Executive Summary

The Ad Hoc Committee on Special Education (Committee) was established by the Loudoun County School Board in response to concerns expressed in the community regarding the LCPS policies, practices and procedures associated with and in support of special education services. To address the unique needs of students with disabilities, the Committee is comprised of nineteen members including three school board members, division-level and school-based administrators, representatives of the Special Education Advisory Committee (SEAC), LCPS Gifted Services, the Minority Student Academic Achievement Committee (MSAAC), parents of students with disabilities and a Board-Certified Behavior Analyst. The Committee began its work in June 2018, starting its review of current policies, practices and procedures to provide feedback to LCPS staff and recommendations for updates/modifications to the School Board.

As part of the initial charge, the timeline was set for a report and recommendations to be provided to the Board by November 30, 2018. After the initial meeting in June 2018, the Committee set a schedule and began meeting twice a month. In consideration of the amount and scope or work identified by the committee, the chair, Mrs. Beth Huck, requested additional time to complete the work as set forth in the charge. The request was approved and scheduled meetings will continue through the 2018-19 school year.

The Committee identified 17 focus areas (Appendix A) as priorities for review as a result of areas of concern associated with and in support of special education services. The Committee review of the 17 focus areas reflected common themes which resulted in the establishment of broad themes for further research and recommendations. The broad themes are Communication, Consistency, and Community Involvement. The Committee has engaged in several large group sessions to review existing policy, guidelines, and proposed regulations to establish shared understandings and common language. To address the broad and complex scope of the issues identified, and with the foundational knowledge developed, the Committee is now in the process of forming focus groups to allow for concurrent smaller groupwork. Beginning in December, the focus groups will include at least one Board member, one SEAC representative, one parent and one staff member. The focus groups will be assigned to review and recommend strategies to address concerns related to the identified priorities of consistency, communication, and community involvement.

The recommendations included in this report are based on the preliminary work of the Committee and additional recommendations or enhancements of the existing recommendations are expected to result from the remaining Committee work through June 2019. Additional efforts will be spent in the latter part of the year to develop recommendations related to sustaining the efforts of the Committee and ensuring long-term benefits from the work. The Committee continues to work collaboratively and has been intentional in reflecting input from community stakeholders in developing recommendations. The Committee also acknowledges SEAC as the primary source of parent input to the Board given State regulatory mandates for annual reporting and review of policies related to the provision of special education and related services.
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Appendix A: 17-Focus Areas

Appendix B: Presentation Documents
  LCPS Board Process for Policy Development and Adoption
  Virginia Freedom of Information Act
  The Mandt System
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  Ukeru, A Restraint-Free Crisis Management Approach

Appendix C: Draft Policy 5345 Restraint and Seclusion of Students

Appendix D: Vote Matrix (November 19, 2018) – Ad Hoc Committee on Special Education
Introduction

The Committee is appreciative of the opportunity to provide initial findings and preliminary recommendations to the Loudoun County School Board. This report will include information on the Committee charge, membership, the process used to conduct business and the preliminary recommendations. The recommendations were developed as a result of a collaborative process that included input from the members representing the Board, division-level and school-based staff, SEAC, parents, and the VDOE Training and Technical Assistance (TTAC) consultant who provides expertise as the Board-Certified Behavior Analyst.

Background

The Committee was established by the Loudoun County School Board in response to concerns expressed in the community regarding the programs and services for students with disabilities. The Committee acknowledges the work and role of the Special Education Advisory Committee (SEAC) in advising the Board on the needs of students with disabilities. Staff and members of SEAC have provided updates regarding the work of the Committee to the parent community at SEAC evening meetings conducted in October and November 2018. Staff is also scheduled to present to SEAC in December 2018 about a draft policy proposal.

The Committee has identified areas of common interest to continue the work of forming recommendations for policy, procedure and practices as directed by the Board. The Committee work has emphasized and demonstrated the importance of transparency and collaboration. Additionally, all meetings have been announced through public notice, all agendas and minutes, meeting handouts and work session artifacts are posted on the LCPS website, primarily through BoardDocs. When available, meetings have been audio taped and the recordings are available online. The Student Support and Services Committee of the Board (SSS Committee) has also received, and will continue to receive, updates regarding Committee progress.

