

**Special Education Advisory Committee (SEAC)**

**Norfolk Public Schools**

**3/4/21 Meeting Minutes: Adopted 4/1/21**

Due to the Covid-19 Pandemic and Governor Northam’s Executive Order Number 53 (2020), effective March 23, 2020, this meeting was held via Zoom Communications, in accordance with Code of Virginia §2.2-3708.2.

**Meeting, date and time:** via Zoom, 3/4/21, 6:00 p.m.

<b>Members present:</b>	Halima Akar, Theresa Apker, Sarah Bailey, Rita Bell, Charlene Christopher, Ellen Fitzenrider, Vicky Greco (Secretary), Matthew Moynihan (Chair), Diane Outlaw
<b>Members absent:</b>	Nate Almeida, Betty Boone, Seraphine Nyuydine, Tasha Washington, Vashti Washington (Vice Chair)
<b>NPS Consultants present:</b>	Jerri Smith, Learning Support Senior Coordinator; Denise Williams-Patterson, Learning Support Assistant Director
<b>Guests:</b>	Shirley Confino-Rehder, Chair, Norfolk Commission for Persons With Disabilities; Marilyn Booker, Member, Norfolk Commission for Persons With Disabilities

**Welcome:** Mr. Moynihan called the meeting to order at 6:04 p.m.

**Approval of January and February Minutes:** Ms. Greco presented draft minutes from the January 7, 2021 meeting, which were approved as amended. The Committee approved the February 11, 2021 minutes as written.

**Announcements:** Mr. Moynihan shared that Barbara Walsh has submitted her resignation to SEAC. He announced the pop-up bookstore through reachreads.org and located at Military Circle, that allows residents to select free books up to two times per week.

Ms. Bailey shared course information from the Endependence Center, including the Youth Independent Living Skills (ILS) Virtual Classes and Emergency Preparedness Training series. Youth ILS Virtual Classes are offered on Tuesday afternoons, from 3:30 to 4:15, and are appropriate for young people with disabilities, ages 17-24. Ms. Bailey noted that she had emailed the flyer to the full Committee, as well as the Center's March newsletter, which includes details about monthly Emergency Preparedness webinars taking place on the last Tuesday of the month from 11 am to 12 pm.

Dr. Fitzenrider announced that she is resigning from SEAC due to her family's move to Arlington, where she will begin law school. She offered a personal reflection on her family's experience in accessing special education services for her daughter through NPS, emphasizing the importance of strong foundations needed for more positive student outcomes.

Ms. Greco announced that the School Board and City Council will have a joint meeting on Tuesday, March 9 at 4 pm. In addition, she noted that the School Board will hold a special call meeting on Wednesday, March 10 and its business meeting on Wednesday, March 17, which will both include deliberations around the proposed 2021-22 School Budget.

**Public Comment:** Following the review of guidelines for public comments, Mr. Moynihan opened the floor for public comments. None were offered.

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**Finalize Letter to School Board re: Restraint and Seclusion:** Mr. Moynihan led discussion regarding the first draft of the letter, in which he incorporated recent recommendations forwarded to him by SEAC members, as well as input given at last month's meeting. Meeting attendees thanked Mr. Moynihan for his draft and offered additional suggestions to the letter, which Mr. Moynihan plans to finalize and submit to the Board by Monday, March 8, 2021. He also encouraged all members to continue to provide timely feedback on the draft via the group email.

**Report on Education Legislation from the 2021 General Assembly:** Ms. Christopher gave a summary of the 15 education bills that were passed, enacted or consolidated as a result of the General Assembly's session earlier this year. Bill highlights from her report, which will be forwarded to the full SEAC, included:

**HB2117 - Children's Services Act; Special education programs.** Requires that **funds expended for special education services under the Children's Services Act only be expended on educational programs that are licensed** by the Department of Education (DOE).

**HB2182 - Board of Education (BOE); Definition of "traumatic brain injury."** Requires the BOE to amend its regulatory definition of "traumatic brain injury," **for the purpose of the provision of special education for children with disabilities to include an acquired injury to the brain caused by a medical condition.**

**HB2211 - Individualized Education Programs (IEPs); Identification of necessary additional services and referrals.** Requires IEP teams to identify any **children with disabilities who may need additional services outside the school setting and refer them to the local family assessment and planning team.**

**HB2299 - Department of Education (DOE); Duties; Special education.** Requires DOE to improve its training, guidance, and oversight of local school divisions' practices in the development of high quality, regulatory compliant IEPs, transition and postsecondary **transition planning and services for students with disabilities, recruitment and retention of special education teachers,** as well as the **review, communications and statewide corrective action of IEPs,** including those found to be out of compliance to be **corrected no later than the end of school year 2021-22.**

**HB2238 - Licensed Private Schools for Students with Disabilities; Accreditation.** Directs the state BOE to require any **private schools licensed by the BOE for students with disabilities to obtain accreditation from an accrediting agency recognized by the Virginia Council for Private Education** within three years of the issuance of its initial triennial license by the BOE. The bill provides that any private school for students with disabilities that is **licensed to operate as of July 1, 2021, shall obtain accreditation as recognized by the Virginia Council for Private Education no later than July 1, 2024.**

**HB2314 - Board of Education (BOE); Regulations; Special education; Amendment.** Requires the BOE to amend a certain regulation relating to special education to remove the word "component" following the word "evaluation," in order to **ensure compliance with the relevant federal regulation. This clarifies that the parent of a child with a disability has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the local educational agency (LEA).**

