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Loudoun County School Board, Student Services Committee Meeting, Thursday, October 17, 2024

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[00:00:00] Good evening, everyone. Thank you for attending the October 17, 2024 Student Services Committee meeting. I am Anne Donahue. I am the committee chair. With me is Ms. Carrie LaBelle.

[00:00:18] Just a reminder for everyone that this meeting is being audio recorded only. It is not being video recorded, and it is not being live streamed, but it is being audio recorded, and it will be accessible to listen to through the LCPS website at some point in the future.

[00:00:34] So if you are speaking, please remember to turn on your microphones. We will go to item 1.01, remote participation. I understand that Madam Chair Mansfield has requested to remotely participate in our meeting.

[00:00:50] Madam Chair, hello, how are you? Good, how are you? Fine, thank you. can you please state your location and whether this is a medical or personal matter i am in west virginia and this is a personal matter is there anyone present with you at this location no there's not uh therefore i will entertain a um uh right i entertain a motion to uh grant Madam Mansfield's request for remote participation.

[00:01:29] Ms. LeBell. I move to admit Chair Mansfield for remote participation. I second. All those in favor. Aye. That motion passes unanimously. Thank you, Ms. Mansfield. Welcome to the meeting, officially.

[00:01:50] So, item two on our agenda is public comment. Do we have any... What? What? I'm not complaining merely surprised um item two is public comment but apparently we do not have any uh any speakers signed up so we will move right along to item three which is approval of the minutes from the september 19th 2024 student services committee meeting uh committee members have you had an opportunity to review the draft minutes do you have any questions concerns or propose uh revisions

[00:02:30] If not I will entertain a motion to approve those draft minutes. Ms. LaBelle. I move to approve the draft minutes as presented. Is there a second? A second. The motion has been made by Ms. LaBelle and properly seconded by Ms. Mansfield. All those in favor please say aye. Aye.

[00:02:52] that motion passes unanimously thank you and now we will move on to our sole information item this set this afternoon this evening which is revisions proposed revisions for policy 5345 restraint and seclusion of students Ms. Richardson and Ms. Smith good evening chair Donahue thank you and happy one LCPS celebration Day to you all. We did leave buttons over there that you guys can add to your lanyards

[00:03:27] to help us celebrate today. We do have one information item this evening. It is policy 54, I'm sorry, 5345, restraint and seclusion of students. Just want to provide an overview of what you can expect from our time together. We do plan to start with background information on the history of restraint and seclusion in LCPS. We provide an overview of current practices. We also provide you a timeline of the creation of the original policy 53-45 and that

[00:04:00] work was led by the special education ad hoc committee back in 2018. We also give you a quick reminder of the data that we presented back in March on restraint and seclusion for the 22-23 school year. 23-24 will be calculated and will be shared with the full board at our annual report.

[00:04:25] We also have a section in our presentation today on the policy revision updates from spring of 2024. You may recall that the revised policy came before the committee back in April and May. We decided to pause to allow our advisory groups the opportunity to provide us feedback. And so Within the last section of our time together, we do a side-by-side review of recommendations from our advisory.

[00:04:57] We receive the most feedback from SEAC, and then that allows times for questions, comments, clarifications from the committee members. I am joined this evening by Mrs. Donna Smith. She is the Director of Procedural Support, and should there be any specific questions regarding special education we are also joined by Mrs. Nakia Purnell the assistant director of special education I will now hand it over to Mrs. Smith

[00:05:26] thank you Tedra good evening the very beginning of the PowerPoint is actually about just sort of the basic requirements of policy 5345 and I'm going to go through those it requires an annual report of the total number of restraint and seclusion instances reported by the schools and information regarding employee training the Department of Student Services provides staff training to staff implementation support of policy 5345 monitoring of the

[00:06:03] use of restraint and seclusion and LCPS to also include some of the monitoring that would require retraining of staff as needed through the monitoring process support structures that we have in Loudoun County that sort of support what What we do prior to needing to intervene with restraint and seclusion include the multi-tier system of supports, annual staff training, behavior intervention teams.

[00:06:30] We do MANT training, which includes the relational and the technical MANT, and the relational MANT is really how we engage with students and staff all day, every day. UKERU, which is a non-physical type of intervention that is used in Loudoun County.

[00:06:46] And then there's a required documentation system as well that goes along with the policy. There's a basic overview of MTSS as well. We have that across all of our Loudoun County School locations. Interventions are universal, targeted, and intensive.