After the initial meeting in June 2018, the Committee has convened twice monthly since August through November and will begin a monthly schedule in December 2018. A final report will be provided in June 2019 to memorialize additional work and recommendations to the Board. The general themes of communication, consistency, and community involvement provide the framework for the Committee work and are addressed in the recommendations. The topic of physical restraint and seclusion of students, new policy and regulation development, and alternatives to physical restraint and seclusion have been researched and discussed at length by the Committee. The existing document, Guidelines on the Use of Physical Restraint and Seclusion has been carefully reviewed and revised, and is recommended to be a regulation to the newly proposed policy, Restraint and Seclusion of Students. The policy and regulation development process has included stakeholder input through public comment, staff and vendor presentations, discussions at SEAC monthly meetings, and constituent written feedback.
Ad Hoc Committee Charge

On March 20th, 2018 the Loudoun School Board discussed the creation of a Special Committee to research current LCPS practices and policies affecting our special needs children. The committee would be tasked with reporting back to the Board any recommendations for enhancement/improvement in programs and services. A draft motion was provided for discussion.

On April 24, 2018, the Board approved a motion to create the Ad Hoc Committee on Special Education as follows:

That the Loudoun County School Board does hereby create a Special (Ad Hoc) Committee to review appropriate policies, procedures and practices, associated with or in support of special education, and make recommendations for updates/modifications to the School Board.

Members of the School Board and staff of Loudoun County Public Schools (LCPS) have received significant feedback voiced by parents of special needs children about the policies, practices and procedures under which we operate. To ensure we are meeting the needs of the Special Education Community, it is essential to undertake an in-depth review of current policies, procedures, and practices. The Ad Hoc Committee will review feedback, and take a forward-looking approach.

Policies that impact special education students will be reviewed, including:

- Generally (5-52)
- Personnel Development (5-53)
- Student Eligibility/Placement Procedures (5-54)
- Disciplinary Procedures for Students with Disabilities (5-55)
- Homebound Instruction (5-64)

The Ad Hoc Committee will report its findings to the full Board. Staff members will consider all of the recommendations regarding practices and procedures, and update the Student Support and Services Committee, as well as the full School Board, regarding its plans pertaining to implementation of the recommendations to practices and procedures.
Committee Membership

The committee membership was established as directed by the School Board. The committee shall be comprised of 19 voting members, including:

The three school board members will be selected by the School Board Chair, who will also name one of them as Committee Chair. Six members of school and non-school based staff will be selected by the Division Superintendent or his designee. Each school board member on the committee will nominate one parent from the special needs community. The Chair of the Gifted Advisory Committee and Chair of MSAAC shall each nominate their committee member. The SEAC Chair will nominate the SEAC positions. All nominated positions will be approved by the School Board. In addition to stakeholder representation, it is important that the committee reflect representation from the various geographical areas of Loudoun County to ensure broad participation and multiple perspectives.

On June 26, 2018 the following persons were appointed to the Ad Hoc committee:

Three (3) School Board members determined by the School Board Chairman, one of whom will be appointed Chairperson:
  • Beth Huck, LCPS School Board Member, Committee Chair
  • Debbie Rose, LCPS School Board member
  • Brenda Sheridan, LCPS School Board member (replaced Joy Maloney after appointment)

Six (6) members from school and non-school based staff, selected by the Division Superintendent or his designee:
  • School-Based Staff
    o Doug Anderson, Principal, Riverside High School
      ▪ Kirk Dolson, Principal, Park View High School (Alternate)
    o Lori Mercer, Principal, Belmont Station Elementary School
      ▪ Heidi Smith, Principal, Hutchinson Farm Elementary School (Alternate)
    o Beth Robinson, Principal, Harper park Middle School
      ▪ Bridget Beichler, Principal, Trailside Middle School (Alternate)
  • Non-School Based Staff
    o Dr. Joy Engstrom, Supervisor, Autism services
    o Dr. Suzanne Jimenez, Director of Special Education and Staff Liaison to the Ad Hoc Committee
    o Donna Smith, Supervisor, Procedural Support
      ▪ Toni DeLuca Evans, Supervisor SPED (Alternate)
      ▪ Bridget Gorey, Supervisor SPED (Alternate)
      ▪ Megan Wagner, Supervisor SPED (Alternate)

