THE WEST VIRGINIA BOARD OF EDUCATION’S RESPONSE TO THE 2011 ANNUAL REPORT OF THE WEST VIRGINIA ADVISORY COUNCIL FOR THE EDUCATION OF EXCEPTIONAL CHILDREN

RECOMMENDATIONS

June 16, 2011

The West Virginia Advisory Council for the Education of Exceptional Children (WVACEEC) is a state level committee mandated by federal and state law. Members are interested in the quality of education received by exceptional children and youth. The WVACEEC includes parents of and individuals with exceptionalities, educational service providers, administrators and representatives from a variety of related agencies. Participation is statewide and representative of diverse exceptionalities. The Council schedules and conducts regional meetings across the state to seek input and gain information about programs and services for exceptional students.

The State Board of Education appreciates the efforts to identify the unmet needs of children with exceptionalities within West Virginia. The Board is pleased to respond to the recommendations presented at the Board’s June 2011 meeting.

Recommendation: Response to Intervention

* *Because of the apparent confusion regarding criteria for determining eligibility for special education services, the Council recommends that additional clarification and training be provided to ensure that school districts recognize that RTI is only one component of the multidisciplinary evaluation.*

The Board recognizes and supports the Council’s recommendation for the provision of ongoing professional development related to the criteria for determining eligibility for special education services.

The West Virginia Board of Education (WVBE) supports a system which provides personalized learning as a way to ensure that students have the opportunity to develop reading and mathematics skills and appropriate behaviors. *Policy 2419: Regulations for the Education of Students with Exceptionalities* requires the use of a tiered model and measurement of a student’s response to instruction and intervention using learning rate overtime and level of performance as a requirement for the identification of students with specific learning disabilities and emotional/behavioral disorders. Other additional evaluation components are needed for eligibility to be determined. The use of a school-wide support model applies only to specific learning disabilities and emotional/behavioral disorders. Therefore, other multidisciplinary evaluation methods are required to determine eligibility for other exceptionalities specified in Policy 2419.

The Office of Special Programs recognizes that additional guidance is warranted regarding eligibility determination for all exceptionalities. The Fall 2011 Special Education Leadership Conference will focus on the evaluation, reevaluation and eligibility determination process for students with exceptionalities. Targeted professional development on best instructional practices will be provided to develop skills for special educators and leadership staff. Additional WVDE venues including Regional Education Service Agency (RESA) level targeted technical assistance will be provided during 2011-2012 as WVDE clarifies the School-Wide Support for Personalized Learning (SWS-PL) process as it relates to classroom instruction.

Recommendation: Free Appropriate Public Education

* *Testimony received this year and last has made it clear that the number of requests received by local districts for one-on-one aides to support instruction for students with more significant needs has increased dramatically. Although some students do indeed require this level of support, more instead require continuous adult supervision. For this reason, the Council recommends providing guidance to school personnel on how to identify and document appropriate levels of support and services through the IEP process and how to communicate this to parents.*

An individual student’s present levels of academic achievement and functional performance are the foundation of the Individualized Education Program (IEP). The student’s needs outlined by the IEP Team then are met through goals and services including, for a few students, adult supervision to the extent needed to ensure the student benefits from special education or has access to and progresses in the general education curriculum. Because each student has different needs, it would be difficult to develop written guidance to address individual needs. Due to its many and sometimes complicated laws and procedural requirements, special education can be fertile ground for disagreement between parents and teachers. Sometimes parents will request a one-on-one aide, thinking this is the answer to problems. They may not realize that this kind of support is not the only way a child can learn or that a one-on-one aide can actually be a drawback to social growth for a child.

School personnel and parents would benefit from training in the IEP process to ensure IEP requirements and individual needs are met. Additionally, the Office of Special Programs (OSP) is preparing a guidance document on autism and providing professional development during July and August 2011 regarding autism services, which will address appropriate support for this increasing group of students. Parent Educator Resource Centers (PERCs) and other parent groups should be encouraged to train parents on ways to foster independence while meeting a student’s need for support.

