



Special Education Advisory Committee Meeting Agenda
LCPS Administrative Building, 21000 Education Court, Ashburn, Virginia 20148 SEAC End
of Year Business Meeting 6:00 to 7:10
Wednesday October 4, 2023,- Live Stream: <https://www.lcps.org/Page/140009>

Business Meeting

1. **Welcome and Call to Order-** Liz Crotty @ 7:16
2. **Office of Special Education Community Connection Activity**
3. **Specialized Instruction Reading & Math Presentation-Margaret Ausberry**
4. **Public Comment-**
Email-Amie Diaz-Paz- Concern for playgrounds at all LCPS. All schools should provide adequate play areas for all students regardless of abilities. Students have been denied access to playgrounds that are utilized by general education students. If students with special needs need to have a separate playground then LCPS should provide an equitable area for these students.
5. **New Business**
SEAC sub committee or task force for SEAC Awards-discussion

Policy and Compliance Subcommittee

Policy Reviews

Policy Reviews-no recommendations

Policy 7640, 6730, 8435, 7717, 7726, 2430, 7040, 7712, 7714, 7562, 7628, 2160, 8205, 7030, and 5035, deletion of policies 5-1 and 5-17.

Voted- passed unanimously.

Policy Review: Policy 5080 CLASS SIZES

Concern 1:

SEAC is gravely concerned with the move to increase, rather than decrease, class size in LCPS classrooms. The overwhelming body of evidence in education for all students and especially disadvantaged students indicate small class sizes lead to better educational outcomes.

Recommendation 1:

SEAC recommends that no change be made to the current class sizes for LCPS classrooms, and that the School Board focus on reducing class sizes in LCPS over time.

Concern 2:

Most special education students receive the majority of their services in a general education classroom. Any policy regarding class size must address the ratio of students with and without disabilities in a general education classroom.

"... the education research suggests that no more than 25 percent of a general education class should be students with disabilities, depending on grade level; however, 'this is not a rule of thumb for a remedial course, where there would be more homogeneous grouping of students with needs for intervention, and preferably a smaller class size than a regular class.'"

Concern 2:

SEAC recommends the School Board consider developing a metric to address staffing considerations from the 2020 JLARC (Joint Legislative Audit and Review Commission) report.

The JLARC report identified considerations to calculate the percentage of special education students in a general education classroom.

To account for the variability in teacher workload associated with different caseload compositions, caseload

standards should include considerations related to severity of student need, scope of teacher responsibilities, and special education service settings.

Recommendation 2:

At line 87 make a new D and add: "No more than 25% of the students in a Collaborative (Inclusive) classroom shall be students with disabilities. This would not apply to a remedial course, which should have smaller class size than a regular classroom but could have a higher ratio of students with disabilities. Caseload staffing for these classes shall include consideration of the severity of student need, scope of teacher responsibilities, and special education service settings."

Move current D to E

Concern 3:

SEAC is concerned that we are holding the district to division-wide ratios rather than ratios determined by classroom or school. This creates the potential for inequity in a division as large as LCPS. For example, with a Division-wide ratio of 20:1, a class in one high school could have 50 students while the same class in a different high school might have 10 students, with a wide-range of class sizes between those two that averages out to 20:1. This is not equitable.

Recommendation 3:

At Line 64 and Line 81 remove "Division-wide".

Voted- passed with one abstention

Policy 6220 STUDENT SAFETY AND DISCIPLINE ON BUSES

Concern 1:

Requirements and considerations for students with disabilities are not reflected in the draft policy.

Recommendation 1:

At Line 52 after "Student Rights and Responsibilities", add "and in compliance with the requirements of IDEA and Section 504. Attempts will be made by school personnel to utilize positive and restorative measures for intervention and to promote safety on the bus."

Concern 2:

The word "discipline" should be removed from the title of the policy to align with the change in verbiage used in LCPS discipline policies as well as the name of the school board subcommittee "Student Behavior and Accountability Committee."

Recommendation 2:

Change the word "Discipline" in the title of the policy to "Behavior Supports."

Concern 3:

All elementary students will benefit from appropriate training on bus safety and expectations, particularly for students who transfer into the district after Grade 1 and may not have had such training.

Recommendation 3:

On line 13, change "At the Pre-K-1 grade levels" to "At the Pre-K and K-5 grade levels."

Concern 4:

The current policy does not identify any provisions for students with disabilities to be able to access the training curriculum.

Recommendation 4:

On line 13, add after ". . . practices of safety procedures" the following, "Bus safety training shall be modified for students with disabilities as necessary."

Concern 5:

Bus drivers should not be authorized to discipline students. They can report and manage incidents but should not oversee the discipline of any student. The focus of the bus driver needs to be on student safety in driving the bus.