Three (3) parents from the special needs community, selected for their experience and/or education:
  • Deana Czaban
  • Nikki McMahon
  • Jill Pope
One (1) member from the Gifted Advisory Committee:
- Chris Croll, member, Gifted Advisory Committee

One (1) member from the Minority Student Achievement Advisory Committee (MSAAC):
- Michele Leffler

Two (2) members from the Special Education Advisory Committee (SEAC):
- Shehnaz Khan, SEAC Vice-Chair, Planning
- Craig Metz, SEAC member

Two (2) past chairpersons or vice chairpersons of SEAC:
- Lorraine Hightower, SEAC Past Chair
- Sharon Tropf, SEAC past Vice-Chair

One (1) Board-Certified Behavioral Analyst not employed nor contracted for work by LCPS, nor contracted by parents of an LCPS student:
- Karen Berlin

Dr. Asia R. Jones, Assistant Superintendent, Department of Pupil Services, provides information and support as a non-voting member.

**Committee Process**

**Meetings:**
Following an organizational meeting on June 28, 2018, the Committee met twice a month, beginning on August 16, 2018 to date. The Committee will continue to meet monthly with a portion of the meeting time for whole-group collaboration and a portion for concurrent focus-group work through June 2019.

As part of the consent agenda at a regularly scheduled meeting of the LCPS Board on October 23, 2018, the request for an extension of the committee work was approved. As part of the request, Mrs. Huck indicated that recommendations will be provided by November 30, 2018.

All meetings are listed on the LCPS website, open to the public, and audio-recorded when recording capability is possible. Meeting minutes are provided on the LCPS website under BoardDocs. An agenda is established for each meeting and constituents are provided an opportunity to participate through the provision of public comment.

In October, Mrs. Huck, Committee Chair, sent committee members a link for a survey to inform the decision-making process in establishing focus groups. Focus groups will provide a small group environment for committee members to engage in further discussion and development of input documents on selected topics.

In order to facilitate communication, a listserv was established (August 20) and Committee members were cautioned that the use of this listserv with “reply all” and would constitute a
meeting. Additionally, documents for review at meetings are provided at Committee meetings in print for members and attendees as well as electronically on LCPS BoardDocs.

**Resource Documents:**

During the initial meetings, the Committee received documents in order to become familiar with federal, state and local guidelines, regulations, and procedures. The following documents were provided:

- Special Education Procedural Safeguards Notice, Virginia Department of Education, Division of Special Education and Student Services;
- Regulations Governing Special Education Programs for Children with Disabilities in Virginia, Virginia Department of Education, Division of Special Education and Student Services;
- Procedures for Implementation of Regulations Governing Special Education Programs for Children with Disabilities in Virginia, Loudoun County Public Schools, Department of Pupil Services;
- Parent’s Guide to Special Education, Virginia Department of Education, Division of Special Education and Student Services;
- Guidelines on The Use of Physical Restraint and Seclusion, Loudoun County Public Schools, Department of Pupil Services;
- Report to Loudoun County Public Schools. Review of restraint and seclusion policies, procedures and practices within Loudoun County Public Schools. Virginia Department of Education. August 17, 2018;
- Acronyms and Abbreviations for Special Education; and
- LCPS Policies:
  - 5-52 Generally
  - 5-53 Personnel Development
  - 5-54 Student Eligibility/Placement Procedures
  - 5-55 Disciplinary Procedures for Students with Disabilities (Regulation included)
  - 5-58 Procedures for Location of Self-Contained Special Education Classes
  - 5-64 Homebound Instruction
  - Policy 8630 Inspection and Review of Educational Records (Provided at the request of the Committee. Future discussion to include the Department for Digital Innovation representative as the policy developer).
Identification of Focus Areas:
Members participated in small group activities to develop a working list of priorities to be considered for further study and potential recommendations. Appendix A provides the framework of these common themes that were identified using a Futures Protocol from the National School Reform Faculty.

