

VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE (SSEAC)
ANNUAL REPORT
JULY 2023 - JUNE 2024

INTRODUCTION

The [*Individuals with Disabilities Education Act \(IDEA 2004\)*](#), at 34 CFR § 300.167 through 34 CFR § 300.169 and the [*Regulations Governing Special Education Programs for Students with Disabilities in Virginia*](#) (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 of the unmet needs 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 (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 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 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 2023-2024 operational year, July 1, 2023 - June 30, 2024, satisfied the requirements of the above-referenced regulations.

COMMITTEE ORGANIZATION

The activities of Virginia's SSEAC are governed by the [Virginia Board of Education's](#) bylaws for advisory committees. The SSEAC meets in regular sessions four times a year. Each regular session consists of one full-day meeting followed by a half-day meeting. 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 the [Virginia Department of Education](#) (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 SUBCOMMITTEE

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 Populations, and the SSEAC supports the VDOE's focus on these priorities. 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** – This subcommittee includes the Chair, Vice Chair, Secretary, and four At-large members. The committee establishes priorities for meeting agendas and provides overall direction to the SSEAC.
- **Nominating** – This subcommittee is charged with nominating a slate of nominees to fill Executive Subcommittee vacancies.
- **Policy and Regulations** – This subcommittee 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** – This subcommittee 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** – This subcommittee 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, with the proposed agenda, is posted to the VDOE website at least 30 days before the meeting date.

During the 2023-2024 year, meetings were held on the following dates:

- July 12-14, 2023
- September 28-29, 2023
- December 7-8, 2023
- March 6-8, 2024
- July 17-19, 2024

Meeting dates scheduled for the remainder of 2024 are:

- September 26-27, 2024
- December 5-6, 2024

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 2023-2024 SSEAC period, the following were presented by VDOE staff or other community stakeholders:

- Virginia School for the Deaf and Blind (VSD) Annual Plan Review;
- Annual Report on Dispute Resolution – Facilitated IEP;
- Ombudsman Report on Constituency Issues;
- Freedom of Information Act (FOIA) Presentation;
- State of the State Update – Special Education Issues;
- Postsecondary Access and Success;

- Virginia IEP Update;
- Teacher Recruitment and Retention Update;
- Secondary Transition-Partnerships that Work;
- Exceptional Family Member Program (EFMP);
- Update on Governor Youngkin's *Right Help. Right Now.* Plan;
- Center for Family Involvement-Family Navigators; and
- Teacher Recruitment and Retention Initiatives.

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 2023-2024 term, the SSEAC heard comments from various constituencies on the following topics:

- Perceived bias in the due process against parents and hearing officers
- Individualized Education Program (IEP) implementation of procedural safeguards, lack of progress monitoring, and measurable goals
- Teacher recruitment and retention, as well as staff shortages and compensation
- Mental health/stress/fatigue of students, staff, and parents
- Lack of mental health/wrap-around services for the social-emotional needs of students
- Continued impact of the pandemic on students with disabilities

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 2023-2024 year, the following concerns were shared through the SSEAC member constituency report and are grouped by topic area as indicated.

Students with disabilities

- Addressing learning or skill gaps.
- Compensatory services.
- Mental/behavioral health services.

- Foster Care and Homelessness and the intersection with IDEA.
- Impact of grading practices on students.
- Parent's navigation of the due process system.
- Possible increased funding to support the inclusion of students with disabilities in academics and extra-curricular activities.
- More support for transition programs.
- Lack of experienced and licensed personnel and the impact on service provision and availability.

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.
- Pleased with the release of the new Virginia Alternate Assessment Program (VAAP) Decision-Making Tool to local school division directors of special education. This reflects the recommendations of the SSEAC over the last several years. We support ongoing training for families by the VDOE to help them understand the new tool and would like to see online training materials available to local SEACs and other parent groups.
- 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.
- *Child Services Act (CSA) Process and the Impact on Public and Private Schools.*

Community

- Lack of effective communication with community stakeholders.
- Need for earlier I'm Determined Youth and Parent Summit information dissemination.
- Delay in filling vacated parent representative positions on SSEAC.
- 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 2023-2024 operational year, the following concerns were shared during subcommittee discussions.

