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Loudoun County School Board, Special Education Advisory Committee (SEAC) Meeting, Wednesday, October 4, 2023

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[00:01:10] don't think it's on. Is it on? Hello? Good evening, everyone. Hello, hello. Could everyone please take your seats? We have a lot of stuff to get through tonight, so I just want to be mindful of the time, not keep you all too long. Thank you, everyone, for joining us. We are going to call

[00:01:47] the meeting to order at 6.03. We have a very exciting presentation this evening with Margaret Osbury and her crew we are going to we have our sign-in code here if you can please whether you are at home or here if you haven't signed in at the back if you could please go ahead and do that if you are either a SEAC member or a SEAC rep that would be very helpful and we have a bunch of policies that we're

[00:02:23] going to be reviewing later today there are QR codes believe on the table but We will also have them in the slideshow that you can access as well. But first, I would just like to introduce our director of special education, Dr. Paige Carter.

[00:02:42] Good evening. For our finding our common ground tonight, as is our tradition, we have an activity on your table. You should find some sheets on your table that have four questions.

[00:03:00] And if you don't have some, let us know. There's more coming. Okay. All right. Great. These questions are very similar to questions that Dr. Spence is asking in his listening sessions around the division.

[00:03:15] And I love the feedback from the one I attended, so I thought it would be great to do that from a SEAC lens. So the questions are, what brings you to SEAC or special education, depending on your role? And what is one thing that you feel LCPS or special education is doing well?

[00:03:33] What is one thing you'd like to learn more about? And what is one suggestion you have for improvement for either special education or SEAC? And then I would like you to take a few minutes, pick a couple of those questions and answer those as individuals, and then discuss it at your table.

[00:03:53] But after, and I'll give us five or seven minutes to do that. And then once you're done, I would appreciate it if you would leave your sheets on the table. Feel free to add to them as the night goes on. That is data for us, ways that we can improve our practices and improve our meetings so that we can provide what you want.

[00:04:12] And the question about what is something you'd like to learn more about has implications for SEAC but also for our parent resource services and other departments around the division. So I appreciate you guys taking the time to answer those questions, at least a few of them, and then discuss them.

[00:04:29] So we'll come back together in about five minutes.

[00:07:11] Okay, I'm going to stick to our five minutes tonight simply because the agenda is packed

[00:09:56] and I don't want us to spend too much time. But I would like one person to answer each question. I'll just take the first hand I see. What brings you to SEAC? The answer is kids. Does anybody have another answer?

[00:10:13] All right. What is one thing that you feel LCPS or special education is doing well?

[00:10:25] Yeah, thank you.

[00:11:07] And I know for, is there anyone joining online that we're aware of? I wanted to repeat that because I didn't walk out with the microphone. No? Okay. All right, and then what is one thing you would like to learn more about? Yes, ma'am.

[00:11:29] Thank you. All right, and be sure to put that on your sheet, and we will, as we plan for sessions going forward, we will certainly listen to those.

[00:11:46] And one suggestion for improvement. Yes, ma'am.

[00:12:09] This 65-day timeline is long. There are some states that allow for 100 days, so we're sort of in the middle. It ranges from 45 to 100, so we are. I understand, though, that is a really long time when you're waiting for services. Thank you guys for being willing to share out. I do have one announcement before we get started with the business meeting. I'd like to welcome our new assistant director, Nakia Purnell. Thank you. And to keep things going, I'd like to introduce Margaret Osbury. She will be presenting on specialized instruction tonight.

[00:12:55] Good evening, everyone. I am Margaret Osbury. I'm the specialized instruction supervisor for lcps and tonight we wanted to take a moment and just give you some brief updates on what is new in specialized instruction and then we're going to journey a little bit into how might you realize what your deficits for your children are and where might you find that information and then what strategies might you be able to support with at home and we have our fabulous specialized instructional facilitator team part of our team is here tonight to help with some strategies as

[00:13:33] well so we'll do that at the end of this portion so first what is new with specialized literacy so as many of you know the Virginia Literacy Act went into effect last year we have to have full implementation in January of 2024 and as a result we are also looking at what do we need to do with our interventions specifically for our students with disabilities so this year we are very excited to report that we've renewed our relationship with the Institute of Multisensory Education or MZ. If you were here back in 2016, 2017, they went by IMSE,

[00:14:10] so now they've changed the way the name is pronounced, so now it's MZ, to provide Orton-Gillingham trainers training to our staff and I'm very excited we've trained over 200 teachers in LCPS from July through our class session is actually occurring right now. I'm fortunate to participate with several of our teachers this week. I've also linked here when the slide deck is available on the website, you'll be able to click this. It takes you to the IMSE parent website, which also provides some resources, some activities that you can do at home that directly tie to the IMSE Orton-Gillingham instruction your child may be receiving here at school. Another exciting thing we have on the

[00:14:49] horizon is we were fortunate to be able to bring on board SPIRE, which is a new reading intervention to LCPS. It is an Orton-Gillingham-based methodology. It is highly structured and systematic. It does not have sand for students to practice their sounds in. Instead, they practice them on their hands and manipulate magnetic tiles and different letter tiles, but it's still founded in Orton-Gillingham methodology. It's more structured. It has a higher review structure to the lesson, so it may be a better fit for some of our students that receive an Orton-Gillingham methodology. So what's new in specialized math? Some of you may have heard we have two new

[00:15:26] interventions in elementary. One is Bridges math intervention provided by the Math Learning Center. And the other one is Do the Math provided by the Heinemann Textbook Company. Both of those materials were delivered to all of our elementary schools this summer. Bridges training is ongoing and our Do the Math training is upcoming. So there's been a lot of questions about what are these two things? How are they similar? How are they different? So this is a very wordy Venn diagram that summarizes how they are the same and how they are a little bit different. Both of them cover some similar concepts. Bridges really focuses on number sense in addition to addition,

[00:16:05] subtraction, multiplication, division. It also covers money, decimals, and fractions. Do the Math really focuses in on addition, subtraction, multiplication, and division for us in LCPS. Do the Math has a literacy connection for every single unit. So they build off of that literacy connection and tie it into mathematics. So for our students who really need that connection for memory. It is very helpful. Some of the things that they have in common, they both are direct instruction from a teacher. Neither one of these are computer-based programs. It's all direct teacher-student instruction. They both use a ton of visuals and manipulatives and are founded in

[00:16:42] that concrete, representational, abstract way of teaching mathematics so that we're accessing the different types and different ways that our students learn and process math. Both have a lesson that's approximately 30 minutes in length. Both use progress monitoring every fifth lesson, and they are inherently multi-sensory because of utilizing that CRA or concrete representational abstract methodology. Bridges does involve a lot of games so does do the math. Do the math just has more practice opportunities so if we have students who need more practice do the math may be a better

[00:17:17] fit. So that was very brief and very fast but I will also share one of our stations tonight we have bridges and do the math materials here for you if you want to look through them to kind of get more familiar with them, we did bring them downstairs. I do want to highlight for you last year we were fortunate to do some SEAC subcommittee work sessions. What these were were opportunities for our SEAC specialized instruction subcommittee and the Office of Special Ed to come together and collaborate to design a lot of the documents that we have in place to start brainstorming for what

[00:17:52] new documents might we need to create. I will say our instructional match guide is teacher-facing and we're currently looking at how we might get it to a broader audience in the near future. And I'm very fortunate and grateful that our SEAC subcommittee was very involved in getting that particular document prepared and ready for our staff. And I think we've seen the benefit of that already this year. So kudos to SEAC for being involved in that process. This year we have four subcommittee work sessions. There's one per quarter. They're all here at the admin building

[00:18:26] from 9 30 to 10 30 and they're in room 104 a the qr code and the bitly link are just to express your interest in attending i will ask for your email address just so i can communicate any changes in schedule or location and this way we can let security know that you will be here in the building i will also add that those are in addition to our regular subcommittee meetings which are tentatively scheduled for the third tuesday from five to six i'm looking at liz because i think that's right, but I'm going to triple check that. So a lot of times when we provide information

[00:19:01] from specialized instruction, we use a delightful bevy of vocabulary to describe the things that we do. We love to use words like decoding, encoding, phonemic awareness. And I'm also a parent, so sometimes I'm also left with what does that mean for my kid and how do I know if my kid needs that strategy? So I wanted to take some time tonight to kind of go through some of these phrases and kind of think about how does this show up for my child? How do I know if this particular strategy that you're telling me is something that I might need or not? So I'm not going to read all of these

[00:19:36] to you. I did provide them to you at your tables in these little handouts. They have our QR code for our work sessions if you want to sign up and then also all of these keywords. So if we're saying that we have a strategy that could help support phonemic awareness, what are some of those keywords that might tell you as a parent that your child might have difficulty with phonemic awareness to know that that's a strategy you want to look into. So I'm going to use phonemic awareness as one because it's one that has a lot of specific words to it. So phonemic talks about sound and we talk about phonemes. Those are the individual sounds in our language. You might hear that your child

[00:20:12] has struggles with phonemic awareness or segmenting phonemes, breaking them apart, or blending the phonemes, putting them together, substituting phonemes. One of the prerequisite skills to reading is the ability for a child to go, the word is cat, take out, put in, what's the new word? It's pat.

[00:20:37] That's also, by the way, a very fun activity you can do in the car while you're waiting in the drive-thru line or you're going to an activity that does work on phonemic awareness. You don't need any writing for that. So you can do it anywhere in the grocery store. It's a fabulous subskill of reading. Or you might just see that your child has difficulty with reading. Phonemic awareness might be the foundational skill that causes that deficit. So what I'm going to ask you to do is at your tables look through some of these and I want you to just chat as a group what might be some places where these keywords come up for you. Where might you hear these words

[00:21:16] being said, being indicated about your child to know, oh my child might actually have a deficit in math calculation and I need to look for some strategies to help support that at home. What questions might you have before I start the timer? And I apologize, I also talk very fast.

[00:21:37] Okay, we're going to take three minutes.

[00:24:06] Throw it on the rest of the slides quickly.

[00:24:35] All right, it's on some of yours, but not all of them.

[00:24:53] Do you want to put it on all of them or just the ones from my part?

[00:25:29] This is PowerPoint, so hold on.

[00:26:23] Taste manager. Sure. I'll tie that in. Okay, that was three minutes. Is there anyone who might like to share one of the places that you think some of these keywords might come up for you in your interactions with your child teacher conferences yes anywhere else you might find it in your iep's where else might some of these come up report card comments

[00:27:00] yes ma'am from your psychological report either private or from the school division anywhere else any reports from your pediatrician they might also mention some of these ideas you might also get you might notice some of these comments in the parent notification letters that you get from the assessments that your child participates in in the division is that what you're getting at

[00:27:31] anywhere else i'm sorry say that from a perhaps a speech language pathologist might tie in some of those elements as well possibly parent teacher meetings that are less formal perhaps yeah so all of these places where you're having those conversations about checking in on your child i find sometimes they happen at drop off or pickup right that kind of fly by the night right but those are also helpful pieces to then that lives with you as a parent of oh you mentioned that but now

[00:28:10] want to know what i need to do to try to work on that or what do we as a school division need to do to work on that so we're going to get to that part and i did put the code back up for questions and we did have one about registering for student assistance with reading if you have concerns about your child's progress in reading i strongly encourage you to contact your child's case manager or classroom teacher as a starting point to express those concerns and start that conversation about i have concerns about their progress let's talk about what they're doing what we need to change So I will also share in case you weren't aware, October is Dyslexia Awareness Month.