Recommendation 5:

Remove Line 31, "The bus driver is responsible for the discipline of students on the bus."

Voted- passed unanimously.

Add to add ADA to recommendation 1.

Further concern is with a crisis and how to handle which will be sent back to subcommittee.

Policy 8025 RIGHTS OF ADULT/ELIGIBLE STUDENTS

Concern 1:

When a student reaches the age of 18, they are an adult according to the law. Va Code § 1-203. There are no instances in which a person turns 18 but is “eligible” to be an adult. A student should not need to sign a Declaration of Intent to be an adult. They just are an adult once they reach the age of 18. However, any adult student could sign a Power of Attorney form before a notary to share his/her educational rights with a parent, guardian, or any other adult they choose.

Recommendation 1:

Do not add the word “Eligible” to the title or the body of the policy. The correct term would be Adult Student.

Concern 2:

Emancipated minors are defined as a minor who has reached his/her sixteenth birthday but before turning the age of 18, is released from parental care and responsibility by court order. Va Code § 16.1-331; 12 VAC 30-110-1350. The parents of the minor are no longer the guardians of the minor and the emancipated minor functions as an adult as defined at Va Code § 16.1-334. The parents of a minor shall be relieved of any obligations respecting the emancipated minor’s school attendance. Va Code § 16.1-334(11).

Recommendation 2:

Modify Line 2 to read “An adult student is a student who has reached age 18 or is emancipated by court order.”

Concern 3:

Under some circumstances the parents or guardian may need to continue to make educational decisions for their student after the student turns 18. It is possible for an adult student to share their educational rights with their parent (or anyone else) by signing a Power of Attorney document before a notary. Lines 48-53 seem to refer to legal guardianship that is granted by a court of competent jurisdiction, but the policy does not clearly define it. Both guardianship and power of attorney should be clearly defined in this policy.

Recommendation 3:

Guardianship and power of attorney should be clearly defined in this policy.

Recommendation 4:

Change “parents” to “parents/guardians” throughout policy

Motion to refer back to subcommittee- Voted- passed unanimously to refer.

Policy 5060 TEXTBOOKS FURNISHED FREE

Concern 1:

In Section B of the draft policy, it states that: “consumable materials such as workbooks, writing, or drawing books, is based on the actual price of the particular consumable item to be used in class. Such materials may be sold to students at a retail price, not to exceed the publisher’s price...” Students with disabilities who may need these materials converted to a digital format depending on the students’ individual needs should not incur additional costs.

Recommendation 1:

At Line 4, after “reasonable fees or charges for student textbooks or related instructional materials may be assessed to students in specific instances” ADD “subject to special education laws and regulations.”

Voted- passed unanimously with amendment.

Policy 8140 STUDENT ATTENDANCE REQUIREMENTS AND PROCEDURES

Concern 1:

If absences are due to a manifestation of the student’s disability, reasonable accommodations are required per federal disabilities law.

Recommendation 1:

After “they will automatically be withdrawn from LCPS”, add subject to federal disabilities law.

Voted- passed unanimously with concern regarding chronic absenteeism and state law that could be related to

a students' disabilities.

Policy 5170 TEACHING ABOUT SUBSTANCE USE AND OTHER RISK-TAKING BEHAVIOR

Concern 1:

In Section B of the draft policy, it states that LCPS will provide Health Education Program Instruction to elementary and secondary schools. LCPS should create modified materials so students with disabilities can access the instruction.

Recommendation 1:

In Section B, add #7 "the Health Education Program Instruction shall be modified for students with disabilities."

Voted- passed unanimously.

Policy 2010 LEGAL STATUS, AUTHORITY, POWERS AND DUTIES

Concern 1:

SEAC agrees that it is important to track critical shortages of staff. However, open Teacher Assistant positions should also be tracked.

Recommendation 1:

Line 86 after "... matter," add "Teacher Assistants and Behavioral Assistants" to list of positions.

Concern 2:

Related service providers such as speech therapists, occupational therapists, physical therapists, and vision specialists are not clearly included at line 96. These licensed professions are currently facing shortages and are difficult positions to fill.

Recommendation 2:

Line 96, define or list other health and behavioral positions including all related service providers.

Voted- passed unanimously.

Policy 3120 POWERS AND DUTIES OF THE DIVISION SUPERINTENDENT

Concern 1:

SEAC agrees that it is important to track critical shortages of staff. However, open Teacher Assistant positions should also be tracked.

Recommendation 1:

At line 69, after "... matter," add "Teacher Assistants and Behavioral Assistants" to list of positions.

Concern 2:

Related service providers such as speech therapists, occupational therapists, physical therapists, and vision specialists are not clearly included at line 73. These licensed professions are currently facing shortages and are difficult positions to fill.

Recommendation 2:

At line 73, define or list other health and behavioral positions including all related service providers.

