

Virginia Board of Education Agenda Item



Agenda Item: M

Date: June 17, 2021

Title: State Special Education Advisory Committee (SSEAC) Annual Report

Presenter: Dr. Samantha Hollins, Assistant Superintendent of Special Education and Student Services

Christine Germeyer, Chair, State Special Education Advisory Committee

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Purpose of Presentation:

Action required by state or federal law or regulation.

Executive Summary:

The State Special Education Advisory Committee (SSEAC) is organized and functions in accordance with state and federal requirements. The Committee's functions include defining plans for identifying children with disabilities; formulating and developing long-range plans that will provide services for children with disabilities; determining the unmet needs of children with disabilities within the state; developing priorities and strategies for meeting identified needs of children with disabilities; reviewing and making public comment on the State Improvement Plan, the procedures for the distribution of funds under Part B of IDEA, and any rules or regulations proposed by the state regarding the education of children with disabilities; review findings and decisions regarding due process procedures for parents and children; advise the state in developing corrective action plans to address findings identified in Federal monitoring reports; and prepare and submit an annual report to the Virginia Board of Education.

Over the past year, the SSEAC subcommittees addressed student achievement, student outcomes, and policy and regulations. Based on the work of these subcommittees, constituency reports, presentations, and public comments, the SSEAC annual report includes recommendations that support the goal for students with disabilities of integrated competitive employment. To achieve that goal, as many students as possible need to receive an advanced or standard diploma or an

applied studies diploma that is rigorous in its requirements. This report assists the Board of Education in meeting priority #1 of the Virginia Board of Education Comprehensive Plan: 2018-2023, which is to provide high-quality, effective learning environments for all students. This report contains recommendations that assist the Board in advocating for the resources required to fully support a system of an equitable and quality education for all students, regardless of background, including tools for collaborative oversight and support at the Virginia Department of Education for schools that are not yet meeting standards.

Action Requested:

No action requested.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board accept and review the SSEAC annual report and its recommendations as it moves forward to create sound policies for student success, specifically as they relate to students with disabilities.

Previous Review or Action:

No previous review or action.

Background Information and Statutory Authority:

In accordance with the requirements of the Individuals with Disabilities Education Improvement Act, effective December 3, 2004, (IDEA 2004), its implementing federal regulations, effective October 13, 2006, at 34 C.F.R. 300.167 through 34 C.F.R. 300.169, and the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, effective July 7, 2009, reissued on January 25, 2010, and July 29, 2015, at 8 VAC 20-81-20 15.c(2); the State Special Education Advisory Committee (SSEAC) assists the Board of Education by providing advice and recommendations on policies and practices that help increase accountability for academic success for students with disabilities. The SSEAC is mandated by federal and state regulations, representing a number of constituency groups that advocate for children and youth with disabilities. The SSEAC provides opportunities for public comment at each of its meetings, provides an opportunity for each member to report on his/her constituency group, as well as inviting presentations about initiatives and programs pertaining to students with disabilities. The SSEAC approved its annual report at its March 2021 meeting for submission to the Board of Education.

Timetable for Further Review/Action:

No additional review/action is required.

Impact on Fiscal and Human Resources:

The impact on fiscal and human resources is reliant on any action taken with respect to the recommendations.



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**VIRGINIA STATE
SPECIAL EDUCATION
ADVISORY COMMITTEE (SSEAC)
ANNUAL REPORT
JULY 2020 – JUNE 2021**

INTRODUCTION

The [Individuals with Disabilities Education Act \(IDEA 2004\)](#) requires that each state establish and maintain a state advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The federal regulations specify membership and require that a majority of members be individuals with disabilities or parents of children with disabilities. Specifically, the regulations require the following membership include:

- 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 carry out activities under subtitle B of title VII of the [McKinney-Vento Homeless Assistance Act](#) (42 U.S.C. 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;
- not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; • a representative from the State child welfare agency responsible for foster care; and
- representatives from the State juvenile and adult corrections agencies.

Refer to the IDEA 2004 implementing regulations 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).