[00:28:47] And as our teachers are also participating in a lot of professional learning in letters, in IMSEOG, and we're going to have SPIRE training coming up, I wanted to share five very brief questions that also tie into the kind of information your students are learning when they engage in specialized reading instruction.

[00:29:04] So I am going to make you stand up. Or I'm going to ask you. I'm not going to make you. I'm going to ask you to stand up. I'm going to request you to stand up. Around the room, there are four-letter posters. There's A, B, C, and this one is pink, but it does say D.

[00:29:20] I'm going to ask you to move to the location where you think the correct response is. Okay? Okay. And this might be tricky because it might show up with the correct answer on it, so we might get a freebie.

[00:29:38] Yes. Okay. Woo-hoo. All right. Which one of these is not a consonant digraph? Do not follow our CIFs, because they're going to set up for the activity.

[00:29:57] So don't follow them, because they're going to stay here. That's 644.

[00:30:16] Well, it's a good thing you only put it on one. Okay, I see a large gathering by letter C. Does anyone feel brave to share what letter C is an example of?

[00:30:35] B-R-B-R is a consonant blend. It was also shared today, consonant digraphs are when we have two letters that work together to make one unique sound. It's like the ingredients to cookie dough, right? You have flour, chocolate chips, butter.

[00:30:51] When you mix them all together to make dough, they don't taste like butter anymore, right? They taste like something new. That's what digraphs are. So if you see those in your IEP goals, there you have some examples. All right, which of these are prefixes?

[00:31:05] And spoiler alert, there may be more than one right answer.

[00:31:34] You are correct. There are two prefixes, anti and sub. The other two are examples of suffixes.

[00:31:52] So if you have students who have those base words, roots, AFIX type goals. This is what we're working on. Which of these is a vowel team syllable? You need

[00:32:10] to move to the location where you think the correct answer is. 644. I did. So before I show

[00:32:56] you the right answer, what is a vowel team syllable? So it is one vowel sound where we use multiple letters or graphemes to represent that sound. But they make how many sounds? Two or one?

[00:33:18] one does anyone want to revisit their answer all right so the answer is the answer is eight eight works together to make one sound I or a I had as height I changed it a chaos those vowels make how many sounds chaos to chaos is Greek it's a split syllable right a little morphology no

[00:33:53] all right which of these are an essential elements to reading fluently accuracy, reading rate, prosody, which is intonation, or expression. I don't like it.

[00:34:09] You guys are not moving. It's all of them. I know. Well, I had to make it a little tricky. There might be some, there's some ringers in the room. All right. Last one. What percentage of the English language is truly irregular? And we are going to define, hold on, we're going to define truly irregular as unable to be explained using patterns, orthography which are

[00:34:48] spelling patterns, etymology which is root word origin, travel over time. So what percentage is truly irregular?

[00:35:14] Be brave.

[00:35:40] Are you ready?

[00:35:58] English language is truly irregular meaning it is we have no retention of the reason for why those words do not are not pronounced the way that they are spelled. Typically those are functional words where we've retained a pronunciation that is different from a spelling over centuries of time and what I like to call it language diaspora which means like the language moves from place to place. So when we talk about irregular words think of how few those words really are in our language. We do have reasons for why most things are spelled the way they are.

[00:36:33] And in case you're curious I did link the Reading Rockets reference for Louisa some oats up there in case you want to cross-check me. That's also fine. I will also add that in case you're ever curious why a word is spelled the way it is or where it comes from, there's a fabulous resource called Etym, E-T-Y-M, stands for etymology, online. Any word that you want to know why it's spelled the way it's spelled, put it in there, hit enter, and it will tell you, and it is amazing.

[00:36:59] It's a rabbit hole late at night. All right, so what we are going to do now is we gave you this piece of paper, and if you didn't get one, you can come get one from me, about what deficits your child might have and what words are going to tell you that. Our CIFs, while we were doing our activity, have set up their stations and they each have some activities that you might want to be interested in to support your child at home. We have fluency, we have syllabication, we have some executive functioning strategies. So if you have students who struggle with executive functioning and that's impacting their ability to access academics, we have some resources for you

[00:37:36] on that as well so we're going to set a timer and you're going to spend eight minutes at a station there are more stations than we have time for you to visit so I also linked all of them here so that you have them when you get home so please don't feel pressured to visit all eight all of them that's okay when the timer goes off I'm going to ask you to politely stand and find another station to go to and I will also add that while our CIFs are fabulous experts in their own right they are not experts on your individual children so if you have individual child questions please

[00:38:13] refer those to your child's case manager or classroom teacher so i'm going to give you a couple minutes to get settled at your station and then i'm going to press the timer to start and thank you all for indulging me in dyslexia awareness trivia oh sifs sifs please put your

[00:38:34] hands up so everyone knows where you are thank you oh yes please this one beeped but it doesn't

[00:48:19] be okay if you can see my hand put your hand up thank you that was the end of

[00:57:12] session two we're gonna Liz has graciously given us time to do one more so if you have take one minute to rotate to a new set station sifs please put your hands up so everyone knows where you are sifs put your hands up and then

[00:57:34] once you have a new spot I will start the timer all right I just need to plug

[01:07:04] this in over here I'm just gonna tell them that all right thank you very much everyone for engaging with our specialized instructional

[01:07:41] facilitators. I will reiterate I linked all of the activities shared tonight in the slide deck. All right now you're gonna raise my hand. You're gonna make me raise my hand. If you can see my hand raise your hand. I know right but it works. Thank you again everyone for participating. All of the activities are linked here in the slide deck which will be available on the CEAC website. My

[01:08:18] My contact information is just margaret.osbury at lcps.org. Should you have any questions for me directly, I would love to hear from you. Feel free to reach out and email me. And now I will turn it over to Liz. All right, everyone.

[01:08:40] We're actually going to take a five-minute break, and then we will start our business meeting at 7.15. So, yes, 7.15. So if you can be back here at 7.15 promptly. Also, just as a reminder, if you have a public

comment, you can sign up on the sheet in the back.

[01:08:57] there are attendants. Okay thank you all all right everyone it is 7:15 so we are

[01:14:43] gonna go ahead and get started with our business meeting. Again we have the QR code here that you can scan if you have not already electronically signed in. The role of SEAC and Virginia regulations so I'm just gonna go through through this quickly in detail just because it's our first business meeting of the year but we'll be brief for going forward the regulations governing special education programs for children with disabilities in Virginia reflect

[01:15:20] the state and federal requirements for the provision of special education and related services the regulations mandate that an active SEAC exists as well as specific functions of the SEAC, as specified by Section 5 Virginia Code, which are as follows: Advise the local school division of needs in the education of students with disabilities; 2. Participate in the development of priorities and strategies for meeting the identified needs of students with disabilities; 3. Submit periodic reports and recommendations regarding the education

[01:15:56] of students with disabilities to the division superintendent for transmission to the local school board for assist the local school division in interpreting plans to the community for meeting the needs of students with disabilities for educational services five review the policies and procedures for the provision of special education and related services prior to the submission to the local school board and six participate in the review of the local School Division's annual plan. These are our SEAC leadership up here. My name is Liz Crotty. I am

[01:16:34] the chair. I will go into this in a little bit. Our new vice chair of planning is Jennifer DiDonato. Our SEAC vice chair of membership is Carla Sola to my left. Shanaz Khan is our vice chair of communications. She is not with us this evening, but she is virtually. SEAC secretary is Katie Rosenbrook over to my left and our SEAC past chair is Sharon Trof over to my right. Our LCPS staff liaison is Dr. Paige Carter. Our school board liaison is Miss Tiffany Polifko and our school board liaison alternate is Erica Ogedegbe.

[01:17:14] So first we are going to start off with our public comment. We use public comment to inform our work to advise the school board on special education needs. We We focus on system-wide issues rather than individual concerns or specific situations.

[01:17:34] Please do not use student or staff names. Verbal comment may be given. Please complete and submit the comment form tonight. We have our comment form up on our webpage that you can do.

[01:17:49] And then we also had the -- did someone grab the sign-in sheet? Do you have -- did we have any -- okay, all right. So written comment may be read by the author or the SEAC chair, and your remarks are limited to three minutes.

[01:18:06] So we have one public comment this evening that was submitted to us via email. Good evening. Thank you SEAC for taking time to consider an issue that has been commonly overlooked in Loudoun County.

[01:18:22] It has come to my attention that multiple public schools within Loudoun have incomparable playgrounds for our students, especially those with special needs in autism-specific classrooms. At first

glance, some of these schools present with phenomenal equipment in plain sight, which many would then make the assumption that the equipment is accessible to all students.

[01:18:45] However, I urge you to dig deeper in your investigation of playground equality by asking the question, do general education children and children with special needs to include autism-specific classrooms, utilize the same playground equipment.

[01:19:01] It may sound like a silly question, but unfortunately, at Little River Elementary and John Tolbert Elementary, it's a necessary question to ask. I have spoken with many fellow parents of children with special needs enrolled at the above-listed schools and have been extremely disappointed to learn the answer to my proposed investigative question is no.

[01:19:23] Instead, these schools have been denying children with special needs access to their main playgrounds. The most common excuse I have heard justifying this behavior is access is not granted to children with special needs due to safety issues. However, the alternative area where children with special needs spend their recess is in the significantly smaller enclosed courtyard.

[01:19:46] These courtyards do not have specialized equipment installed for children with special needs to use. Specifically due to the layout of their courtyards with trees that are not to be climbed, picnic tables, dead grass, and poorly maintained shrubbery.

[01:20:03] The limited toys made available in the special education playground are overused, dirty, and lack consideration of children's age and weight capacity, including toddler-age toys. It concerns me that these safety issues are not of the school's concern.

[01:20:21] I have an extremely energetic child with special needs who needs a safe, appealing, and comparable space in order to release energy, just like many other children. The blatant discrimination of children with special needs at these schools is sickening and extremely unfortunate.

[01:20:38] I hear the words "inclusion" pushed only when it is convenient to the entity. The truth is my child and many other children with special needs are being excluded from the same opportunity that general education children have access to.

[01:20:53] The courageous actions that occurred in 1955 sparking the Civil Rights Movement are not to be overlooked nor underappreciated. Many sacrifices were made in an effort to shed light on discrimination. It is extremely upsetting in this day and age to witness acts of this nature within our public schools.

[01:21:14] Today I am requesting that with this knowledge, the SEAC act swiftly to defend and support children with special needs from interpreting the unspoken and untrue message that they are less than any of their peers. I thank you for your time and appreciate the sincere attention and care the SEAC has placed on this matter. Sincerely concerned parent. That concludes our public comment. Now on to new business.

[01:21:52] I'm open to a motion to admit our virtual participants into the meeting? Would someone like? Okay, first up is SEAC awards. So as many of you probably know, we held our SEAC awards in June, or we always do in June. And it is a ton of work for anyone

[01:22:25] who has never been there or been a part of it. It's many, many, many hours. And so the executive committee started having a conversation. Perhaps this is something that we would like to, as a

either a subcommittee or a task force that might take a group of our SEAC members to work on it all year long so that it doesn't just fall to, you know, three or so people, you know, at the last bit.

[01:22:59] So I wanted to open it up to discussion within our SEAC community whether anyone had some thoughts or opinions on perhaps how we might best go about this. Does anyone have any feelings about whether we should form a subcommittee or not?