Thematic Categorization of 17 Focus Areas:

Communication:
- Communication from the Office of Special Education regarding practices, procedures and policies
- Communication between home and school
- Sharing of information (data collection)
- Fear of retaliation

Consistency – Areas of Inconsistency:
- Implementation of practices across the division
- Transitions between grade levels/schools
- Implementation of restraint/seclusion guidelines
- Autism services
- Inclusive practices
- Discipline practices
- Expertise of school-based administrators
- School-based practices for mental health/social skills
- Involvement of BCBAs in IEP/BIP/FBA development

Community Involvement
- Observation by private providers
- Provision of therapies (animals, art, music)
- Inclusive peer programs
- Transparency of practices
- Relocation of Parent Resource Center

Presentations to Inform Committee Work:
The committee has received informational presentations to include the following (Appendix B):

August 30, 2018 LCPS Board process for policy development and adoption – Mrs. Brenda Sheridan, Board member

September 13, 2018 Virginia Freedom of Information Act – Mrs. Beth Huck, Committee Chair, Board member
Presentations of draft and proposed policies, regulations, or guidelines:

The Committee was advised that all policies must be reviewed by the Special Education Advisory Committee (SEAC). The policies were provided to the SEAC chair for presentation and review by their membership. A presentation is scheduled for SEAC on December 5, 2018 for the final proposed policy and regulation on Restraint and Seclusion of Students. The presentation will provide clarification of the safety procedures and the opportunity for question and answers.

October 4, 2018 Draft Policy 5345 and Regulation: Restraint and Seclusion of Students

October 4, 2018 Draft Policy 5310: Special Education

November 8, 2018 Final proposed Policy and Regulation 5345 Restraint and Seclusion of Students

Draft Policy 5345 and Regulation Restraint and Seclusion of Students has been developed and revised with committee input/feedback. The regulation and developed over several committee meetings (8/30/18, 9/13/18, 10/4/18, and 10/18/18) to ensure stakeholder input. A final draft was presented on 11/8/18 with a companion document to provide members with a record of the input received and resulting changes in the final draft.

October 18, 2018 Draft Guidelines for Classroom Observations – Private Service Providers/Professionals

To improve constancy of practice, the Department of Pupil Services, Office of Special Education has adopted a structure for sharing draft guidelines for best practices documents. The first draft guidelines practice document on Classroom Observations for Private Service Providers-Professionals was provided to the Committee for review and input (10/18/18) and returned as a final draft on 11/8/18.
Committee Recommendations

The following preliminary recommendations are proposed based upon Committee collaboration and feedback. Each recommendation is provided to address focus areas identified under themes of communication, consistency, and community involvement. It is anticipated that additional recommendations will be identified and shared in the final June 2019 report. The Vote Matrix (November 19, 2018) – Ad Hoc Committee on Special Education (Appendix D) reflects the individual votes of the committee membership.

Recommendation 1: Adopt Policy 5345 Restraint and Seclusion of Students (Appendix C). The draft policy will be presented to the Board as an information item on December 11, 2018.

Disposition: Approved (15 Approve; 1 Oppose; 1 Abstain; 2 Absent)

Rationale: The staff has worked closely with Committee members, SEAC, and community stakeholders in the process of reviewing and revising the existing document, Guidelines on the Use of Physical Restraint and Seclusion, and the proposed policy and regulation. The policy has been developed to establish Restraint and Seclusion of Students as an emergency, last resort procedure for protecting the safety of students in crisis. Ongoing training and revised reporting documentation are included in the proposed regulation.