In Virginia, the panel is known as the [State Special Education Advisory Committee](#) (SSEAC). This report serves to confirm that the SSEAC membership for the 2020-2021 operational year satisfied the requirements of the above-referenced regulations.

COMMITTEE ORGANIZATION

The activities of the Virginia State Special Education Advisory Committee (SSEAC) are governed by the [Virginia Board of Education](#) (BOE) bylaws for advisory committees. 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 in establishing priorities and agenda items for SSEAC meetings. 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. These include Executive, Nominating, Policy and Regulations, Student Achievement and Student Outcomes, and Family Engagement and Community Outreach. The five subcommittees are 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 each assigned to subcommittees based upon each member's expertise, interests, and concerns. Each subcommittee is chaired by a member of the executive committee. 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's Annual Report to the BOE. Additionally, the VDOE personnel serve as consultants to each of the subcommittees, providing technical assistance, clarification of VDOE policies and procedures, and additional information.

- Executive - The Executive Subcommittee includes the Chair, Vice Chair, Secretary, and three At-large members. The committee establishes priorities for meeting agendas and provides overall direction to the SSEAC.
- Nominating - The Nominating 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 have an impact on policy and regulations as they pertain to students with disabilities.
- Student Achievement and Student Outcomes - This subcommittee focuses on achievement and outcome data, goals under the state plan for students with disabilities, transition planning, and best practices. The purpose of this subcommittee is 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 which are designed to educate parents, students, and schools/community partners on how to strengthen relationships and how to support one another in the education of students with disabilities.

MEETINGS

The full committee meets in regular session at least four times annually. 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 with the regular sessions. All meetings and work sessions are open to the public. The public is offered an opportunity to make comment during a specified time allotted in the agenda at each regular meeting.

During the 2020-2021 year, meetings were held virtually on the following dates:

July 16, 2020
October 7-9, 2020
December 3-4, 2020
March 10-12, 2021

Meeting dates scheduled for the remainder of 2021 are:

July 15-16, 2021
October 7-8, 2021
December 2-3, 2021

PRESENTATIONS

Each meeting included presentations, updates on the status of numerous projects, state and federal legislation, funding initiatives, and other information related to services for students with disabilities. These presentations provided the basis for much of the subcommittee work as well as the desire to have additional presentations on specific topics.

The following topics were presented by the VDOE staff or other community stakeholders:

- Assistant Superintendent's Reports of the VDOE Activities o State Systemic Improvement Plan (SSIP) Update o Joint Legislative Audit and Review Commission (JLARC) Update o Legislative Updates
- Training and Orientation for Members of the SSEAC
- Disproportionality Among Students with Disabilities
- Virginia Alternate Assessment Program (VAAP) Update
- Annual Dispute Resolution Report
- Office of Student Services Update – Social Emotional Learning (SEL)
- Annual Plan Applications
- Supporting Inclusive School Communities where All Really Means All

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 the 2020-2021 year, the SSEAC heard commentary on the following topics:

- In-person learning
- Comments regarding proactively addressing systematic racism and discrimination; with a note on including the history of the disability rights, movement, and the impact on the within the history/social science standards and curriculum
- Looking for privately-funded summer school and extracurricular activities
- Free and Appropriate Public Education (FAPE)
- Development of Individualized Education Programs (IEPs) and concerns regarding students receiving appropriate instruction
- Opposition to the Virginia Alternate Assessment Program (VAAP) Waiver
- Special education teacher vaccination priority
- Women for Education Advocacy and Rights (W.E.A.R) group petitioning for more information related to women's history to be included in the history/social science standards and curriculum
- Frequent monitoring of local education agencies (LEA)
- Commending the state level SEAC for livestreaming of its meetings. Sharing concerns regarding availability of information related to local school division SEAC meetings including: access to information regarding the local SEAC membership, publically posted information on division websites and information regarding making public comment
- Requesting that consideration be given to creating additional outlets for SSEAC meeting information to be made available such as creating a separate social media pages

ISSUES IDENTIFIED THROUGH 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. During the 2020-2021 year, the following concerns were shared through each SSEAC member's constituency report and are grouped by topic area as indicated:

Virtual learning

- Free and Appropriate Public Education
- Limited technology and access to reliable internet
- Some parents and students lack an understanding of how to use the technology
- Many students are "falling through the cracks" or regressing in a virtual environment

- Lack of social connections as a result of distance learning
- Social emotional needs and supports of students and teachers

IEPs (during COVID)

- Language in the IEP may not always be clear or explained in a way parents can understand. Ensure IEP changes are occurring with parents giving informed consent
- Services being written into the IEP are based upon what the schools can do; instead of what the student needs
- How IEP services are being delivered to students virtually
- Lack of access to related services during the pandemic
- Transition planning

Equitable education for all students during COVID

- Limited internet accessibility for parents/students in rural areas
- The need to increase in person instruction safely for all students
- Technology access

Teacher retention and licensure requirements during COVID

- Teacher and staff mental wellness
- Increased caseload

TOPICS IDENTIFIED DURING SUBCOMMITTEE DISCUSSION

During the 2020-2021 year, the following concerns were shared during subcommittee discussion. The topics have been identified by each subcommittee:

Family Engagement and Community Outreach:

- Parent and community involvement
- Parent friendly language for IEP's
- Updated Parent's Guide to Special Education
- Updated lists of Parent Resource Centers (PRC) and local SEACs
- Increasing equity, language barriers

Student Achievement and Student Outcomes:

- Disproportionality, particularly with regard to the discipline of black female students • Equity-equality

Policy and Regulations:

- Children's Services Act (CSA) funding and regional training centers
- Teacher retention
- Parent engagement

- JLARC reports
- Bylaw changes

RECOGNITIONS

During the March 11, 2021, meeting, the SSEAC recognized Mr. Matthew Luther, representative for the Department of Aging and Rehabilitative Services (DARS) for his six years of service, Ms. Tashue Mason, parent representative for region 8 for her six years of service, and Ms. Jill Sowers, representative for Virginia Department of Juvenile Justice (DJJ) for her six years of service. The SSEAC also recognized Ms. Joan Sumner, parent representative for region 3 for her six years of service and Ms. Regan Stiltner, parent representative of region 7 for her three years of service on the State Special Education Advisory Committee.

COMMENDATIONS

The SSEAC wishes to acknowledge the carefully planned all-encompassing measures taken by both the BOE and the VDOE, as schools provided education virtually with in-person instruction offered when appropriate and safe to do so. This certainly has been a very challenging year but it has also been an opportunity to recognize and evaluate the feasibility of some innovative and creative teaching and learning that expands beyond a traditional classroom. During this time, the VDOE staff have been diligent in providing pertinent updates regarding COVID-19 as well as a wide-range of information and resources, so that families and school staff remained informed about a number of topics and next steps along the way regarding school re-entry. The SSEAC acknowledges with the upmost sincerity and appreciation of all previous and continuing efforts of the Governor, VDOE, BOE, and the [Secretary of Education](#) to address the needs of all children, including those students with disabilities.

The SSEAC would like to recognize and thank the Assistant Superintendent of Special Education and Student Services, Dr. Samantha 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 on the following accomplishments of this past administrative year:

1. Multiple workgroups and task forces who addressed safety, learning, and the return to school for children across the Commonwealth.
 - [Recover, Redesign, Restart 2020](#)
 - [VA LEARNS](#)
 - Creating the Office of Equity and Community Engagement
 - [Virginia Roadmap on Equity](#)
 - [Office of Student Services Learning Modules](#)
 - [Social Emotional Wellness Quick Guides](#)
 - Adding [Culturally Competency](#) Educator requirements for licensure
 - [Technology Initiatives](#)

- Developing [Parent Ombudsman's](#) fact sheet
- Extending [teacher licensure](#) requirements during the pandemic

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

1. Initiatives:

- [Aspiring Special Education Leadership Academy](#) (ASELA)
- [Virginia is for Learners Initiative](#)
- [Virtual Job Shadowing](#)
- [GovDelivery](#)

