders.
* Community requests for information related to behavior, functional behavioral assessment/behavior intervention plan (FBA/BIP), placement, and related resources.
* Need for earlier I'm Determined Youth and Parent Summit information dissemination.
* Delay in filling vacated parent representative positions on SSEAC.
* Parent stress and fatigue.
* Lack of translators.
* Training translators and interpreters to understand special education law and IEP/504 process.
* Concerns related to the effectiveness of the school division’s local advisory committees.

An overarching theme across these three categories was the mental health stressors that resulted from the pandemic and the need for social-emotional/mental health resources and support for students, staff, and families.

## TOPICS IDENTIFIED DURING THE SUBCOMMITTEE DISCUSSIONS

During the 2022-2023 year, the following concerns were shared during subcommittee discussions.

**Family Engagement and Community Outreach**

* Provide support to help parents to better understand the special education process.
* Train educators on the benefits of inclusion and harmful effects of more restrictive settings.
* Review higher education matrices to ensure inclusive practices are embedded in all training.
* Create a lived experience video for inclusion to explain the benefits of an inclusive learning environment.
* Require each local educational agency (LEA) to have a staff member dedicated to ensuring compliance with IEP.
* Independent review of Virginia’s due process procedures. Allow five-year-olds with disabilities to be served in preschool programs if it is in the best interest of the child.

**Policy and Regulation**

●      Bridge the Diploma Gap

●      Teacher Recruitment and Retention

●      Transition and Diploma Option (Including the VAPP)

●      Applied Studies Diploma versus Standard Diploma

**Student Achievement and Student Outcomes**

* Consider expanding and keeping the growth assessments for students with disabilities.
* Require all schools to have designated transition specialists.
* Expanding diploma options.
* Incentives for recruitment of more diverse teachers.

## RECOGNITIONS

During the March 3, 2023, meeting, the SSEAC recognized Ms. Anne Downing (Individual with Disability) for her three years of service, Ms. Margarete Jeffer (Region 1 Parent Representative) for six years of service, Ms. Sandi Thorpe (Special Education Director) for her six years of services, and Ms. Caren Phipps (Agency representative) for her two years of services.

## COMMENDATIONS

The SSEAC would like to recognize and thank the Assistant Superintendent of Special Education and Student Services, Dr. Samantha Marsh Hollins, and her team for keeping children with disabilities a priority throughout the year. Additionally, we would like to commend the BOE and the VDOE for the following accomplishments this past administrative year:

* The creation of a committee (from VDOE) to work on a campaign for creating a full-scale recruitment program and search for teachers using all modes of media and recruiting nationwide.
* Significant increase in on-site professional development and technical assistance to school divisions by VDOE staff.
* The continued support and funding for regional Training and Technical Assistance Centers (TTAC).
* Updated eligibility determination documents.
* Technical assistance and guidance dedicated to student mental health, wellness.
* Development of Critical Decision Points (CDP) modules for administrators.
* Development of modules for creating present high-quality levels of performance summaries for use in the development of IEPs.
* Creation of webinars using YouTube to connect with families.
* Engagement of multiple stakeholders in the development and implementation of the new VAAP and statewide dissemination of guidance.
* Office of Special Education Dispute Resolution collaboration with Project HOPE-Virginia in developing the Intersection of McKinney-Vento and IDEA document.
* The Department of Special Education and Student Services focus on the recruitment and retention of special education teacher, paraprofessionals and school-based mental health staff.
* Informing school divisions of available Coronavirus Aid, Relief and Economic Security (CARES) Act and American Rescue Plan funding.
* Standards-based IEP technical assistance document and training modules.

The SSEAC would like to recognize the ongoing opportunities, partnerships, and initiatives for the last several years by the BOE and VDOE.

1. Initiatives:

* Aspiring Special Education Leadership Academy (ASELA)
* #GoOpenVa: Open Educational Resources
* GovDelivery
* Leadership in Effective and Developmentally Appropriate Services (LEADS)
* Twitter handle account @VDOE\_SESS and hashtag #FamilyEngagementFriday
* Virtual Job Shadowing

2. Opportunities:

* ACE-IT in College
* Career and Technical Education Consortium of States
* I'm Determined
* Project SEARCH
* Start on Success
* Workplace Readiness Skills Toolkit 21st Century Readiness Skills

3. Partnerships:

* Autism Center for Excellence (ACE)
* Center for Family Involvement (CFI)
* Center for Transition Innovations (CTI)
* Council for Exceptional Children (CEC)
* Formed Families Forward (FFF)
* Parent Educational Advocacy Training Center (PEATC)
* Training and Technical Assistance Centers (T/TAC)
* Virginia Assistive Technology System (VATS) Lending Library
* Virginia Board for People with Disabilities (VBPD)
* Virginia Department for the Blind and Vision Impaired (VDBVI)

## RECOMMENDATIONS

For several years, the SSEAC has focused on mitigation efforts, virtual learning, mental health needs, disruption to academic, behavioral, and social progress, and efforts to fill the learning gaps. This year, we began to prioritize and identify the next steps in educating students with disabilities, teacher recruitment and retention, community involvement, community and mental health needs, and the overall success of our students.