If approved, training on the policy, regulation, and revised parent notification form will be completed by January 2019. The staff are in full support of the recommendation.

Recommendation 2: Expand interventions to provide alternatives to the safety procedures of restraint and seclusion by increasing the number of staff trained in de-escalation strategies, and the implementation of the Ukeru restraint-free crisis management approach for use in crisis situations.

Disposition: Approved (17 Approve; 0 Oppose; 0 Abstain; 2 Absent)

Rationale: Requests for expanded alternatives to restraint and seclusion have been expressed by SEAC, the Committee membership, and other stakeholders. In response, a proposed policy and regulation for restraint and seclusion have been developed. A capacity-building model has been developed and is the implementation phase to establish a MANDT trainer for each school building. LCPS staff is in the process of establishing a contract with Ukeru Systems for the provision of staff training and purchase of materials during the 2018-2019 year.

Recommendation 3: The superintendent or his designee shall provide administrative oversight to ensure opportunities for SEAC membership to review policies related to the provision of special education services prior to submission to the Board. Such review shall also include the Special Education Annual Plan which serves as the application for federal funds.

Disposition: Approved (17 Approve; 0 Oppose; 0 Abstain; 2 Absent)
Rationale: Review and input from SEAC is required by the Regulations Governing Special Education Programs for Children with Disabilities in Virginia. SEAC is valued by the Loudoun County School Board, Department of Pupil Services, Office of Special Education and the community. SEAC serves an important function as an advisory committee to the Board, and their involvement should continue to be promoted and ensured.

**Recommendation 4:** Develop guideline documents to articulate practices or procedures related to special education services for students with disabilities. Communicate the established guidelines widely to staff, parents, and stakeholders.

Disposition: **Approved** (17 Approve; 0 Oppose; 0 Abstain; 2 Absent)

Rationale: In addition to federal and state regulations, and local policy and procedures, LCPS staff develops and institutes guidelines that provide direction for school-based practices and procedures for the management of special education services. These guidelines are not disseminated in a consistent format nor available to parents and other stakeholders. To improve communication and consistency of practice between the LCPS Office of Special Education and schools, parents, and community stakeholders, written documentation of guidelines for practices in Special Education will be developed and published for reference.

**Recommendation 5:** Support the quality and fidelity of services for students whose behavior impedes his/her learning or that of others by improving Functional Behavior Assessments (FBAs) and Behavioral Intervention Plans (BIPs) by the creation of two (2) Specialized Instructional Facilitators – Behavior (SIF-B) with the Board-Certified Behavior Analyst (BCBA) credential.

Disposition: **Approved** (17 Approve; 0 Oppose; 0 Abstain; 2 Absent)

Rationale: Federal and Virginia regulations require that, as a part of IEP development, when a student’s behavior impedes his/her learning or that of others, the IEP team must consider the use of positive behavioral interventions, strategies and supports to address the behavior. When universal interventions, strategies and supports are not sufficient to address behavior, teams may request additional information through a Functional Behavioral Assessment (FBA) in order to develop a Behavioral Intervention Plan (BIP). These processes are important in providing students with the specially designed instruction and services required to meet their unique needs. Two (2) Specialized Instructional Facilitators – Behavior (SIF-B) with the Board-Certified Behavior Analyst (BCBA) credential preferred will be requested through the FY20 anticipated regional special education grant funding. In partnership with George Mason University, cohorts preparing individuals for the Board-Certified Behavior Analyst credential will continue.
Summary

The Ad Hoc Committee for Special Education has worked collaboratively since its initial meeting in June 2018. The discussions have been guided by informational presentations, written documentation from LCPS, and the Virginia Department of Education, and community members. Similarly, the input of subject area experts, stakeholders, and Committee research has been utilized to develop the recommendations provided within this report.

The Ad Hoc Committee is very appreciative of the Special Education Advisory Committee (SEAC) membership’s supportive of the work underway.

The Committee will continue the work begun to offer additional recommendations to address identified topics of concern reflected through common themes around communication, consistency and community involvement with the goal of final recommendations in June 2019.