[01:23:20] Also, I would like to just remind our virtual participants that you can just unmute at any time to join the conversation. So here's my opinion on this.

[01:23:36] I would like to see a dedicated awards ceremony subcommittee. I don't think in the beginning of the year that that subcommittee would be more just getting organized, but I think the big push comes at the spring. I would say definitely beginning in February through the ceremony itself. And there are so many different areas that I think that

[01:24:08] a subcommittee would be the best way to handle it. We can do that. Craig has.

[01:24:40] While I agree with the proposal, we've been to this party before. I have to ask if we can find two people who are willing to stand up and say, I will be the co-chair. And the reason I have to say that is for many years with the Meaningful Inclusion Subcommittee, everybody agreed it was a great idea. But when we said, now two people, please take responsibility and own this, everybody fell silent. So everybody out here, can two people raise their hand and say, I want to do this?

[01:25:16] I mean, I'm definitely willing, this is Shanaz, by the way, I'm definitely willing to be part of committee to co-chair and I'm going to also nominate Sharon to be part of that as a co-chair as well but we do need I mean it's involving getting the awards getting sponsorships collecting funds we just need a lot of help

[01:25:45] okay so I wasn't part of this so don't think it's collusion but I just I think this is a great idea. As someone who's not been to the SEAC Awards, the first time I learned about it was really this last year, and I was in Germany, so sorry. But this time, I would love to do that, and I like the concept of kind of micro-volunteering, getting parents who are involved to do one small thing. So if we had maybe like a structure, like Craig was saying, where we

[01:26:23] have one or two leaders but the leaders don't do anything except you know check up on what the individuals are doing and then you have one person whose job is to uh get the cupcakes or right one person whose job is to send out things to ptos to solicit for those um those awards and those gift cards and those things we need to put that on and then one person and again i don't know all the things because I haven't been there yet but that concept if we could just get right so if we identify people to lead in my view those leaders wouldn't do anything other than lead follow up

[01:27:03] with the people who have their own individual tasks from that point of view and hopefully we can you know I don't know about you guys but if you tell me if I want to lead a whole event I'm like oh it seems like a lot but if you're like hey you want to get cupcakes I'm like oh totally love cupcakes right um i don't know so i just had a question it are would the membership or do we need to limit the membership of the subcommittee to only board appointed SEAC members or can the membership be expanded to some of our SEAC representatives um to the different schools

[01:27:36] because that then opens up the amount of people potentially who could help and we did i'll say this last year we we tried to include our we did include our pto and pta reps and they were extremely helpful in volunteering their schools to provide cupcakes and um trophy funds and gift cards and all sorts and flowers all sorts of different things we did have a number of really excellent volunteers um craig do you do you know are we allowed to expand yes okay craig is saying

[01:28:10] yes we can we can have members or we can have representatives by law all of our meetings are open to the public and just as a matter of common sense we encourage community participation we don't want to exclude we want to include and I would say even more so when we're talking about people who are coming and willing to volunteer and help we love that we want that but I do need the co-chairs to be members that makes sense okay so co-chairs need to be members but yeah I mean by forming a subcommittee then we can have you know these these meetings and anyone the whole

[01:28:48] public anyone in the public can come and join and be part of the effort which i think would be great shanaz and i have done this now for four years so we're pretty intimately aware of everything and uh we've worked wonderfully with kim kim's still there she is um and it it has really worked well so i think we have that part of it down to a pretty good science i think um i am more than willing to do that and we work and wish to not so I can do that okay so I'll entertain a motion

[01:29:24] for the formation of a subcommittee for the SEAC awards I need someone to make the motion thank you Craig all right Rosina seconds okay thank you all right so that is set um the next item of business is for our subcommittees I think most people are probably aware the structure that we've had is specialized instruction as a subcommittee, but then it was broken into two, transition and then specialized reading. We would like to make just a slight change

[01:30:02] and get rid of that heading of specialized instruction and just have a transition subcommittee and then also a specialized reading and math subcommittee because there's a lot of specialized instruction both for reading and math that we would like to look into as part of that subcommittee is there any discussion on that and if not yes Margaret a voting member of SIAC but can we make it specialized literacy to

[01:30:39] include our work that we are moving into with reading and writing sure yeah I love that idea all right so I'll entertain a motion then a motion to change our subcommittees to transition subcommittee and then specialized literacy was that or literacy do we just think literacy and math okay that probably sounds a little bit better so just literacy and math subcommittee okay

[01:31:12] looking for a second thank you all right and then I think we need to take a vote on both of these things yes thank you Craig do we need to do roll call first okay I'll call for see if there's unanimous consent if you're in favor of these two motions please say aye raise your hand and raise your hand thank you

[01:31:43] any objections any nays any abstentions that's the word I was looking for thank you any abstentions now all right so it passes unanimously and then next up is policy reviews. So I am going to call Melissa and Craig to come and do our policy presentation for everyone. To start off, this is the QR code to access all of the draft policies that we are

[01:32:19] about to review. So it's been a busy beginning of the school year for our policy and compliance subcommittee. We have several policies that we had to review. Actually, 22 altogether? 29. I was going to

say, because I saw 22 and I'm like, wait, that's not how many. Yeah, it was a lot more than that. It was 29. The good news is we have 15 policies and one deletion of two old policies

[01:32:55] that the policy and compliance subcommittee is recommending no recommendations. And so those are these policies here, policy 7640, 6730, 8435, 7717, 7726.

[01:33:13] There was deletion of policy 5-1, which was a mission statement, and policy 517. These are older policies. You notice the numerical designator is different. That's how old they are. 5.17 was Access to Programs, Courses, and Activities.

[01:33:31] Policy 21, did I? Yeah, you skipped to 2.4. Oh, okay. And Policy 24.30, 70.40, 77.12, 77.14, 75.62, 76.28, 21.60, 82.05, 70.30, and 50.35.

[01:33:50] So for those policies and those two deletions, the Policy Subcommittee is making no recommendations. So I'd like to call, well, actually, you wanted us to vote and not do unanimous consent. So I believe these were emailed out. Does anyone have anything that they'd like to raise as a concern or question with any of these policies?

[01:34:12] Because if not, we can just vote that they're off our plate. Okay. Then could we have a motion to adopt that SEAC has no recommendation for these policies? Thank you.

[01:34:30] Second. Moved and seconded. Motion is to adopt that we have no recommendations for these policies. is there any further discussion hearing none all those in favor please raise your hand and say aye aye opposed nay and are there any abstentions thank you like it's oh that's correct um virtual members we have who do we have virtually hello um give me them in alphabetical order please

[01:35:04] kathy lambert kathy lambert hello do you have a vote please yes i agree shanaz i agree and zina I agree. Thank you. Motion carries unanimously. That gets about 15 of these right off of the way. Yay. Okay, we're trying to be efficient here. Just want to do a quick summary of the consideration of these policies, because I'm sure you guys are going, 29 policies, what's going on?

[01:35:42] So just to kind of give you a little historical background, because this has been an ongoing issue that we're hoping is going to resolve over time, but SEAC did reach out to Loudoun County staff back in March of 2023 and informed them that our last business meeting of last school year was going to be May 3rd, so almost two months in advance, and specifically requested they provide us all the policies that are going to be reviewed between May of 2023 and September of 2023 prior to that last business meeting.

[01:36:11] because those of you that have been around for a while you know that one individual or any individual does not speak for SEAC. We are a body, a voting body. Our policy subcommittee does not speak for SEAC. We make recommendations, but we always bring them to the membership for a vote. And as a group, we speak on these policies. And so in order to do that, we have to actually have a business meeting where that can occur and unfortunately we were given these policies after our last business

[01:36:48] meeting last year so that's why we had a build up for the folks who are new we don't normally have 29 policies that we're meeting six times in three hours each time to review but anyway but just so to keep you in the loop so you understand kind of what's going on that's what's been happening but again we're hoping that things will be better this year and we'll be getting policies in a timely way. All right, so of the policies that I believe it's eight that we're going to review tonight and make recommendations for, the first one is policy 5080, which is regarding class sizes.

[01:37:23] And the school board and LCPS staff have recommended changes to this policy to clarify and comply with the Virginia code, which is, you know, the Virginia law. We had a few concerns about this policy, the first concern we had is that we are concerned with the move to increase rather than decrease class sizes in LCPS classrooms. This is a reversal in the trend historically. The overwhelming body of evidence in education for all students, not just students with disabilities, but especially disadvantaged students, indicates that small class sizes lead to better educational outcomes.

[01:38:03] So the recommendation that was voted on in the policy subcommittee, number one, that 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.

[01:38:22] Our second concern, and you'll see that again when it's time to vote, so don't worry, you don't have to write it down. Our second concern was that most special education students receive the majority of their services in a general education classroom, whether that's specially designed instruction or related services like speech. That's happening in the general education classroom. So any policy regarding class size must address the ratio of students with and without disabilities who are in each individual general education classroom. And education research suggests that no more than 25 percent of a general education class should be made up of students with

[01:39:01] disabilities depending on grade level. However this is not a rule of thumb for a remedial course for example in high school the algebra class algebra one we break into two years that could be an example but for a remedial course where there would be a more homogenous grouping of students with needs for intervention and preferably a smaller class size than a regular class and I believe that that quote came from the Virginia Department of Education is that Yeah, in their inclusion guidance, if I recall.

[01:39:34] Yeah, from the meeting. Okay. So this quote that I just read you is a quote from Virginia Department of Education. So if I could just jump in. There had been some discussion over SEAC's relevance to this particular policy. A lot of special education services are actually delivered in the general education classroom.

[01:39:53] That's where it is provisioned. And that's why SEAC was concerned about this increasing of class size and the lack of anything in the policy related to this ratio of special education students to non-special education students.

[01:40:10] Also concern to SEAC recommends that the school board consider developing a metric to address staffing considerations that was proposed in the 2020 JLARC report. And JLARC is an entity that's part of our legislature here in Virginia.

[01:40:29] It's called the Joint Legislative Audit and Review Commission, but they evaluated or reviewed or audited special education in Virginia and produced this report, and so that was one of their recommendations. The JLARC report identified considerations to calculate the percentage of special education students in a general education classroom.

[01:40:47] To account for the variability in teacher workload associated with different caseload compositions, caseload standards should include considerations related to the severity of the student needs, the scope of the teacher's responsibilities, and special education service settings.

[01:41:04] So recommendation two to policy 5080 is that at line 87, make a new paragraph D and add, quote, no more than 25% of the students in a collaborative, also known as inclusive, classroom shall be

students with disabilities.

[01:41:23] 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.

[01:41:42] And then move the current paragraph D and make it a new paragraph E. So as you can see from our recommendation, you know, we didn't just make this up. We actually spend a lot of time researching these policies and the issues, and these recommendations come directly from recommendations that Virginia Department of Education has made, and also that JLARC made in their report.

[01:42:03] Okay, concern number three on policy 5080, 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.