* *The Council agrees that serving students with disabilities in the least restrictive environment is extremely important. However, as programming for students with more significant needs has moved toward more integrated settings, the delivery of life skills training has become less common. The Council therefore recommends that the WV Department of Education develop a best practices document that contains these critical programming elements.*

Because the majority of students with disabilities are working toward a regular diploma, high graduation standards have resulted in students being expected to take a large number of academic classes for graduation credits. Therefore, time in the schedule to address life skills is limited. Additionally, accountability requirements, e.g., APTA, have focused attention on academic subjects rather than life skills or career technical skills, even for students with more significant needs.

The WV Autism Collaborative Community of Practice (WVACCoP), at the direction of the West Virginia Board of Education has worked since November 2010, to develop guidance for LEA personnel serving students with Autism Spectrum Disorder (ASD) and families of ASD students in identification and intervention planning. The collaborative group’s goals have been to provide decision making guidance that incorporates current research. The WVDE is collaborating with the Autism Training Center at Marshall University in these efforts.

The WVACCoP will continue its work and develop a document to address life skills. This best practices document would need to consider how to integrate life skills and required content standards particularly for students working toward a regular diploma, consistent with other WVDE policies.

* *The Council is aware that a comprehensive review of the instructional requirements of Policy 2510 is underway. The Council would recommend that revisions to that policy include enough scheduling flexibility to allow students with disabilities to participate more fully in career-technical education and community based job exploration programs while still meeting graduation requirements. Further, the Council would recommend that any committee formed to examine or discuss the realignment of this policy should include representation from the Office of Special Education Programs.*

The WVDE is aware of these concerns and has begun to address these policy issues. For example, new diploma options allowing students to receive a regular diploma for completing the GED under certain conditions have been created. This will provide additional options for all students, including students with disabilities. The Division of Career Technical Education with collaboration from the Office of Special Programs has been exploring options for allowing students to earn high school credits by attaining competencies in Content Standards and Objectives, albeit through their Technical Education courses.

Representation from the Office of Special Programs has been, and will continue to be, on the revision committee for Policy 2510 as well as county special education representation.

Recommendation: Least Restrictive Environment

* *The Council fully supports the tired instructional model characteristic of RTI in the general education setting whenever possible. Nevertheless, the Council has become increasingly aware that some students with disabilities might actually benefit from additional pull-out services designed to provide more individual or small group instruction to refine critical skills introduced elsewhere. For that reason, the Council recommends that the Department of Education provide guidance on matching the unique characteristics of students with disabilities to the appropriate level of instructional support on the continuum of services.*

The Office of Special Programs (OSP) and WVBE revised Policy 2419 effective January 2010, to strengthen and clarify the requirements of least restrictive environment (LRE). OSP onsite monitoring teams also review whether students are receiving appropriate education in the least restrictive environment, matching the student’s Individual Education Program (IEP) needs and schedule to determine whether services are being provided as determined by the IEP Team. Policy 2419 also outlines Levels of Need, which provide guidance regarding the level of support needed to provide FAPE. Professional development regarding the IDEA and Policy 2419 LRE requirements and the process for making placement will be provided to county staff.

Recommendation: Personnel

* *Testimony received by Council has revealed that there was substantial turnover among local special education administrators in the state. The council is also aware that the Office of Special Programs has been heavily involved in training on the skills needed to perform critical functions. The Council recommends that the Department of Education identify those competencies unique to this role and develop a professional development program that incorporates a mentorship component.*

Continuing turnover of local education agencies’ special education directors emphasizes that ongoing technical assistance and training are essential. Currently 51% of West Virginia special education administrators have less than four years of experience on the job. Each year at least two statewide leadership conferences are held, however, new special education directors have expressed the need for further training.

During 2010-2011 school year, the OSP surveyed special education directors to identify areas of need for new special education leadership staff. The OSP, during 2011-2012, will establish a stakeholders’ group of fourteen (14) representative stakeholders to provide input on OSP initiatives, one of which will be the new administrators’ training.

The OSP is planning a six day face-to-face Special Education Leadership Academy to provide ongoing support for new directors. This professional development program will include customized supports and on-going reflection and refinement of leadership and management skills. OSP has partnered with the Center for Professional Development whose mission is to advance the quality of teaching and management in the schools of West Virginia through the implementation of statewide training, professional staff development and technical assistance programs and practices to develop the Academy. The National Center to Inform Policy and Practice in Special Education Professional Development (NCIPP) has also partnered with the WVDE to improve teacher/administrator quality and increase commitment to students with disabilities by informing special education policy and practice on induction and mentoring and recommending implementation strategies. Both groups will provide direction on Academy development.