Our priorities continue to focus on the unmet needs of students with disabilities. Over the last year, their needs and how we can improve their educational experience were discussed in depth. However, since this committee is a small sample size of the greater population, we need to hear from as many people throughout the Commonwealth as possible to ensure we conduct business best to support our students, families, and educators. Therefore, we encourage participation not only from our constituency representatives but the Virginia constituency as well. Our responsibility is to invite anyone involved with our students to hear their voices and concerns so that we can best report them to the Virginia Board of Education.

Our work is commonly understood to be built upon prior years, and our goals may take several years to accomplish. However, this is the purpose for which this committee was created. With input provided through our constituents, public comment, VDOE staff, and numerous presentations, we have endeavored to excel at understanding the various issues that members of the Commonwealth expressed and have incorporated this information in the following recommendations.

* 1. **Diploma Options**
* Create a succinct Framework that defines alternate pathways for earning credits and verified credits to meet the requirements for a Standard Diploma for students with disabilities.
* Create information and train school divisions about all the exemptions available to students with a disability to earn a Standard Diploma. Identify a person at the school division responsible for teaching and informing the staff and parents on the different diploma options.
* Have Virginia IEP online program modified to create an added step requiring parent acknowledgement of the impact on their child’s graduation status when the IEP Team proposes a diploma option other than the Standard Diploma.
* Update the credits accommodation form in Virginia IEP to provide specific information regarding the selected credit accommodations.
* Revise the Applied Studies curriculum and diploma to include individualized pathways of tangible transition workplace skills that add value to potential community colleges and employers.
* Develop best practice training based on measurable outcomes to guide the school in implementing the Applied Studies Diploma.
	1. **Staffing Training Recruitment and Retention**
* Adjust teacher pay to reflect the amount of schooling/level of degrees as is done in other professions. This should be fully funded for **all** positions, not only Standards of Quality (SOQ) positions. This will assist with the recruitment of new staff and help retain current staff.
* Reduce the caseload standards based on reasonable ratios and considering the amount of service minutes and case management. Add an additional pay scale/stipend specifically for special education teachers based on case management.
* Review higher education matrices to ensure inclusive practices are required in training for **all** staff. In addition, ensure teacher preparation programs address the current climate of schools.
* Increase competency regarding working with and teaching students with disabilities among **all** instructional staff through results-based professional development focused on in-person training and follow-up mentoring.
	1. **Special Education Process**
* Provide more support to help parents understand the special education process and the impact of decisions.
* Establish a mentoring program to support parents navigating the special education process using parents with lived expertise to attend meetings with new parents.
* Establish parent liaisons, such as are available for Title I and Title III.
* Establish local/regional special education ombudsman positions.
	1. **IEP Services**
* Require school divisions to develop a process for auditing IEPs to ensure they are compliant with federal and state special education regulations.
* Keep, expand, and make accessible growth assessments for students with disabilities.
* Increase competency regarding working with and teaching students with disabilities among **all** instructional staff through results-based professional development focused on in-person training and follow-up mentoring.
* Train PreK-12 teachers and administrators on the possible harmful effects of a restrictive setting and the benefits of inclusion.
* Consider allowing five-year-olds with disabilities to be served in preschool programs if it is in the student's best interest.
* Develop an inclusion video with lived expertise voice that includes the benefits of inclusive practices and potential disadvantages of restrictive settings.
	1. **Related Services**
* Require all school systems to have a **fully funded** Transition Specialist/Coordinator to address transition issues for students with disabilities.

* 1. **Changes to the SSEAC**
* Consideration to develop procedures to livestream SSEAC meetings.
* Expand SSEAC membership to include representation of military families (i.e., parent, School Liaison, Exceptional Family Member Program (EFMP) staff).
* Record SSEAC presentations and organize them by topic for parents to access later.
* Explore ways to further emphasize how the Commonwealth’s constituency can give public comment.
	1. **Compliance Issues**
* Evaluate the proper staffing levels for the Office of Dispute Resolution and Administrative Services and Office of Special Education Program Improvement within the Department of Special Education and Student Services to ensure the increasing needs of families of children with disabilities requesting assistance can be met.
* Conduct an independent review of Virginia's due process procedures and develop suggestions to improve the process with a focus on accessibility for all families.

**CONCLUSION**

The opportunity to report our efforts and recommendations to the Virginia Board of Education is appreciated. We maintain that students with disabilities should be prioritized by considering and implementing the recommendations mentioned above. We appreciate the opportunity to collaborate with the Virginia Department of Education and the Virginia Board of Education.