Family Engagement and Community Outreach

- Access to education records by parents and families and intersection with Freedom of Information Act (FOIA) requests.
- Including military representation on SSEAC – Parent Educational Advocacy Training Center (PEATC) has two full-time staff working on military and special education issues. The Navy has new positions to advocate for parents who can speak during an IEP meeting. Suggestions to look for a School Liaison Officer (SLO) with special education experience. Consider SLO involved with high schools and Project SEARCH.
- Orientation training to our SSEAC to support new representatives and members. The PEATC local SEAC training could be recommended as basic training for parent representatives. The orientation could address function, participation, and activities.
- Examination of additional (not required data) reporting data related to dispute resolution.
 - Local Educational Agency
 - Issues (with one or two sentences of explanation for each complaint)
 - Outcome
 - Purpose to identify systemic issues that the SSEAC may wish to address
- Updates on Virginia IEP and additional programs and supplements available.
- Outreach and Support for Local SEAC.
- The subcommittee reviewed due process hearing officer decisions from 2022-2023 and did not identify any trends or systemic concerns based on this group of findings.
- Requested that the VDOE provide an annual summary by issue of filed due process complaints for SSEAC in excess of the public reporting the VDOE already provides to support its statutorily required duty of identifying trends in the issues being raised by parents of students with disabilities in the Commonwealth. There are very few due process hearings that come to resolution with a hearing officer finding so we must understand the issues being raised regardless of whether the hearing comes to fruition.
- Recommended that the VDOE ensures that if a locality uses Virginia IEP and has optional add-ons, those comply with IDEA parent participation requirements.

Policy and Regulation

- Review special education licensure requirements. Continue to explore alternate pathways to licensure.
- Review new regulations for a transition contact and the requirements for that position.
- Explore use of qualitative and quantitative data to provide better information about progress on IEPs.
- Explore how to ensure students graduating have current evaluations, etc. to ensure a smooth transition to the next level.
- Explore the use of exclusionary discipline and disproportionally.
- Examine cut scores to PRAXIS with surrounding states.
- Continue to examine the break in service requirements to reduce the six-month break in service.
- Training for subs (long-term and short-term) working with students with disabilities.

Student Achievement and Student Outcomes

- Teacher Retention and Recruitment:
 - Major impact on student outcomes. This is a major piece to student outcomes; there is no improvement on the horizon; teacher prep programs and licensure programs are not putting out necessary candidates to fill needed positions.
- Student Outcomes:
 - Encourage mastery-based grading alternatives.
(For example: No zero) (Example: Divisionwide grading policy, not teacher based)
 - Provide tools for the parents to get help for their students.
 - Expanding Ombudsman position, we have one, let's get additional positions.
 - Adaptable playgrounds, and other unfunded mandates.
- Reviewed issues from last year: four-day work week, teacher mental health. It is important to reschedule the teacher recruitment presentation.
- The importance of refocusing on growth assessments rather than pass/fail was discussed. How can the growth assessment data be used to assist students, teachers, and divisions? Discussed suggestions for remediation, such as ways to use time after SOL assessments. Attendance was discussed and recommendations for medical excuses will be shared with the Policy and Regulation Subcommittee.
- Requested suggestions for the SSEAC orientation, extended introductions of members, and unpacking expectations for members. The group agreed that the orientation should be

in-person, but basic “training” that can be virtual should be addressed outside an official SSEAC meeting.

RECOGNITIONS

During the March 7-8, 2024, meeting, the SSEAC recognized Ms. DaleAnna Curry (Teacher Representative) for her six years of service, Mr. Mychael Willon (Parent, Region 2) for his four years of service, and Dr. Patricia Popp (Homeless Education Representative) for her six years of service.

COMMENDATIONS

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

- Turning the Tide recruitment program using all modes of media and recruiting nationwide
- Standards-based IEP Technical Assistance
- Updated Eligibility Determination Documents and family-friendly resources to support
- The recent JLARC study provided insight into special education funding
- The release of the new VAAP Decision-Making Tool
- The continued and unwavering support of the VDOE staff

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

1. Initiatives:

- Aspiring Special Education Leadership Academy (ASELA)
- #GoOpenVa: Open Educational Resources
- GovDelivery
- Leadership in Effective and Developmentally Appropriate Services (LEADS)
- Twitter account @VDOE_SESS #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 (TTAC)
- 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. Funding, Teacher Pay, and Licensure

- Consideration to be given to funding special education based on student needs as opposed to the utilization of the Standards of Quality formula.
- As additional positions and requirements are mandated by the General Assembly, we recommend they be fully funded through the state funding formula.
- We are in full support of additional funding to support our students who receive special education services.
- We recommend the barriers preventing high school graduates from pursuing the teaching profession be examined.
- We recommend identifying ways to incentivize teachers to become dual-certified or specialize in special education.
- We recommend consideration for localities to enable higher compensation for teachers with more experience and a recommendation from the state regarding equitable regional pay to avoid losing teachers to neighboring school systems.

2. 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 consider the amount of service minutes and case management. Add a 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.

3. IEP Services

- Support VDOE in ensuring guidance and implementation by school divisions 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.
- Develop an inclusion video with a live expertise voice that includes the benefits of inclusive practices and the potential disadvantages of restrictive settings.

4. Changes to the SSEAC

- Consideration to develop procedures and secure resources to livestream SSEAC meetings.
- Explore ways to further emphasize how the Commonwealth's constituency can give public comment.

5. Compliance Issues

- Evaluate the proper staffing levels for the Office of Dispute Resolution and the Office of Program Improvement within the Department of Special Populations to ensure the increasing needs of families of children with disabilities requesting assistance can be met.

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.