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**HB2316 - Department of Education (DOE) and Board of Education (BOE); Special education and related services for students with disabilities.** Requires the DOE to **update its special education eligibility worksheets as necessary, including clarifying any ambiguity or vagueness in eligibility criteria,** and **provide to each local school division the appropriate level of guidance on eligibility determinations for special education and related services.** The bill requires the BOE to amend its regulations to ensure that each education preparation program graduate in a K-12 General Education endorsement area **demonstrates proficiency in understanding the role of general education teachers on the IEP team.**

**SB1099 - Children's Services Act; Special education programs.** Expands eligibility for services under the Children's Services Act to students who transfer from an approved private school special education program to a public school special education program established and funded jointly by a local governing body and local school division located within Planning District 16 (i.e., City of Fredericksburg and the counties of Caroline, King George, Spotsylvania and Stafford) for the purpose of providing special education and related services when the public school education program is able to provide services comparable to those of an approved private school special education program and the student would require placement in an approved private school special education program but for the availability of the public school special education program.

**SB1196 and HB1904 - Teachers and Other Licensed School Board Employees; Cultural competency.** Requires teacher, principal, and division superintendent **evaluations to include an evaluation of cultural competence.** The bill requires every person seeking **initial licensure or renewal of a license from the BOE to complete instruction or training in cultural competence, as well as completion of instruction in African American history for endorsement in history and social sciences,** as prescribed by the BOE. The bill requires each School Board to adopt and implement policies that require each teacher and any other school board employee holding a license issued by the BOE to **complete cultural competency training with guidance issued by the BOE at least every two years.**

**SB1257 - Standards of Quality;(SOQs); Work-based learning; Teacher leaders and mentors; Positions and initiatives.** Makes several changes to the SOQs, including requiring the establishment of units in the DOE to **oversee work-based learning and principal mentorship statewide** and Standard 1 (Instructional programs supporting the Standards of Learning and other educational objectives) and requiring the BOE to establish and **oversee the local implementation of teacher leader and teacher mental programs** and Standard 5 (Quality of classroom instruction and educational leadership).

The bill also makes several changes relating to school personnel and Standard 2 (Instructional, administrative and support personnel), including **establishment of school-wide ratios of students-to- teachers in certain schools with high concentrations of poverty** and granting **flexibility to provide compensation adjustments to teachers in such schools.** Requires each School Board to assign license personnel in a manner that provides an **equitable distribution of experienced effective teachers and other personnel among all schools** in the local School division. Requires each School Board to **employ teacher leaders and teacher mentors at specified student-to-position ratios.** This bill also requires state funding in addition to basic aid to **support at-risk students and grants flexibility in such funding by school boards.** This bill **lowers the ratio of English language learner (ELL) students-to-teachers** and requires each School Board to **employ reading specialists and establishes a student to position ratio for such specialists.** This bill also **lowers the ratio of students to**

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**assistant principals and school counselors and elementary middle and high schools** as well as requiring each School Board to **provide at least four specialized student support positions including school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts and other licensed health and behavioral positions per 1,000 students.**

**SJ294 - Study; JLARC; Cost of Education; Report.** Directs the Joint Legislative Audit and Review Commission (JLARC) to **study the true cost of Education in the Commonwealth** and provide an accurate assessment of the cost to implement the Standards of Quality (SOQs).

**SB1288 - Department of education; Special education.** Requires the department of Ed and the Board of Ed to develop new policies and procedures and effect numerous modifications to existing policies and procedures to improve the administration and oversight of special education in the Commonwealth.

**SB1313 - Board of education; Temporary extension of certain teachers licenses.** Requires the department of Ed to Grant a 2-year extension of the renewable license of any public school teacher whose license expires in 2021 in order to provide the teacher with sufficient additional time to complete the requirements for relicensure.

**HB1776 - Board of education; Temporary extension of certain teachers licenses.** Requires the department of Ed to Grant a 2-year extension of the renewable license of any public school teacher whose license expires in 2021 in order to provide the teacher with sufficient additional time to complete the requirements for relicensure.

**HB2176 - School Board policies; Abusive work environments; Definitions.** Defines for the purpose of mandatory School Board policies relating to abusive work environments the terms abusive conduct abusive work environment physical harm and psychological harm.

The Committee thanked Ms. Christopher for her report and discussed the generally "low-bar" nature of this legislative action necessitated by the troubling findings by the JLARC study.

**Assignments of Subcommittees:** Mr. Moynihan appointed the following members to these 3 Subcommittees to begin their work in anticipation of required action and upcoming deadlines:

- 1) Bylaws - Theresa Apker, Charlene Christopher and Vicky Greco
- 2) Budget Priorities for Special Education - Halima Akar, Rita Bell and Matthew Moynihan
- 3) Membership/Officer Nominations - Diane Outlaw and at least 2 members TBD

**Adjournment:**

The next meeting is Thursday, April 1, 2021 at 6 pm via Zoom conferencing. (Discussion to move the meeting to Thursday, April 8 had occurred due to potential conflicts with religious holidays; however the April 1 date holds because April 8 coincides with NPS spring break/school and office closures.)

The meeting adjourned at 7:15 p.m.

Respectfully submitted,

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Vicky Manugo Greco  
Secretary