To provide ongoing support to Academy participants, experienced and/or retired county special education directors will be utilized as mentors to assist in the process of coaching.

Recommendation: Parent-Educator Resource Centers (PERC)

* *The Advisory Council has noted with concern the continued decline in the number (currently thirty) of local district PERC centers, organizations that link teachers and parents and provide substantial benefits to both families and school systems. To prevent the erosion of these valued services to parents and school districts, the Council recommends that the WV Department of Education explore mechanisms for expanding and/or maintaining the number of PERC centers*.

The evidence is constant, positive and convincing that families have a major influence on their child’s achievement. When schools, families and community groups work together to support learning children tend to do better in school, stay in school longer and like school more.

The goal that parents and teachers share involves securing an effective education for every child. Parent-Education Resource Centers (PERCs) typically are staffed by an educator and parent(s) and provide this link to learning. PERCs help parents:

* Better understand their children’s disabilities and education needs;
* Communicate more effectively with school and related service personnel;
* Obtain appropriate services for their children; and
* Understand their rights and responsibilities under IDEA 2004.

PERCS were established in West Virginia beginning in 1984. There have been as many as thirty-six PERCs. Thirty of fifty-five counties (55%) now have active PERCs, which is a 10% decline. Many have closed due to lack of special education funding. The Office of Special Programs is exploring providing IDEA funding to the Regional Education Service Agencies through Competitive Improvement Grants to initiate and maintain a regional PERC. This Center would serve those counties in the region that do not have established PERCs.

Recommendation: Achievement of Students with Disabilities

* *The achievement gap in reading/language arts and mathematics between the subgroup of students with disabilities and students without disabilities is significant. There is urgency for providing professional development to our special education teachers. The Council recommends that the Office of Special Programs provide professional development on strategies or interventions designed for use by special educators to support the education of individuals with exceptional learning needs.*

The following activities are being provided to focus on literacy and mathematics:

**Literacy Academies** – Office of Special Programs, in partnership with eight RESAs, is offering to develop the instructional expertise of special educators serving students in grades 5-9 who struggle with literacy and the compromised access to informational text that follows. This opportunity will build the capacity of these educators to strategically analyze, socialize, contextualize and personalize instruction to increase student engagement and to teach students to use a set of learning strategies to independently access, more deeply process and respond to content in ways that align with the expectations of the Next Generation Content Standards and Objectives across all content areas. In addition to increasing students’ access to content in reading/language arts, achievement is expected to increase where these strategies are used consistently by students. The global climate of elevating student expectations and an ever widening array of literacy demands in conjunction with West Virginia’s commitment to giving all our students what they deserve, make this initiative particularly relevant.

**Math Content Academies: Deepening Special Education Teachers’ Mathematical Understanding** – The purpose of this initiative is to improve student achievement in mathematics by deepening special educators’ understanding of mathematics and providing special educators with the experience of learning math in a student-centered classroom. Carnegie Learning math experts challenge the educators’ learning experience for specific math content areas and grade levels. Teachers gain a better understanding of the connection between early math concepts and algebraic thinking.

Expected project outcomes will include: (1) enhanced teacher content knowledge and instructional practices in math and (2) resulting student achievement gains in math, especially among special education students.

**Evaluation of SPP Improvement activities** – The Office of Special Programs began work the Mid-South Regional Resource Center (MSRRC) in August of 2010 to develop a plan for evaluating the implementation and impact of SPP Improvement activities. The MSRRC worked with OSP and Regional Education Service Agency (RESA) staff using the State Performance Plan/Annual Performance Report (SPP/APR) as a management tool to develop plans for evaluating improvement activities and developing a regional technical assistance structure that uses APR data to design local technical assistance and collaborate with general education. Using these models, OSP staff has worked to review and revise all existing Improvement Activities and develop Action Plans with implementation and impact for every activity.