[01:42:21] So in the policy, it was suggested, for example, that they were given division-wide ratios of how many students to a teacher in a classroom in certain classes, for example, English. but our concern was if you're talking about a division-wide ratio, let's say it's 20 to 1, 20 students to one teacher. If it's a division-wide ratio, mathematically that means that one high school could have 50 students with one teacher and a different high school could have 10 students with one teacher, but when you average all that together, you hit that magic

[01:42:55] average of 20 to 1, and that just seems inequitable to us. It should be by school. These ratios shouldn't be division-wide because unfortunately that can hide some pretty severe inequities in the teacher-student ratios. So our recommendation number three at line 64 and line 81 to remove the term division-wide. Yes, Jim. When we talk about staffing ratios and class sizes, normally what comes to mind and normally what that means is a limit. So it's really unusual to see this be a

[01:43:33] broad average. And when you see statistics used in public policy, averages means should be a big red flag. That's usually used to smooth over big disparities. Oftentimes you'll see the median used instead. But in this case, really the metric that should be used is the limit. Because like when we use this example here, the number that matters is 50. It's what's the worst case scenario and how do we bring that down? Okay, so now we're to the voting and the commenting part where you

[01:44:07] guys would get a chance to ask questions or discuss these recommendations but I'll real quickly review the recommendations and then we'll open the floor for discussion or actually we need to make a motion first no let's just discuss open okay so recommendation one to remind you 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 recommendation two at line 87 make a new D, paragraph D, and add, no more than 25% of the students in a collaborative or inclusive classroom shall be students with disabilities. This would not apply to a remedial course, which

[01:44:46] 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, and to move the

current paragraph D to paragraph E. And the final recommendation at Line 64 and 81 removed division-wide, so.

[01:45:09] Working for you or, okay, I don't, is it, okay. And you're talking and it's not doing a thing.

[01:45:25] We have two mics, don't we? What about this one? Okay. So I think Craig and I are certainly of the same mind on this issue of the ratios, which I think in the third recommendation there, not just removing the words division-wide, but setting a maximum ratio as opposed to just removing that, Because, obviously, there are going to be some situations where you can't achieve 20 to 1, right?

[01:45:54] It could be 18 to 1, in which case you're out of compliance with the policy. So it ought to be set at a maximum. Probably that maximum needs to be set a little higher than 20 to 1, just realistically. But I think it ought to be, the recommendation should be that a maximum ratio should be set as opposed to an average ratio.

[01:46:12] Because I don't think that will ever work out well. The 20 for 1 was a completely an example, not what the policy actually says. But there are limits per, like, subject or type of class.

[01:46:41] And then as we get into the details of the policy, I believe it starts specifying steps that are to be taken when the ratio is exceeded. So it's not a hard limit, but it's saying at this point we add aides, at this point we notify people that we're kind of out of the ratio, because there are practical considerations.

[01:47:06] So it may be helpful, too, if you all don't have the policies in front of you or on your phones, but let me give you an example of the language in the proposed policy by coming from the school board. Licensed instructional personnel may be assigned in a manner that produces a division-wide ratio of students in average daily membership to full-time equivalent teaching positions not greater than 24 to 1 in English classes.

[01:47:33] So again, even though it says not greater than 24 to 1, but it's a division-wide ratio, and so our concern is you could have the inequities there if that's helpful. That's exactly it and the question that impacts your student is how many kids are in your student's class and if you're in one of those that may have double of those just because that's how it happened to work out of that particular school the fact that some other school on the other side of the county has a class size of 10 is great but it's impacting your kid's education. So I like the idea of changing it to a limit. And so let me read with our recommended

[01:48:12] to change what that would then read. Licensed instructional personnel would be assigned in a manner that produces a ratio of students in average daily membership to full-time equivalent teaching positions not greater than 24 to 1. So the not greater than, I think, puts the maximum, but it's just we take out the word division-wide. What's that ratio over? What's the interval that ratios over school for classroom that's i think where we need to get a little we need to dive a

[01:48:46] little deeper it's really class size what do you have is there recommended language um because we can make motions to amend these recommendations from the floor um and was already in the policy correct correct not greater than 24 to 1 in english classes for example i mean there's other places in here that's used i just pulled that understood so in that case if we pull out division wide, that would mean that any given class that exceeds that ratio would be out of compliance the way that I'm hearing that.

[01:49:20] That's the way I understand it to read. And that was our kind of original intent. Yeah. I think that does make sense. But if the language needs to be moved a little further anymore. More precise, let us

know.

[01:49:44] So I have a question. If they were to change the wording, and I agree with getting rid of the division wide because we definitely have some schools that are bigger than other schools. However, if there is that limit and then they don't have the teachers to fill these positions so that the class sizes can be split to be those sizes, what is the county going to do for that?

[01:50:14] Because we are in a teacher shortage, and if a school is supposed to have seven teachers to ensure that that class sizes are down but we can't hire seven teachers then what is the county going to do to ensure that those classes are now not going to be set at six with over 25 26 kids in a class so first i just want to clarify that the 24 to 1 is not our proposal that's what and as i understand it the administrative staff have reviewed this and these are their recommendations so i just want to be clear about the the numbers are not cx no no i i know that i was just curious

[01:50:52] but it's a great question and i guess the most senior person it would be miss richardson um i don't know if okay as i had mentioned earlier there is wording in the policy about some steps to be taken if ratios are exceeded and they include adding aids or teaching assistance and they include notifying the parents that it's out of compliance and here's the steps that we're taking so i think that the policy already has some language for what happens next okay that that makes me feel better but but but a piece of the policy also though is saying

[01:51:28] here is what we're trying to do as a matter of policy that would drive into our staffing standards development for budget and hiring to drive here's here's the hiring we want to do and then i think it does have some provisions for here's what happens if reality doesn't work that way and so just so you know let me let me read that provision it's it's paragraph d for exceptions it says exceptions exceeding the maximum class size for any school level but within what is permissible under virginia law must be approved by the respective level director and the chief of

[01:52:03] schools and shared with the school board to the extent after september 30 of any school year the number of students in a class exceeds the class size limit established by virginia law lcps shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit permitted by Virginia law. Such notification shall state the reason the class size exceeds the class size limit that is permitted under Virginia law and describe the measures that LCPS will take to reduce the class size to comply with the class size limits established by Virginia law. So not the 24 to 1 necessarily that's in this policy

[01:52:42] But once they exceed what's the limits set by Virginia law, then there is a notification requirement of parents about what's happening and what LCPS intends to do about it. Do we know what the limit is for, like, let's say, you know, elementary school or, you know, is it somewhere in that policy?

[01:53:02] I'll read it later. No worries. Could you read? I didn't catch the very first part of your question. I was just asking, do we know what that class limit size is currently in Virginia law? Is it in that policy? lcps policy i do not yeah i apologize i don't know that number is there any more discussion about um the recommendations uh to amend policy 5080 i i wanted to add that so earlier in the policy it says that the maximum class sizes for high school are 32 and then it has the following exceptions including this one that we're talking about so i think what we need to know is why this

[01:53:39] is an exception why is middle why is um english an exception of having the smaller class sizes you know is it the essays they're grading like before we insist on the the question we're talking about it is already a smaller class than 32 so the question i think we need to know is why and so we don't know that answer because again the numbers we had nothing to do with that the numbers, right? Our beef really is that, you know, these division-wide ratios is our main concern,

[01:54:17] and then the fact that it doesn't address the ratio of students with disabilities to students without disabilities in these classes. So those are our main concerns as SEAC because we feel like those are the things that impact our population that we're caring for, which is students with disabilities in Loudoun County. So the numbers, again, come from with feedback from the administrative staff the school board I presume the school board attorney is involved in those numbers but that is not anything that we are involved in in setting those numbers now what we are concerned is that these numbers are being increased that we're concerned about because the research shows that we get better outcomes when you have smaller class sizes particularly for students our students

[01:54:57] students with disabilities so that we're concerned about but the specific numbers themselves we're not making any recommendations at all about that okay I don't disagree but do you understand the point of what I'm saying though? But we don't have the answer because that's not, that wasn't what we were doing. We weren't trying to set a number. We're just concerned that the numbers are being increased. Right. Okay. Tidra or Tiffany, do you have something that you can add to that?

[01:55:25] Yes, certainly. So it's important to know that this policy comes from our curriculum and instruction subcommittee. I have looked up the standards of quality to sort of help support this conversation. The standards of quality, standard 2, it's code 22.1-253.13, section 2C. The standards of quality indicate that we cannot exceed the following ratios. 24 to 1 in kindergarten with

[01:55:58] no class being larger than 29 students. If the average daily membership in a kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to that class. The standard for first grade, second grade, and third grades is 24 to 1, with no class being larger than 30 students. The ratio is 25 to 1 in grades 4 through 6, with no class being larger than 35 students.

[01:56:30] And the ratio is 24 to 1 in English classes in grades 6 through 12. So our policy is derived from the standards of quality that are set forth by the Virginia Department of Education, which is driven by Virginia Code.

[01:56:47] I'm certainly happy to take these recommendations back to the Curriculum and Instruction Committee and provide SEAC more information. Thank you very much. Is there any further discussion? Thank you.

[01:57:07] I just wanted to add in there that I believe, And if I'm incorrect, please let me know, Ms. Richardson, but just want to clarify for everyone that once that class size goes over that number, so, you know, for example, the 24 to 1 in kindergarten, Ms. Richardson just noted, when that goes one pupil over, that kicks in the hiring of the full-time teacher's aide in that classroom. And that is the case for any of those ratios, correct? It's not just, you know, the kindergarten situation. It's for any of those class sizes that happen to go over that specific ratio, even if it's just by one student. It can kick in the need

[01:57:42] for that hiring of an aide in the classroom. Am I correct on that? The hiring of the aide is only applicable to kindergarten. For all of the other grade levels, we would then have to look at mitigating

factors, whether it's hiring, whether it's dividing classes, whether it's adding teacher aide support if we're not able to secure additional teaching staff. And then, of course, that does trigger our notification to parents to inform them that your class size has exceeded the

[01:58:11] standards of quality staffing ratio. Thank you for clarifying. Thank you. Is there any more discussion? If not, we would go ahead. Tom, do you feel that the proposed wording as worded

[01:58:39] addresses your concern or would you like to amend it? Okay. So it's actually 5080. We just typo the slide oh sorry just type on a slide definitely i've just checked it's definitely 5080 it's a typo moved and seconded the motion is to adopt the policies up committee's recommendations for policy 5080 is there any further discussion seeing none all those in favor please raise your hand and say aye aye opposed please raise your hand and say nay and are there any abstentions

[01:59:16] for our virtual remote participants. Kathy Lambert. Aye. Shanaz Khan. Aye. And Zena. We're going to have to count that as an abstention. Thank you. Let's move to the next one.

[01:59:38] Thank you. All right. Next policy is 6220, which is student safety and discipline on buses. And this policy addresses student safety and discipline while students are riding the bus. The first concern that the policy subcommittee had was that requirements and considerations for students with disabilities are actually not reflected anywhere in this draft policy.

[02:00:02] So our recommendation, number one, is at line 52, after student rights and responsibilities to add, and in compliance with the requirements of IDEA and section 504, which are two of the laws that govern the rights of students with disabilities in schools.

[02:00:21] and that attempts will be made by school personnel to utilize positive and restorative measures for intervention and to promote safety on the bus. Need to add ADA to that list? Oh, we could. I mean, certainly the Americans with Disabilities Act also applies.

[02:00:41] I think we talked about this in a previous policy recommendation. If a student's IEP contains transportation, taking that away has legal implications. That's a service. You can't just take it away. So we have to follow the law on this one.

[02:00:58] So that is also one of the, I think we'll talk about that in one of the other concerns. But all right, concern number two, 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.