2. Opportunities:

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

3. Partnerships:

- [Autism Center for Excellence](#) (ACE)
- [Virginia Board for People with Disabilities](#) (VBPD)
- [Parent Educational Advocacy Training Center](#) (PEATC)
- PEATC [Transition University](#)
- [Center for Family Involvement](#) (CFI)
- [Center for Transition Innovations](#) (CTI)
- [Virginia Tiered Systems of Support](#) (VTSS)
- [Training and Technical Assistance Centers](#) (TTAC)
- [Virginia Assistive Technology System](#) (VATS) [Lending Library](#)
- [Council for Exceptional Children](#) (CEC)
- [Formed Families Forward](#) (FFF)

RECOMMENDATIONS

Throughout the COVID-19 pandemic, school divisions experienced massive disruption to traditional education. There were openings, closings, hybrid learning, and many other modalities of instruction implemented.

The worldwide pandemic has exacerbated existing inequities within the Commonwealth. Students with disabilities, English language learners, low-income families, and limited internet access households are among the most marginalized populations. Learning was significantly impacted due to the hardships that were experienced with the school closures and highlighted

continuing challenges for students with disabilities and their parents, families, and caregivers engaging in and for school divisions providing virtual education and supports.

As instruction and learning continues through the summer and into the fall, there are considerations that need to be addressed: (1) In many cases, parents are often unable to provide supervision during the work-day; (2) Parents of students were often challenged to provide support with challenging behaviors and therapies; (3) Delivery of specialized instruction was severely compromised in the virtual environment for many students widening the gap significantly between general education students and students with disabilities; and (4) There has been a negative impact on student's social, emotional, and mental health throughout the pandemic.

Students with disabilities must remain a priority as schools execute their plans for remediation, recovery, extended learning and enrichment over the summer and in approaching instruction in the new school year. Based on the above observations, public comments, reports from members representing their constituency groups, and other information presented to the committee, the SSEAC makes the following recommendations to the BOE:

1. Continue efforts to address the teacher, staff, and other professional support shortages by adopting recent JLARC recommendations, such as: subsidized tuition, scholarship loan programs, targeted monetary incentives, forgiveness programs, and mentorships. In addition, change the structure of grant awards for students enrolled in teacher preparation college courses to be awarded in early summer to ensure students can pay for the course or plan for reimbursement.
2. Provide support that aligns with the VDOE report to the General Assembly on a statewide social-emotional learning (SEL) program. The program will provide local school divisions with additional funding, resources and supports to further promote social-emotional learning, and enhance connections for students and families created through existing initiatives that are equitable. For example:
 - Funds to support implementation of the standards and to support curriculum and assessments;
 - Grants and partnerships between community mental health providers;
 - Local school division's school-based mental health programs and personnel;
 - Virginia Tiered Systems of Support (VTSS);
 - Trauma-informed care; and
 - Promoting behavioral health redesign.

Development of these services should focus on ensuring that all students and families can access them in-person or through virtual learning alternatives.

3. Prioritize the VDOE's effort and reinforcement of training to improve knowledge and skills of administrators and general education teachers to effectively participate in the IEP process and understand their role.
4. Support the VDOE as they progress with working with LEAs to implement changes to the Applied Studies Diploma and related curriculum and resources; then, once completed, ensure parents understand its future implications.
5. Strengthen the importance of the need for LEAs to provide timely and appropriate informed consent for the VAAP and its impact on the student's future educational path and post-secondary outcomes that is well-documented at the annual IEP meeting beginning as early as a child/student is identified as having a disability. Emphasis should be focused on verifying that parents understand the implications of this choice and criteria to qualify for the VAAP are clearly met.
6. Support the VDOE in the development of regional support structures for post-secondary transition and urge local school boards to hold schools accountable for their active participation, which would include creating effective transition plans and the delivery of transition services for students with disabilities.

CONCLUSION

The SSEAC appreciates the opportunity to present these recommendations to the Board of Education. We recognize that the COVID-19 pandemic has put an exhaustive strain on everyone. It is our hope that the BOE will keep students with disabilities a priority by considering and implementing the recommendations, as deemed appropriate, without delay. We look forward to working alongside the Virginia Department of Education and the Board of Education.