**Targeted Technical Assistance to Districts** – Targeted technical assistance to districts involves indentifying districts most in need of improvement through data analysis and compliance monitoring and then deploying WVDE and RESA staff to assist with district-specific targeted technical assistance and access to evidence-based and promising practices. The process employs a logic model, flows through root cause analysis and includes problem solving. Fourteen counties were provided professional development during 2010-2011 and fifteen counties will be targeted during 2011-2012.

**Building Bridges to Literacy**: West Virginia State Personnel Development Grant – West Virginia’s State Personnel Development Grant, Building Bridges to Literacy, is designed to improve reading achievement of students in Pre-K through grade twelve and reduce inappropriate referrals to special education through professional development opportunities focused on building an infrastructure to support a tiered instruction model and the appropriate instructional expertise to support reading proficiency for all young children. The grant has four goals structured to support the different stakeholders in this work:

* **Goal 1**: Ensure that young children ages 3-5 years enter kindergarten with the necessary emergent literacy skills as a result of expanding literacy training for Pre-K teachers and providing parent training in early literacy skills;
* **Goal 2**: Increase the reading achievement of students with disabilities and other students at risk of identification through the implementation of systematic model of professional development for teachers, administrators, and parents in targeted and intensive intervention across grades K-3 in all West Virginia schools;
* **Goal 3**: Extend the School-Wide Support for Personalized Learning process to middle and high schools to meet the needs of students with disabilities and others who demonstrate the need for targeted instruction and progress monitoring; and
* **Goal 4**: Increase the retention of special education teachers through the recruitment and support for up to fifteen new candidates per year for National Board Certification as Exceptional Needs Specialists.

Acronyms, Abbreviations, Definitions

(WVACEEC Response)

APR Annual Performance Report

APTA Alternate Performance Task Assessment – Assessment taken when students with disabilities do not participate in the regular assessment with accommodations (WESTEST2). APTA must be specified as a student’s assessment on the IEP.

CSOs Content Standards and Objectives – The general education curriculum

FAPE Free Appropriate Education – Special education and related services which:

1. Are provided at public expense, under public supervision and direction, and without charge to the parent.
2. Meet the standards of the state education agency, including the requirements of Policy 2419.
3. Include preschool/elementary or secondary school education in the state, and
4. Are provided I conformity with an Individual Education Program.

GED General Education Diploma

IDEA 2004 Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 – Requires that the state set forth policies and procedures to demonstrate that the state has established a goal providing full educational opportunity to all students with disabilities who are residents of West Virginia, aged birth through twenty-one years of age and a detailed timetable for accomplishing this goal.

IEP Individualized Education Program – A written statement for an eligible student with an exceptionality that is developed, reviewed and revised in accordance with Policy 2419 and IDEA 2004.

LEA Local Education Agency – a public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township school district, or other political subdivision of a state, or for a combination of school districts or counties as are recognized in a state as an administrative agency for its public elementary or secondary schools.

LRE Least Restrictive Environment – The educational placement which provides the services/conditions necessary to meet the unique educational behavioral needs of the student, while providing the student with integration to the maximum extent appropriate with peers without exceptionalities.

MSRRC Mid-South Regional Resource Center – Center funded by the office of Special Education Programs (OSEP) to provide technical assistances to state departments of education.

OSP Office of Special Programs within the Division of Curriculum and Instructional Services – Responsible for assisting local school districts and other public agencies in providing high quality educational programs and services, which meet the letter and spirit of federal and state laws, for all students with exceptionalities.

PERC Parent-Education Resource Center is a program based on the concept of parents helping parents. PERCs make contacts with parents and professionals through newsletters, websites, trainings, presentations, individual assistance and extended assistance

Policy 2419 Policy effective January 2010 which incorporates the Procedures Manual for the Education of Students with Exceptionalities which outlines the policies and procedures districts must follow in meeting the requirements of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), West Virginia State Code, Chapter 18, Article 20 and Regulations for the Education of Students with Exceptionalities (2419).

RESA Regional Education Service Agency

RTI Response to Intervention is the practice of providing high-quality instruction and intervention matched to student needs using learning rate over time and level of performance to make important educational decisions.

SPP State Performance Plan

WVDE West Virginia Department of Education