Voted- passed unanimously.

Policy 8250 BULLYING PREVENTION AND EDUCATION

Concern 1:

Under this policy parents will receive initial communication about an allegation of bullying, but there is nothing to require any subsequent communication. The principal or designee should communicate to parents when the case is resolved and the outcome to the extent allowed under FERPA.

Recommendation 1:

On line 65 after "... 24 hours notice" add "In addition, parents will be notified of the disposition of the investigation once the investigation is complete."

Concern 2:

As part of a school's appropriate response to bullying on any basis, the school should convene the IEP or Section 504 team to determine whether, as a result of the effects of the bullying, the student's needs have changed such that the IEP or 504 Plan is no longer designed to provide a meaningful educational benefit.

Recommendation 2:

Line 59, "If any involved student is identified as having a disability, the student's case manager must be notified via written communication and an IEP or Section 504 team meeting must be held to determine whether, as a result of the effects of the bullying, the student's needs have changed such that the IEP or 504 Plan is no longer designed to provide a meaningful educational benefit."

Recommendation 3:

Following recommendation 2, on Line 59 add "If any involved student is not identified as a student with a disability, the Principal or designee must consider if the student should be referred to an Intervention Team to consider the question of whether additional supports should be provided to the student."

Recommendation 4:

Line 65 add after "... 24 hours notice" and before the addition suggested in Recommendation 1 above, the following: "This notice will have a list of supports available to all involved students and their families through MTSS."

Concern 3:

At Line 78 the following statement, "Records are to be kept and collected, and the data analyzed annually," does not seem to belong in this paragraph. We believe it should be moved to the end of paragraph G.

Recommendation 5:

Move Line 78, "Records are to be kept and collected, and the data analyzed annually." to the end of Line 109, paragraph G.

Voted- passed unanimously.

Policy 8290 THREAT ASSESSMENT FOR THE PROTECTION OF SCHOOLS**Concern 1:**

SEAC is concerned that there is no inclusion of a special education dean, case manager, or other staff person with special education knowledge and the unique individual needs of the student on the threat assessment team. Additionally, SEAC is concerned that the team training does not sufficiently cover topics critical to students with disabilities such as a Functional Behavior Assessment (FBA), Behavior Intervention Plan (BIP), Positive Behavior Intervention and Supports (PBIS), an Individualized Education Plan (IEP), or Section 504 Plan.

Recommendation 1:

At Line 12 include "special education dean, case manager, or other staff with special education knowledge."

Recommendation 2:

At Line 37 add "This training will include information on Functional Behavior Assessments (FBA), Behavior Intervention Plans (BIP), Positive Behavior Intervention and Supports (PBIS), Individualized Education Plans (IEP), and Section 504 Plans."

Voted- passed unanimously.

Policy 8115 INDIVIDUALS WHO MAY BE ADMITTED FREE**Concern 1:**

A child with a disability whose 22nd birthday is after September 30 remains eligible for a free education the remainder of the school year. (§ 22.1-213 of the Code of Virginia; 34 CFR 300.101(a) and 34 CFR 300.102(a)(3)(ii)). The language in the draft policy is unclear on when a student with a disability is entitled to receive a free education from LCPS, and potentially in noncompliance with VA Special Education Regulations. The language in this portion of the Policy should more closely mirror the language from the VA Special Education Regulations' definition of "Age of eligibility" found at 8VAC20-81-10.

Recommendation 1:

Change Line 25(a). to "Individuals with disabilities, in accordance with the IDEA and related state regulations,

8VAC20-81-10, whose second birthday falls on or before September 30, or who have not reached their 22nd birthday on or before September 30 (age two to 21, inclusive), and who have not graduated with a standard or advanced studies high school diploma, are eligible for free education. A child with a disability whose 22nd birthday is after September 30 remains eligible for free education the remainder of the school year.

Recommendation 2:

At line 125 do not delete “and”.

Recommendation 3:

At line 196 delete the word “the” before LCPS.

Voted- passed unanimously.

Policy 8650 STUDENT TECHNOLOGY ACCEPTABLE/RESPONSIBLE USE

Concern 1:

It is not accurate that users have no right or expectation of privacy. Users do have a right and expectation to privacy under FERPA and other laws that provide privacy protection for certain student information. It is unnecessary to include the sentence, “Users shall have no right or expectation of privacy” because the policy already states, and puts students on notice, that monitoring of student accounts and devices will occur.

Recommendation 1:

Lines 24-25 delete “Users shall have no right or expectation of privacy.”

Concern 2:

LCSB does not have the authority to regulate the acceptable use of the Commonwealth's networks. It does not make sense to reference any internet network maintained by the Commonwealth of Virginia. If LCPS is trying to block Tik Tok they should implement that at a technical level. There are other apps and sites that LCPS is already blocking (i.e. Facebook). This app does not need to be called out in a policy. The unintended consequence of leaving this policy as it is written is that students with Tik Tok on their personal phones would be in immediate violation once it is adopted.