[02:01:21] So our recommendation is to change the word discipline, which has a very negative connotation in the title of the policy to behavior supports to be more consistent. Concern number three, all elementary students will benefit from appropriate training on bus safety and expectations, particularly for students who transfer into the district after grade one. The way the policy states it is that there will be bus training in from pre-k to kindergarten. And our concern is, what about the students who transfer in and maybe never had any bus training? We think that's a

[02:01:57] valuable educational benefit to students and we think it should be provided to students in higher grades as well. So our recommendation number three is on line 13 to change at pre-k one let's see pre-k to one grade levels to at pre-k and k through five grade levels. For students with disabilities and

really for all early childhood education kinds of students explicit teaching of expectations is the best practice so we should be doing that all right and concern number four the

[02:02:35] current policy does not identify any provisions for students with disabilities to be able to access the training curriculum so recommendation number four is on line 13 to add after practices of safety procedures the following bus safety training shall be modified for students with disabilities as necessary. Concern number five, bus drivers should not be authorized to discipline students. In the proposed policy, it says that the bus driver would be responsible for the discipline of students on the bus. Our concern is that the focus of the bus driver needs to be on safely

[02:03:13] driving the bus, not meeting out disciplinary actions to the student. Certainly, the bus driver be expected to report and to manage incidents should but they should not be the person responsible for overseeing the discipline of any student again the focus should be on the bus driver safely driving the bus so recommendation number five is to remove line 31 which says in the policy currently the bus driver is responsible for the discipline of students on the bus okay so again just to summarize our recommendations for policy 6220 recommendation one at line 52 after student

[02:03:52] 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 and recommendation number two change the word discipline in the title of the policy to behavior supports and recommendation three at line 13 change at the pre-k to one grade levels to at the pre-k and k to five grade levels recommendation four on line 13 add after practices of safety procedures the following bus safety training

[02:04:29] shall be modified for students with disabilities as necessary and recommendation number five remove line 31 that says the bus driver is responsible for the discipline of students on the bus so at This time, I'll open the floor up for discussion.

[02:04:46] So on recommendation one, because it is transportation-related, we definitely need to add the ADA there in addition to ID and Section 504. So it should list all three. And should we go ahead and do a motion on that now to amend? There's no base motion.

[02:05:02] When the motion is made, it can simply be made to be asked. So we'll amend in a little bit. Is there any further discussion? Any questions or concerns? Please. I apologize. I didn't read the underlying policy.

[02:05:20] Does the policy address what happens when there's a crisis on the bus? I don't recall that being the case. I mean, I'm just wondering why they have this last, the bus driver is responsible for the discipline of students on the bus.

[02:05:39] It just seemed odd. Honestly, it just seemed odd. For special education students, too, the bus driver is not going to know the contents of the student's IEP. He's not going to know what kind of behavioral interventions is appropriate for that student's needs profile. but most fundamentally it's just bus drivers must be driving the bus right they can report it later didn't know if they had any information about what they do in a crisis situation i was just going to real quickly say that and part of the policy at line 58 it talks about drivers shall report any student misconduct on school buses to the principal recognizing the school board's

[02:06:18] authority over students going to or returning from school drivers shall also report any student misconduct at waiting stations schools or stops on the way to or from so there is a reporting responsibility um and then the principal or designee would take the appropriate disciplinary action and that just to kind of fill in a little more detail um in recommendation number one uh that is the section where it talks about um that in the event a student is not permitted to ride a bus their parent or guardian shall be responsible for transporting a student so where

[02:06:56] and it in a little earlier it talked about oh that the principal the designee or the director of transportation is authorized to remove or deny transport to students who violate rules of student discipline as outlined in the lcps student rights and responsibilities that's the part where we're adding but in compliance with the requirements of idea section 504 and ada because as craig mentioned earlier, if transportation is an element that's marked in the student's IEP, that the IEP team said the student needs this transportation to receive a FAPE, a free appropriate public education, then the principal can't unilaterally kick the kid off the bus. That's

[02:07:34] going to have to be an IEP team decision. So that's what we mean when we say we want to add that they, you know, yes, we don't disagree with what they're saying necessarily, except that's only within the context of complying with the IDEA 504 and, as we'll amend, the Americans with Disabilities Act.

[02:07:52] Does that make sense? Did that answer your question? Just to provide a little bit more information, Section A, Item 3, does reference emergency exit drills.

[02:08:09] So we do practice for crisis events, and then Section 3 of that policy also references management of student injuries and accidents. Are there any other crises that we should contemplate on the bus that wouldn't be captured under those sections of the policy?

[02:08:34] Well, I was anticipating a crisis resulting in immediate harm to a student by another student. I don't think, I agree with taking out, because I don't think a bus driver is responsible for discipline.

[02:08:51] I was just curious as to if they were trying to get at the bus driver has to do something in a crisis, they were thinking that was discipline. So if they were trying to get that, they are not using the right terminology. So what the policy does say is proposed is that LCPS will follow an effective process for handling and investigating accidents so that all injured students and staff are cared for promptly further injury is prevented and correct and timely information is disseminated

[02:09:28] to all necessary parties so that's what the policy currently reads we didn't make any recommendations to change that part but um it's not i think what you're looking for is something much more detailed um but it's not in this particular policy so when we're talking about in school situations and i'm not sure i personally agree with this but but historically lcps has considered behavior supports and crisis supports as kind of being separate things. And I wonder if that is the way that we're going about doing things, whether actually we need to add a concern, because

[02:10:05] that isn't addressed, and it probably needs at least some discussion to flesh that out and figure out what needs to go in here. Because, you know, when we say crisis in a school, we're saying it's reached the point where someone's going to get really severely hurt or, you know, even potentially death and therefore the adults have effectively a duty to do something reasonable but the adults also need to be appropriately trained on how to respond to that or they can make things a whole lot worse but this opens up a can of worms because if the bus driver is the only adult

[02:10:40] and they have not been so trained and they're supposed to be driving the bus then what and I don't know if we have the answer to that question tonight but I do but I was suggesting that actually we have a concern that should be added of that to just kick that back as a something that should be thought about and discussed further do folks think that that's a good idea and and just explain to kind of um the technicalities how this works so uh the sub policy the policy subcommittee meets we uh come up with these concerns we draft recommendations all of that information is put

[02:11:19] into another document that is then given to i don't know who our contact is specifically the administration or to the school board directly it's given to the administration so um we can add these an additional concern and put it in the document that we are then going to be giving to um the administrative staff um to review uh prior to the school board voting on these changes to

[02:11:44] policy sorry um now my daughter is a bus aide on a special education bus and though i just hear things that she said says you know about what they should or shouldn't do but i think they are pretty well instructed on what their role is um when i'm sure even the you know regular ed buses are the

[02:12:18] same way because i mean i know it's like they have a problem they have to call a dispatch right away they'd have to pull the bus off the road and I guess so there's no you know we don't have one person driving down the road and somebody you know else trying to I guess fix the problem or whatever so I don't know that's just a whatever piece of background and I would not know it except for her at all and I know I don't know all you know obviously all of it but just to know that I know that they you know they have to go through training I mean I think several weeks when before

[02:12:55] you even enter into the school system, at least as a bus aide and the bus drivers, you know, to learn how to deal with these certain situations that arise, and particularly when you're on a bus that's just special ed kids that are in wheelchairs or flinging their arms all over the place, I mean, just because of whatever their disability is, or they throw things, I mean, you have to, you know, she's had instructional, how do I deal with that?

[02:13:23] Anyway, I just thought I'd throw that in there since. Thank you. No, that's good. So while this policy doesn't specify all of that detail, as general policies typically do not, that might be more in a regulation or in some kind of departmental policy, it sounds like there are policies and procedures that are in place to address those issues.

[02:13:42] It just isn't reflected in this one. It's a big hole right now in what you're talking about, but just whatever. Thank you. That's great feedback. And question here? So if you remove the wording of that the bus driver is responsible for discipline of the students on the bus, then who is responsible for the discipline on the bus?

[02:14:04] And it sounds like within the policy, the bus driver has to, you know, either pull over. So in essence, they kind of are responsible because if there is something serious going on in the bus, they have to call dispatch. They have to pull the bus over.

[02:14:21] They have to report it to the principal or whatever it is. so technically if you remove that what is that going to tell the bus you know what I'm saying like I'm just confused as to why we're why you're thinking about removing that right there there's already language that says that they are to report it to school staff and that the principal or designee who is the licensed administrator is to determine that

response that doesn't mean that they can't pull over the bus if there's an unsafe situation you're just saying that the but it's not the bus driver's responsibility to then give the consequence.

[02:15:00] Yes, that's exactly what I was going to say. We could word it something like that, that it's not, while it's the bus driver's responsibility to keep the safety of the bus, it's not their responsibility to meet out the consequences.

[02:15:16] And perhaps a wording like that, that might be just a suggestion. Is that, I mean, she's told me before, I mean, I guess, you know, they get a list of the names of the kids and just some rough thing about you know about them very little they know nothing about what's in ieps and and all of that i mean and what discipline measures are being taken in the classroom just so you know they they from what i gather they don't have even access to that

[02:15:51] information i mean they're lucky they even know what a diagnose what diagnosis if you want to say like that that a student has it's just you know and again we're talking about the bus driver we're not talking about the aid like your daughter who would know this i mean my daughter has access to the same paperwork is the bus driver so they're not gonna right you know you might assume well this child is autistic or you know when they're in a wheelchair you know maybe your cerebral palsy or something but they're not given that information sure so so very good points and that's why

[02:16:26] we felt like giving the bus driver the responsibility for discipline made no sense. So I'll just add a little bit to that. As we were talking, discipline has two entirely different meanings. One is punitive and one is about order.

[02:16:45] And I think removing this along with addressing that concern that, yes, while the bus driver is responsible for safety on the bus, the bus drivers do not begin to have the tools to deal with remedial action, with punitive action, et cetera, it should be addressed in the sense of how are we going to handle that. But certainly having one sentence in there doesn't begin to address the problem.

[02:17:11] So is there any more discussion before we move to a vote on the recommendations? Okay, hearing no more discussion. So just to recap, what I was hearing from the floor is that we might want to have a motion that includes adding the ADA, and we might want to add an additional concern that language should be added to address crisis behavior responses.

[02:17:37] So if that was, is that kind of the rough consensus? So is there a motion? So motion to adopt the policy subcommittee's recommendations on policy 6220 with the amendment to recommendation one and the addition of the concern related to recommendation five.

[02:18:00] Is there a second? The motion is to adopt the policy subcommittee's recommendations to 6220 with the amendment of adding ADA to recommendation one and with adding a concern to recommendation five to address crisis behavior supports.

[02:18:19] It has been moved and seconded. Is there any further discussion? Hearing none, all those in favor, please raise your hand and say aye. Aye. Opposed, please raise your hand and say nay. Are there any abstentions? Remote participants, Kathy Lambert. Aye.

[02:18:37] Shanaz Khan. Aye. Zina. Motion passes unanimously. Thank you. All right. Our next policy is policy 8025, rights of adult slash eligible students. This was created and modified to replace the old policy 8-5, rights of adult students.

[02:18:59] Concern number one, when a student reaches the age of 18, they are an adult, according to law, and that's cited in Virginia Code section 1-203. There are no instances in which a person turns 18 but is eligible to be an adult.

