



Special Education Advisory Committee

Policy 8155, School Assignment Recommendations

Summary

February 15, 2021

Prepared For:
SEAC Membership
Special Education Community
Loudoun County School Board

Summary of Concerns and Recommendations

Drafted Language in Policy 8155 imposes restrictions for special education students that apply to no other groups of students in LCPS.

Concern 1: Special education students should not be singled out and have more stringent rules or metrics applied to them. No other groups of students in LCPS are noted in the policy for different treatment. This discriminatory treatment is a violation of the Americans With Disabilities Act.

Concern 2: Modifying staff assignments subsequent to the Spring deadline for families to request a change in school assignment for the next school year is not an undue burden. In fact, it is SEAC's understanding that these staff assignments to various schools are made after the deadline for families to request a change in school assignment.

Recommendation: **SEAC recommends that the School Board remove restrictions placed on special education students from policy 8155.**

Overview: Policy 8155, School Assignment

History:

- Policy 8155 was updated by the school board January 2020.
- SEAC had requested to review the policy before going to the full school board and was denied.
- SEAC continues to be concerned with the discriminatory practice of having different rules and guidance for special education students. The SEAC Chair previously shared this concern in January 2020.

Different Treatment of Students with Disabilities

Concern 1: Special education students should not be singled out and have more stringent rules or metrics applied to them. No other groups of students in LCPS are noted in the policy for different treatment. This discriminatory treatment is a violation of the Americans With Disabilities Act.

- SPED students are treated differently than other student groups who receive specialized educational support (e.g., ELL, gifted).
- No other groups of students in LCPS are restricted in their ability to use Special Permission because of the educational supports they require.
- SEAC has received numerous reports that SPED students are often initially denied Special Permission, citing this policy.
- SPED students are subjected to significant restrictions beyond those placed on non-disabled students.
- 2020 restrictions deny SPED students the same Special Permission opportunities as non-disabled students.
- The proposed 2021 changes appear to further restrict students with disabilities from using Special Permission.

Concern 2:

Modifying staff assignments subsequent to the Spring deadline for families to request a change in school assignment for the next school year is not an undue burden. In fact, it is SEAC's understanding that these staff assignments to various schools are made after the deadline for families to request a change in school assignment.

- SPED restrictions are based on resources a school had in the previous year rather than what students need in the upcoming year.
- Staff assignment should be based on the needs of students at each school.
- Staff assignments should be made over the summer.
- SPED students are being denied Special Permission due to "capacity" before actual capacity at a school has been determined.
- *There are mechanisms already in place to make SPED resources available at a school at any time during the school year as necessary to meet students' needs. For example, when a special education student moves into a school zone in the middle of the school year.*

Recommendation

Recommendation: SEAC recommends that the School Board remove restrictions placed on special education students from policy 8155.

SEAC Membership Vote

SEAC Membership Vote on Recommendation

12 out of 15 members were present.

Vote Summary: 10 Yes, 2 Abstain