Recommendation 2:

Lines 67-69. Strike everything after “. . . capable of connecting to the Internet.”

At Line 66, add “...laptop computers, tablets, or other devices in compliance with VA Code 2.2-5514.1” and specify “maintained by LCPS.”

Replace Section E: Prohibited Application and Websites with the following, “LCPS Students will comply with VA Code 2.2-5514.1 as applied to LCPS devices and networks.”

Concern 3:

Lines 94-95, Per Security and Privacy Industry standards, all processes and policies should be reviewed at least annually.

Recommendation 3:

Delete “two” and change “years” to “year” so that it reads, “The School Board will review, amend if necessary, and approve this policy every year.”

Concern 4:

Lines 94-95, The generally accepted standard in the security and privacy industry is that all processes and policies should be reviewed at least annually.

Recommendation 4:

Delete “two” and change “years” to “year”. The school board will review, amend if necessary, and approve this policy every year.

Voted- passed unanimously with concern/amend as a general concern as an afforded accommodation to special education laws

Did You Know?

Executive Committee - Will be meeting tonight at Clyde's after the business meeting

SEAC Chair Report -

Appointment of Vice Chair of Planning, Jennifer DiDonato

2021-22 SY Survey Data

- Should receive draft report by mid-October

2022-23 SY Survey Data

- Currently awaiting analysis

22-23 SY Community Concerns

- Teachers, Teaching Assistants, and Related Service Provider Shortages
- ASL not available at all High Schools
- IEE Funding
- Low SOL Scores
- ECSE Not Following VDOE Guidelines
- 2018 Special Education Regulations Out of Date
- Teacher, Related Service Provider(s), and TA Shortages
- Bullying
- Delivery of Special Ed Services in Collaborative Classes,
- Specially designed instruction
- Efficacy of delivery across the county
- What is our co-teaching model?
- Closing learning loss gap

Subcommittees

Policy and Compliance Committee: Co-Chairs Shehnaz Khan & Crag Metz

- No Report

Specialized Programs

2023-2024 Subcommittee Co-Chairs

- Meaningful Inclusion, Tom Ketcham and Carla Sola
- Policy and Compliance, Craig Metz and Melissa Waugh
- Specialized Programs

Literacy and Math, Alicia McFadden and Erin Roselle Poe

Specialized Literacy and Math Work sessions @ LCPS Administration Building

- Quarter 1, October 23, 9:00-10:00AM
- Quarter 2, December 4, 9:00-10:00AM
- Quarter 3, March 18, 9:00-10:00AM
- Quarter 4, May 13, 9:00-10:00AM

- Transition, Shehnaz Khan and Catherine Moran

Committees:

- Career and Technical Advisory Committee: Need a SEAC member to serve on the committee
Meetings are the 3rd Wednesday of each month at 8:30 am.
- Gifted Education Advisory Committee (GEAC): Next Meeting, Thursday, November 9, 7:00-8:30PM
- Equity Committee: 1st Thursday of the Month Next Meeting, Thursday, October 5, 5:30-7:30PM
- Early Literacy Textbook Adoption Committee

Membership

PTA/PTO Representatives and Member Training

- 71 Schools with PTA/PTO Representatives - **25 additional are needed**

- 18 voting members - **3 open memberships**

Membership application and SEAC bylaws are on the SEAC page on the LCPS website:

<https://www.lcps.org/SEAC>

October Observations:

October is Disability History and Dyslexia Awareness Month

Adjourn: 9:15

SEAC Leadership:

SEAC Chair	Sharon Tropf	SEACChair@lcps.org
SEAC Vice Chair Planning	Jennifer DiDonato	SEACViceChairPlanning@lcps.org
SEAC Vice Chair Membership	Elizabeth Crotty	SEACViceChairMembership@lcps.org
SEAC Vice Chair Communications	Shehnaz Khan	SEACViceChairCommunications@lcps.org
SEAC Secretary	Kathryn Rosenbrook	SEACSecretary@lcps.org

SEAC Liaisons:

LCPS Staff Liaison, Director of Special Education	Tedra Richardson	Tedra.Richardson@lcps.org
School Board Liaison	Tiffany Polifko	Tiffany.Polifko@lcps.org
School Board Liaison, Alternate	Erika Ogedegbe	Erika.Ogedegbe@lcps.org

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Anyone needing accommodations for a disability to attend or take part in this activity should call (571) 252-1011. Calls should be made five days prior to the activity when possible so that proper arrangements can be made.

If schools close for weather or other reasons, there will be no SEAC meeting.

SEAC is an advisory committee to the LCPS School Board