[02:19:17] A student should not need to sign a declaration of intent to be an adult or to exercise their rights as 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 or her educational rights with a parent, guardian, or any other adult of their choice. That is what they can do when they turn 18. So recommendation one from the policy

[02:19:54] subcommittee is do not add the word eligible to the title or the body of this policy. The correct term would be adult student. Concern number two is about emancipated minors, which isn't addressed in the policy emancipated minors are defined as a minor who has reached his or her 16th birthday but before turning the age of 18 is released from parental care and responsibility by court order and the citations are there to the Virginia code which is the law and the Virginia regulations

[02:20:28] the parents of the minor are no longer the guardians of the minor and the emancipated minor functions as an adult as defined in the Virginia code lists out all the things that emancipated minor can do. The parents of a minor shall be relieved of any obligations respecting the emancipated minor's school attendance. That's also in the Virginia law. So recommendation two is that we modify line two of the policy to read an adult student is a student who has reached age 18 or is emancipated by court order. So we're adding the emancipated part. Concern three. Under

[02:21:07] some circumstances, the parents or guardian may need to continue to make educational decisions for their student after the student turns 18. This is very common in our special education world. It is possible for an adult student to share their educational rights, not give them up, but share them with their parent or anyone else by signing a power of attorney document before a notary. So lines 48 through 53 of the proposed policy seem to vaguely refer to guardianship.

[02:21:37] which is a legal process. Guardianship is granted by a court of competent jurisdiction after an individual petitions for that to have that power over another adult. But the policy does not clearly define this guardianship. It's very esoteric in the way they word it. So both guardianship and power of attorney, which isn't addressed at all, should be clearly defined in this policy. So recommendation number three, guardianship and power of attorney should be clearly defined in the policy. And recommendation number four, change parents to parents slash guardians throughout the policy. And that's more consistent with other policies that have already

[02:22:17] been passed and approved by the school board. Okay, so again, the recommendations number one, do not add the word eligible to the title or the body of the policy. The correct term would be adult student. Recommendation two, modify line two to read an adult student is a student who has reached age 18 or is emancipated by court order. Recommendation three, guardianship and power of attorney should be clearly defined in this policy. And recommendation four, change parents to parents slash guardians throughout the policy. And at this time, we'll open the floor to discussion. I should probably

[02:22:55] come to the subcommittee hearings, but I'm sorry for that. But so I have a number of comments on this particular one. First of all, I think recommendation number one and two are actually at odds with each other. Because if you have a child who is emancipated by court order, they may not be an adult. So I think actually eligible student does apply in this case. So I think actually recommendation one

should go away. I think that it should remain eligible adult because there are situations in which a person may have the right to make those educational decisions,

[02:23:30] but not yet be an adult legally in lots of other kind of ways. There are actually four ways in which a person may not have those rights after turning 18. Power of attorney is only one of those.

[02:23:46] And there are other ones listed in the Virginia Code that would provide for that. So in addition, I would also recommend that under paragraph B, the first sentence, be modified to read, which currently reads, subject to and notwithstanding applicable federal or state law that otherwise provides for continued parental rights, et cetera.

[02:24:15] I would suggest that that be, in accordance with some of the recommendations here, modified to read subject to and notwithstanding applicable federal or state law or court orders that otherwise provide for continued parental rights or grant decision-making to a parent-slash-guardian because there are situations in which the only decision-making that's provided to the parent or guardian would be educational decisions.

[02:24:42] So that's going to be all based upon court orders, and that can vary pretty widely. And so the other recommendation I would make is in paragraph C, which starts with upon reaching age 18, strike that from the policy, but add to the end of that sentence, subject to the limitations above.

[02:25:02] That way you include all the issues of powers of attorney and educational right decision making and all that. All that's listed above anyway, so you don't need to just limit that to turning age 18 because you already have in the paragraph above some other distinctions that would allow another person to make those educational rights or decisions rather.

[02:25:22] Well, the only problem is that doesn't address emancipated minors because this says applicable federal state law that otherwise provides for continued parental rights. And the whole point of emancipated minors is the parents are no longer involved. Right. So that first sentence actually only applies to students after they reach the age of 18.

[02:25:51] So this is limiting that scope rather than just allowing it to flow out to age of 18. Is your suggestion then actually on paragraph A, definition, an eligible student is a student who has reached age 18.

[02:26:06] and is your suggestion that um uh like we suggested that adult students as soon as reach age 18 or is emancipated yes so you're supporting recommendation two absolutely yes and then the part about guardianship so so the second paragraph is more limiting in scope right so the first one starts out with this is how it applies to every possible person the second paragraph that first sentence is narrowing that. So, subject to, notwithstanding, applicable federal state law, and as I was amending, or court orders that otherwise provide for continued parental rights or grant decision

[02:26:45] making to a parent slash guardian after their students reach the age of 18. So, in other words, that only applies then to students who have reached the age of 18. Okay. Right? Otherwise, by default, if they aren't emancipated, they don't have that decision making ability.

[02:27:02] And you said there are four ways. There are four ways. Okay, what are the four ways that the parents retain the rights? Well, I have them listed here from BDOE, but parent, family member, or other

person requesting be a court-appointed guardian is given authority to make educational decisions at guardianship hearing.

[02:27:24] The adult student, based on certification by a written order from a judge of competent jurisdiction, is admitted to a facility for the training, treatment, or habilitation of persons with intellectual disabilities in accordance with, and then it cites code, the parent of, the parent or other competent adult pursues certification that the adult student with disability is an enabler and capable of providing informed consent in making educational decisions and is considered by the school division to be the educational representative to make educational decisions for the student and so on.

[02:27:55] So there, VDOE actually lists out four different ways. Okay. I know that's a lot of changes. I might want to entertain a motion then to refer this back to the subcommittee for further review.

[02:28:11] Yeah. Okay. We have a lot to do tonight. This is getting down in the weeds. I think we've reached the point, especially at 830, where if we don't have consensus on the wording, let's kick it back to subcommittee and move forward. If everyone's okay with that. Okay. I will entertain a motion to refer this to subcommittee.

[02:28:31] Moved and seconded. The motion is to refer this issue back to subcommittee. Is there any further discussion? Hearing none, all those in favor, please raise your hand and say aye. Aye. Opposed nay. Abstentions. Kathy Lambert. Aye. Shanaz Khan. Aye. Zena. Thank you. Motion carries unanimously and we'll come back with that one.

[02:28:58] Send that back to subcommittee. Okay. Policy 5060. Textbooks furnished free. Loudoun County Public Schools shall provide free of charge such textbooks required for courses of instruction for each child attending its public schools. However, reasonable fees or charges for student textbooks or related instructional materials may be assessed to students in specific instances, as outlined in Regulation 4020, Student Fees and Charges.

[02:29:22] So our first concern in this policy is 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.

[02:29:40] Students with disabilities who may need these materials converted to a digital format, depending on the student's individual needs, or any other modification for that matter, should not incur additional costs. So our recommendation, number one, is at line four, after reasonable fees or charges for student textbooks or related instructional materials may be assessed to students in specific instances, we add, subject to special education laws and regulations.

[02:30:07] And then I'd like to offer an amendment to that one to also include Section 504. Well, just for point of clarification, did you mean for special education laws and regulations to include IDEA, Section 504, and the ADA?

[02:30:28] Yes. So, you know, we hear the term free appropriate public education. Well, the free part actually matters. So we're just saying if you need it for your disability, it does actually have to be free. Okay, and that's our one recommendation. So at this time, we'll open up the floor to discussion.

[02:30:50] Thank you. And if there is none, if there is none, would you like to make a motion? We will entertain a motion, hopefully with that amendment. The policy subcommittee's recommendations on policy 5060 with the proposed amendment.

[02:31:10] Moved in second, and the motion is to adopt the subcommittee's recommendation of policy 5060 with the amendment of adding IDEA 504 and ADA. is there any further discussion hearing none all those in favor please raise your hand and say aye aye opposed nay are there any abstentions kathy lambert aye shanaaz khan aye zina thank you motion passes unanimously we're getting them through yeah these others are going a little bit faster um so policy 8140 student attendance requirements and procedures this policy addresses

[02:31:50] student attendance requirements and school attendance procedures so our first concern with policy 8140, if absences are due to a manifestation of the student's disability, reasonable accommodations are required per federal disabilities law. So recommendation one is after they will automatically be withdrawn from LCPS, add subject to federal disabilities law.

[02:32:12] In particular, sometimes students have mental health situations, and if due to their mental health situation, they cannot go to school for what, 10 consecutive days, we just automatically kick them out that's not good yeah and and there is actually virginia law that says that i think it's 15 though that after 15 days the students will be dropped from the rolls um so but that's a state law and there's federal law that says you have civil rights that's the point and so we're

[02:32:49] pointing out that that has to be considered and which is why subject to federal disabilities law Okay, and that's our one recommendation for that policy. Again, it's recommendation one. There better be a motion. They will automatically be withdrawn from LCPS and subject to federal disability law.

[02:33:06] Hey, it's 830. This is actually nothing to change with the recommendation, but perhaps just to add a concern because chronic absenteeism is a huge problem. We're now being measured differently about chronic absenteeism throughout the state. Not clear what that's going to do across the state.

[02:33:23] It's a real can of worms. And doing some research on this, there are other states for which if you have medical reasons to be absent related to disabilities, that you're actually counted as present.

[02:33:39] So for the state concern of chronic absenteeism, that perhaps we can try to raise this, and this is probably something that even needs to go beyond LCPS, but whether or not the students with disabilities that are absent as a result of their disabilities or associated with their disabilities should be counted in that absenteeism for the school. Do you wish to formally add a concern? I would like to formally add that concern. Okay. For Ms. Polifko, I mean, this is the sort of thing, actually, that would be a good L&P discussion, because the state law was well

[02:34:17] intentioned in reducing absenteeism, but it forgot to include disability considerations. And so, yes, we have to lobby that back up to the General Assembly. But in the meantime, if the staff were to discuss that with the VDOE, there might be a way, and it may be something like, considering them administratively present, that's a discussion that can happen.

[02:34:43] We'll document the concern. So can you state the concern as you'd like us to put it in? The current regulation does not address extended absences that may be related to a student's disabilities.

[02:35:06] I think, can I make a friendly amendment? I do actually believe it's a law. I was thinking, yeah. Yeah. No, not in that law. The question was, is there an exception within that provision of the law for medical exemptions?

[02:35:27] No, is the short answer. There are no exceptions. That's the problem with the way it was drafted. Interestingly enough, there is another Virginia law that says if a student is absent for mental health purposes, That is to be considered an excused absence. The problem is the other law, about the 15 consecutive days you're dropped from the roll, doesn't matter if it's excused or unexcused.

[02:35:51] It's a problem, but it's a Richmond problem. But, I mean, we're not going to be able to fix that law. That's going to take some lobbying efforts, but it's a problem. And, again, I just want to reiterate, federal law does preempt state law. It goes down here.

[02:36:08] I just wanted to add that I will bring these concerns back to the appropriate teams here at Admin. But also, this might be a matter for state SEAC. They have some, and I will share this with Vcase, with my organization for special ed administrators.

[02:36:25] Those two groups have a very strong lobby, and I think this certainly warrants consideration. The whole thing, the whole issue does strike me as, you know, one team didn't talk to the other team. Right, right. okay so uh i think we've got it did we make the mo we all so we voted we just no we didn't vote okay so we still i don't think we voted we will entertain a motion the policy subcommittee's recommendations on policy 8140 with the amended concern as stated is there a second moved and

[02:37:04] seconded the motion is to adopt the policy subcommittee's recommendation for policy 8140 with the concern amended is there any further discussion hearing none all those in favor please raise your hand and say aye. Aye. Opposed, nay. And are there any abstentions? Kathy Lambert.

[02:37:23] Aye. Shanaz Khan. Aye. Zena. Aye. Thank you. Motion carries unanimously. Okay. And our next policy is 5170, teaching about substance use and other risk-taking behavior. Loudoun County Public Schools provides instruction concerning the following topics as prescribed by the Virginia Board of Education. I won't read all of those. Kind of obvious. Concern number one. 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

[02:38:02] with disabilities can access this instruction. So recommendation number one is in section B, add number seven. Quote, the health education program instruction shall be modified for students with disabilities all right and that's it and so uh and just to be consistent with our previous recommendation we probably ought to add to the end of that um as necessary you mean the curriculum modified what about assistive technology and things like that that would be that that would

[02:38:42] be included modification or accommodation well assistive technology it is it can be considered but again we have to go back to what we're talking about here so there's a health education curriculum that's being provided to these students and so what we're saying is you need to modify the curriculum as necessary for students with disabilities so that they can access that curriculum. Does that make sense?

[02:39:09] Nakia is saying "shall." Okay, I just want to... I was just going to add that a lot of the accommodations as such as assistive technology and those kinds of things would be in within the student's individual IEP so it would be important that it's in accordance with the IEP because some modifications

are so individualized that you would need to modify further beyond a lot of times we are asking that these things be added really to flag the staff two things when

[02:39:45] they're looking to select a program they look at can this be modified does it have modifications and then number two when you have a student with an iep whose iep says something like at you know that this applies to that too and that would cover based on their unique needs which

[02:40:16] would have been addressed in an IEP or a section 504 plan okay so that is our one recommendation again the health education program instruction shall be modified for students with disabilities if we could hear a motion to adopt the recommendation with a modification motion to adopt the policy subcommittee's recommendations on policy 5170 with the discussed amendment. Any discussion?

[02:40:52] Moved and seconded. The motion is to adopt the subcommittee's recommendation of policy 5170 with the discussed amendment. Is there any further discussion? Hearing none, all those in favor, please raise your hand and say aye. Aye. Opposed? Raise your hand and say nay. Are there any abstentions?

[02:41:09] Kathy Lambert? Aye. Janaz Khan? Aye. Zina? I heard an aye, so that passes, motion carries unanimously. All right. Okay. Yes. As we stated in the beginning, though, this is really unusual.

[02:41:32] We have six more policies to zoom through. And again, this is not normal, people. This is not normal. We don't usually have this many policies to have to vote on. It just was a function of not getting all the policies in a timely way. And they kind of backed up. It will be better next time, I promise. So policy 2010, legal status, authority, powers, and duties. Policy 2010 delineates the foundational status, authorities, and powers of Loudoun County School Board as they derive from Virginia law. This policy is not intended to limit the school board to only the

[02:42:05] authorities and powers listed here. Concern number one, get that off, SEAC agrees that it is important to track critical shortages of staff. However, open teacher assistant positions we believe should also be tracked so recommendation one is line 86 after the word matter add teacher assistance and behavioral assistance to the list of positions that of of critical shortages that will be tracked concern number two related service providers such as speech therapists occupational therapists physical therapists and vision specialists are not clearly included at line 96 these licensed

[02:42:41] professions are currently facing shortages and are difficult positions to fill therefore we recommend that at line 96 define or list other health and behavioral positions including all related service providers as those that they're tracking for critical staff shortages so those go ahead in the interest of time the very next policy has basically the same edits so if folks are okay with doing this why don't we do a double for the vote and so let me just go on so it's policy 3120 powers and duties of the division superintendent and again it's exactly the same change. We just want to make sure that when the superintendent is tracking critical staff

[02:43:20] shortages, that we include in that teacher assistance, behavioral assistance, and of course our related service providers. Is there any further discussion? Could we have a motion to adopt the feedback to policies 2010 and 3120? Motion to adopt the policy subcommittee on policy 3120 and 2110 2010 as presented is there a second moved and seconded the motion is to

[02:43:59] I have to repeat the motion first the motion is to adopt the policy subcommittee's recommendations to policies 3120 and 2121 2010 is there any further discussion hearing none hearing none all those in favor please raise your hand and say aye aye opposed nay are there any abstention Kathy Lambert.

[02:44:23] Aye. Shanaz Khan. Aye. Zina. Aye. Motion carries unanimously. All right, policy 8250, bullying prevention and education. This has been updated to comply with changes to Virginia Code. Our first concern with this policy is that under this policy, parents will receive initial communication about an allegation of bullying, but there's nothing to require any subsequent communication.

[02:44:51] The principal or designee should communicate to parents when the case is resolved and the outcome to the extent that's allowed under FERPA, which covers student privacy. And there is a new state law that requires that parents be given this notice within 24 hours, so that is in compliance with Virginia law.

[02:45:10] We're just saying, in addition to notification as to the fact that a bullying incident has occurred, I think parents also ought to be informed and given notice about what the result of the investigation was to the extent it complies with FERPA. So, recommendation one, on line 65, after 24 hours notice, that's for the initial notification, add, in addition, parents will be notified of the disposition of the investigation once the investigation is complete.

[02:45:38] Concern number two, and the part about FERPA is actually already in the policy, just I want to clarify that. We weren't leaving that out. Concern two, as part of a school's appropriate response to bullying on any basis, and that's important, it's any basis.

[02:45:54] It's not just bullying on the basis of disability, okay, but 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. In other words, it's no longer providing a FAPE. That language comes right from two U.S.

[02:46:19] Department of Education OSEER's Dear Colleague letters. One from 2013 that addressed bullying can be a denial of FAPE under the IDEA and one from 2014 that said that bullying, unaddressed bullying can be a denial of FAPE under section 504. So again this is not just you know our you know neat idea this is what the U.S. Department of Education has said many times but in particular in these dear colleague letters this this can be a denial of FAPE and because of that they have

[02:46:53] recommended that in response to bullying that the school should convene an IEP in section 504 meeting so our recommendation is at line 59 if any involved student it so that's either the perpetrator or the victim 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. And again, that language is coming directly from those dear colleague letters

[02:47:33] from the U.S. Department of Education. Concern number two, these are same concern but more recommendations. Recommendation three, following recommendation two on line 59, we want to also 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 support should be provided to the student. So this is a student who has not been identified as a student with a disability in need of special education or doesn't have a 504 plan but still there's a we believe should be an obligation on the principal or

[02:48:10] designee to consider additional interventions for those students. And in this particular case additional intervention should not be limited to disability. If there's a bullying situation sometimes that means something's going on at home. Sometimes that means there's something else in that student's life. We're talking about PBIS. We're talking about behavior supports. When we see a situation like this, instead of punish, punish, punish, we should be asking the question, why'd this happen and how can we support students so that it doesn't happen again?

[02:48:41] And recommendation number four, line 65, add after the 24 hours notice and before the addition suggested in recommendation one above the following. This notice will have a list of supports available to all involved students and their families through mtss so we just wanted to add that notification that notice should include links and and references to various supports to support the family and the students who are involved in that incident yes yeah that's okay

[02:49:16] yeah just making sure we want to cover everything uh concern number three at line 78 the following statement quote 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 so recommendation five is to move that section to the end of paragraph g so again our recommendations are adding a notification of the to parents of the disposition of the investigation once it's complete. It is a notification to the case manager and the calling of an IEP or Section 504 team

[02:49:52] meeting. And if an involved student does not have an IEP or Section 504 plan, the principal designee should consider a referral to an intervention team. And very importantly, the 24 hours notice, that should include a list of supports available to all involved students and their families and then just a technical thing to move the records requirement down to paragraph g just a question it's not it's actually not a change at all but liz this differs from what

[02:50:28] you emailed out um because this listed you and what you emailed out it said both and each student and so forth and i had made exactly the changes i see here uh so we just want to obviously make sure that these are the ones that go in and not the documents that you said these are the ones that go in we had some editorial changes that occurred this morning so any other discussion if there's no more discussion is there a motion motion to adopt the policy subcommittee's recommendations on 82 50. moved and seconded the motion is to adopt the policy subcommittee's

[02:51:07] recommendations on policy 82 50 is there any further discussion hearing none all those in favor please raise your hand and say aye aye opposed nay and abstentions kathy lambert Aye. Zina. Aye.

[02:51:24] And Shanaz Khan is no longer present. Motion carries unanimously. All right. Policy 8290, threat assessment for the protection of schools. This policy states a formal threat assessment team shall be established for each school for the assessment of and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School and Campus Safety, including procedures for referrals to community service boards or health care providers for evaluation or treatment when appropriate. If the threat arises in the context of an emergency, all efforts will be first directed

[02:52:01] to neutralizing an imminent threat to life or property and protecting students and staff. Concern number one, 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.

[02:52:21] Additionally, SEAC is concerned that the team training does not sufficiently cover topics critical to students with disabilities, such as a functional behavioral assessment or FBA, a behavior intervention plan or BIP, positive behavior intervention supports, an individualized education plan or Section 504 plan.

[02:52:39] So recommendation one at line 12 include special education dean, case manager, or other staff with special education knowledge. two at line 37 add this training will include information on all the things that I listed there so those are the two recommendations is there any discussion I will entertain a motion the policy subcommittee's recommendations on policy 8290 moved and seconded the motion is to adopt the policy subcommittee's recommendations on policy 8290 is there any further discussion seeing none

[02:53:18] all those in favor please raise your hand and say aye aye opposed nay any abstentions Kathy Lambert hi shanaaz khan all right i think we have to consider that an abstention she's listed she's on the screen but she's not responding z i say i okay i and zina motion carries unanimously okay two more to go all right policy 81 15 individuals who may be admitted free this policy uh was up for five-year review individuals who meet the age and residency requirements of state law defined in the

[02:53:57] Virginia code shall receive a free education in Loudoun County. Some students that do not meet the age and residency requirements may also be eligible for a free education. Concern number one, a child with a disability whose 22nd birthday is after September 30th remains eligible for a free education the remainder of the school year. And we cited the code and regulations there. 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 non-compliance with Virginia special education regulations as it's currently drafted. The language in this portion of the policy should more closely mirror the language

[02:54:37] from the Virginia special education regulations definition of age of eligibility which is found in the code there. So recommendation one change line 25A to individuals with disabilities comma in accordance with the IDEA and related state regulations and then we cite it whose second birthday falls on or before September 30 or who have not reached their 22nd birthday on or before September 30, age 2 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

[02:55:14] birthday is after September 30 remains eligible for free education the remainder of the school year. And again that language is being lifted not verbatim in the quote but the language itself is being lifted directly from the regulations recommendation number two at line 125 do not delete the word and that's a typo and recommendation three at line 196 delete the word the before lcps so uh we have one substantive recommendation into more kind of typographical changes is there any

[02:55:45] discussion very small one which is just remove um standard or advanced studies and just say a high school diploma because we continue to add different ways of achieving a diploma so just to incorporate all those in the future just remove those as being the only two the only problem with that this is language that is actually in the regulations um that that we didn't make that up that comes from the

regulations and the other thing is too is we have to be careful because a ged doesn't count so if a student gets a ged which is a form of a high school diploma they still

[02:56:22] are eligible for special education services until the year they turn 22. So, and maybe we should just stay with the language, but it's unlikely we'd run into a situation where somebody has an IB, but that could be possible, in which case this wouldn't actually capture that, but maybe we just leave it as is then. I will withdraw the record or the suggestion for amending it. Because we may not want to run ahead of a video, which again, I don't disagree necessarily that they may not be completely up to date, but again, this comes straight from the regulations and I'd be afraid to tinker with that at this point that's just me any other discussion okay hearing no more discussion

[02:57:01] policies subcommittees recommendations on policy 81 15. moved and seconded the motion is to adopt the policy subcommittees recommendations on policy 81 15 is there any further discussion seeing none all those in favor please raise your hand and say aye aye opposed nay abstentions Kathy Lambert. Aye. Janaz Khan. Aye. Zena. Motion carries unanimously. Thank you.

[02:57:32] Last policy. Yay. Policy 8650, student technology acceptable and responsible use. Loudoun County School Board provides technologies including access to internet to promote educational excellence by facilitating resource sharing, innovation, and communication. The term technology includes hardware, software, data, communication lines, and devices, terminals, printers, servers, mainframe and personal computers, the internet, and other internal or external networks.

[02:57:59] Concern number one, it is not accurate that users have no right or expectation of privacy, which is exactly what they say, as you can see below. Part of the policy says users shall have no right or expectation of privacy. That's not completely accurate. Users do have a right and expectation to privacy under the federal law, FERPA, and other laws that provide privacy protection for certain student information. And in our opinion, it's unnecessary to even include that sentence that users shall have no right to an expectation of privacy because the policy already states elsewhere and puts students on notice that monitoring of student accounts and

[02:58:36] devices will occur. So recommendation one is lines 24 and 25 to 25 delete users shall have no right or expectation of privacy. Concern two, the Loudoun County School Board does not have the authority to regulate the acceptable use of the Commonwealth's networks.

[02:58:54] In other words, Virginia, the state of Virginia's networks. It does not make sense to reference any internet network maintained by the Commonwealth of Virginia. If LCPS is trying to block TikTok, which is the context of that provision, they should implement that at a technical level.

[02:59:11] There are other apps and sites that LCPS is already blocking, such as 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 TikTok on their personal phones would be an immediate violation once this is adopted. Think of all the kids who have TikTok on their phones right now. And they would just immediately be in violation of the policy. So recommendation number two is line 67 to 69, strike everything after capable of connecting to the internet, which includes the fact of connecting to any network maintained by

[02:59:48] the Commonwealth of Virginia. We're saying strike that out. That makes no sense. At line 66, add laptop computers, tablets, or other devices in compliance with Virginia code 2.2-5514.1 and specify, quote, maintained by LCPS and replace section E prohibited application and websites with the following.

LCPS students will comply with Virginia code 2.2-5514.1 as applied to LCPS devices, and networks. And that code section is the one that talks about TikTok, right? Yeah, if I remember correctly. We've had this concern before. It's basically the disparate impact

[03:00:26] problem. If we create a policy that nearly all our students are violating, what do you know? Certain groups just seem to have it enforced more. So that's a concern, and that's something that's going to have to be addressed. Unfortunately, this is also being handed down by the General Assembly. So once again, this may be a legislative and policy issue, but that's the concern.

[03:00:50] Concern number three, lines 94 to 95 per security and privacy industry standards, all processes and policies should be reviewed at least annually, and they were suggesting, I think, every three years? Two years, every two years, so we're suggesting it be annually. So the recommendation, right, 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.

[03:01:12] And, you know, it's probably blaringly obvious, but we're dealing with technology, which changes immediately. So waiting two years to review a policy doesn't seem to make much sense. The TikTok ban wouldn't have been a thing a year ago. Right. Concern number four, lines 94 to 95, the generally accepted standard in the security and privacy industry is that all processes and policies.

[03:01:32] Oh, did we do this twice? I think we basically did the same thing twice. Okay. Sorry. All right. All right. So those are our recommendations. Uh-oh, because that is the last screen for us. Is there any discussion? This is a little bit like the umpire walking about or in the extra innings.

[03:01:48] I realize that, so I will make it very brief, in which case the empire is hoping to escape with his life. But the first recommendation is the one that I'm stuck on, and that is I want us to provide a recommendation that has a reasonable chance of being adopted, and I know there are people that are very wed to that concept, so what I would like to do is suggest that we amend, Instead of striking it, we amend it so that it would read, users shall have no right to expectation or right or expectation of privacy

[03:02:24] other than those under FERPA and other laws that provide, et cetera. So that you just say, you just call that out specifically, but you don't remove that sentence. And the reason I've fought this in other arenas, that there is a liability question on the part of legal counsel oftentimes that just say look I want to blanket just remove any notion because when you say that you're going to monitor someone that doesn't say you necessarily have the right to do something with that monitoring information and that becomes

[03:02:59] a little bit of a sticky issue so I would like to see that we leave that sentence in place but simply add to it except for those provided under FERPA and you actually had it in the concerns under FERPA and other laws that provide privacy protection for certain student information? So I disagree wholeheartedly, right? Our students do have expectations of privacy. They have federally afforded ones. The state of Virginia is coming in with other laws, and we can expect that eventually to be further modified. We shouldn't

[03:03:34] say anything contrary to that. The school does not need to say that. In the policy, it already states that they're going to be monitoring all that data and using that data to determine compliance with this anything else i get maybe it makes a few lawyers feel better about it but this isn't about making lawyers feel better this is about writing policy that makes sense for our students and what they can expect

and what they should not expect right so i disagree with that statement and i i don't you know i feel pretty passionately about everything in here um but

[03:04:07] But to say that is a nod and going away from what we should be providing for our students with the expectation of privacy for their data. Our students don't have a choice if they come to school.

[03:04:22] It is required that they come to school. Our students don't have a choice on what data LCPS collects about them and what data they collect about them using those laptops. Our students don't have a choice if they're going to use that technology, right?

[03:04:40] So you're forcing them into a situation where their data is going to be collected. I think then on top of that, stripping them of any right to privacy or trying to have an attempt to do that is a blatant violation of what we should be doing here as a school board, as parents and people who care about them.

[03:04:59] I agree and big proponent that these laptops do need to be monitored. that they should not be able to access websites, that they shouldn't like Facebook, like any kind of child pornography or anything that's detrimental to them. And that is 100% technically feasible when you manage these networks.

[03:05:18] So I disagree. I think this needs to be struck whole out. It doesn't need to be there. And it sends the wrong message to our students as to how we care about their data. So something that did happen to my son a long time ago was the use of a computer system is a privilege and not a right.

[03:05:43] Well, he had it in his IEP, and so therefore it is a right. And on line 14, that is what it said here, and I just want, I just think there might be good for clarification. Yep. I think that we should be adding a concern as well as an amended recommendation because that's correct.

[03:06:04] If it's in the IEP, it is a right. Can you give us a—sorry to put you on the spot, but can you give us wording of how you'd like to state the concern and what would you like us to recommend?

[03:06:20] Because that's a good idea.

[03:06:32] You can suggest it as a nonmember. Someone who votes has to make a motion to adopt it. But it's a good idea, so if you don't mind me putting you on the spot, how would you suggest? Use of a computer system, I guess, unless it's required as a student in special education on your IEP, something like that, required for FAPE?

[03:07:14] Well, we could use the language we've used in previous policies, subject to special education laws and regulations, such as IDEA, Section 5 for an ADA. And assistive technology.

[03:07:32] Which is covered under all three of those laws. I know, but I think that you should actually put assistive technology in there. The problem with calling out specific types of accommodations is that we have to try to list all the accommodations, and we'll never be able to list all the accommodations.

[03:07:53] Understood, but there can be screen readers, there can be, well, I guess that might be considered assistive, of course, but there are also, yeah, there are also situations where things that may be provided through those laptops for certain students may have to be provided other ways. That's not really assistive technology in kind of the classic definition, but again, I think as they suggested from the podium, IDEA and Section 504 and the ADA to some extent, but more so the other acts, already encompass all of that. So I would just be

[03:08:32] concerned if we call it a specific type of accommodation that it leaves out other possible combinations. I don't like to have a microphone. I was just going to say a point of clarification, assistive technology, we wouldn't only consider that to be an electronic device like an iPad or laptop or something like that. So to put that in here where we're talking about technology use,

[03:09:07] an assistive technology could be something as simple as a screen cover or, you know, something like that, a highlighter, we would consider assistive technology, low-tech but assistive so I think that just needs to be brought up is there any other discussion okay so is there and again I think what we were discussing was just a concern um and in general so maybe the concern in general could could address you know something more specific but in the actual uh amendment

[03:09:46] to the recommendation we would just refer to the laws right so could we say at line 14 add the general um verbiage that we've been using to cover idea ada section 504 yeah subject to special education laws and regulations including idea section 504 and the ada at line 14 at line 14 okay but in the concern maybe you know as an example assistive technology would that address

[03:10:22] your concern you can't use your device until you sign on the dotted line for the first two or three weeks of class and he needed it and so that's why he's concerned about right if it's in the 504 plan or if it's in the iep it is a right okay all right then if there's no further discussion oh Why don't you give us wording?

[03:10:56] Wording? Okay. So I suggest that we have a general concern that talks about the fact that if it's in the IEP or Section 504 plan, it would be a right that is enforceable and that there's concern that this would also cover assistive technologies um and then that we would modify recommendation uh this one sorry i'm getting tired we would make

[03:11:30] a new recommendation uh that recommendation for for that at line 14 uh we would say um modify the last sentence in line 14 use of the computer system is a privilege comma not a right comma subject to special education laws and regulations to include IDEA, Section 504, and ADA, period.

[03:11:59] I'm concerned that that wording may be misinterpreted because we're basically saying right subject to, I think it may be better to say, however, it may be a right subject to.

[03:12:16] Okay, as a separate sentence. As a separate sentence. Otherwise, I think it may be confusing as we're saying it is a right or it isn't a right when the IDEA is involved. - Yes. - That's good, all right, except as required by.

[03:12:32] Okay, so can we make a motion? - I just don't want us to be confusing, but it is 9:15. - Yeah, so let's make a motion so we can adopt this.

[03:12:47] Anybody making a motion? - So I will make a motion. I will withdraw my comment on recommendation one, only so as not to change it. I know we have very different thoughts on some of the privacy thing. I would be surprised if that gets adopted.

[03:13:03] Just so you know, a lot of our stuff doesn't get adopted, no matter how valuable we think it is. That one in particular. So I make a motion to adopt the policy subcommittee's recommendations on policy 8650 with the amended language and recommendation for as stated.

[03:13:22] The motion is to adopt the policy subcommittee's recommendations for policy 8650 with the concern and recommendation amended as stated. Is there any further discussion? Hearing none, all those

in favor, please raise your hand and say aye. Aye. Opposed?

[03:13:41] Nay. Abstentions? We're down to Shanaz. Shanaz? I'm an aye. Motion carries unanimously. Thank you, everyone. That was not normal. We don't want to do that again, but I appreciate you sticking with us. Thanks, everybody.

[03:14:03] Thank you, everyone, so much. I am so sorry we will not be able to finish up our presentation for this evening, so we will take the rest of our agenda and send it over to November, so thank you all for bearing with us.

[03:14:21] We really appreciate our members staying so they could vote. Have a wonderful evening.



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