[00:07:03] PBIS, Positive Behavior Intervention and Supports, is also in our schools with social emotional learning, individualized plans, safe and supportive learning environments for students and staff. annual staff training. All LCPS employees are responsible for understanding and supporting student behavior. Each school location is required to have a team of trained professionals to respond to student behaviors and that's our behavior intervention team. We also have the MANT training system for relational and technical MANT and just as we talked about in the spring all special education staff are required to do the relational MANT and

[00:07:42] then if you are a staff member that has a higher likelihood of needing to utilize the technical MAN, our program staff, they are also required to do the technical portion of the MAN system training. And UCARO is our crisis management system that we were trained in starting in December of 2018, and that's a non-physical intervention. And that is that all staff who may potentially have to engage in the use of restraint and seclusion are also trained with the UCARO system, as well as our BIT teams. And then we also have training

[00:08:20] through the Virginia Commonwealth Center, Virginia Commonwealth University Autism Center of Excellence, and that's what we use for our training of our transportation staff. The historical context for restraint and seclusion really goes back all the way to March of 2018 when our school board put into motion the creation of a special education ad hoc committee, and the committee actually had a number of different things that they were working on, but the restraint and exclusion policy was a very big portion of the work of the ad hoc committee. In June of 2018 was

[00:08:56] the first committee meeting for the SPED ad hoc committee. We did policy review with final recommendations to do policy review with final recommendations by November of 2018. We met in August to begin the review and plan for the committee and then in August again in August it was divided into small groups to review policies and then begin the plan for the future of this special education in Loudoun County. Review of MANT and other intervention techniques were completed

[00:09:28] in September with the ad hoc committee to include a presentation by Grafton staff who trained the did the initial training for our staff on the UK RU system and we reviewed restraint and seclusion regulations that were coming out and recommendations from the state at that time.

[00:09:48] In September of 2018, again, we met, we reviewed policy, practice, regulation review, proposed changes to the restraint and seclusion regulation as was drafted.

[00:10:05] We met in October. We met quite frequently through this process. And in October, we did the review and provided feedback to our first policy on the restraint and seclusion. October 18th, there were more discussions. We reviewed it and supported by ad hoc committee for board review and approval in October of 2018.

[00:10:28] In November of 2018 is when the actual UKERU presentation came. We talked about it in the beginning phases of the ad hoc committee, and then they came and trained, formally presented to us, not trained, but presented in November. On November 8th, the proposed policy was reviewed along with CX report of recommendations, all of which were approved.

[00:10:50] All of the recommendations were incorporated and approved in November of 2019. and that was through the ad hoc committee and then the preliminary report was presented to the board on November 27th. The presentation of restraint and seclusion, last resort response during the SEAC business meeting, so that was presented the very beginning of December. We presented the policy to the school board as an informational item December 11th. We began the training of the implementation of UKERU in December as well and then the policy was presented as an action item and passed 801 with one member being absent in January 8th of 2019.

[00:11:30] So that's sort of the history of the ad hoc committee. And just as a kind of a description of that ad hoc committee, it was a very large committee. It included members of SEAC. It included members of the school board, two members of the school board, parents of students with disabilities.

[00:11:49] It included school leadership. We had a representative from each level that were a part of the ad hoc committee as well, as well as an outside third-party person who actually worked for George Mason University, Karen Berlin, and she was a BCBA, and she was also a member of our ad hoc committee for helping making the decision and really shaping the policy for restraint and seclusion.

[00:12:18] The next couple of slides are what was presented in the spring, and that's just the history of the last couple of years of our restraints and seclusions. And these are the school location, what is happening in our buildings. We also presented in the spring the data as it reflected in our private day schools and residential settings for students.

[00:12:38] That is not incorporated in this presentation primarily because that's not the restraint and seclusion. They're not utilizing our procedures. The private day schools have their own policies and practices that they have to follow. And as a reminder, the 2021 data looks very low, but that is during the pandemic.

[00:12:59] And so we did have students with disabilities in our buildings, and we were providing educational services, but there weren't a lot of students in the buildings. They were only our students who required the more intensive services. There were less transitions and less sort of activity in the building, and we actually, if you look through the PowerPoint presentation, there were no incidents of restraint or seclusion during that time.

[00:13:23] Any questions? Ms. LaBelle. Your data, when I look at the physical restraint, was that preceded by seclusion?

[00:13:38] Were there any students that had, let's say seclusion first, it wasn't working and they went to restraint, or the other way around so they're not, those numbers aren't counted in both columns or both sections? That's a really good question. Thank you for that. So if there was a restraint and a seclusion, they would have been documented in both.

[00:13:57] would count both of those separately the very first slide is about the instances of restraint and seclusion so it's really important to keep in mind that that's not how many students were restrained it is actually how many instances of restraint there occurred so if a staff member if there was a student who

required a crisis intervention and was there was a restraint and then we released the restraint and the student went back up into a crisis situation they may have been restrained again and each of those are done separately as an instance so that's why you will see that when you

[00:14:33] look at the number of the instances that's higher than the number of students because sometimes students may have had more than one instance of a restrainer seclusion okay but if the student had I can't remember the data from back then I could have probably answered all of that in the spring but if they would have had both occur there would have been an instance in the seclusion area and an instance in this restraint area separately thank you mm-hmm and there's a reminder for mechanical restraints mechanical restraints are prohibited in

[00:15:12] Loudoun County but there are times that if law enforcement engages with students let's say they had to handcuff a student when they were in the building for a a potential matter. It is counted as a mechanical restraint on our data unless there are charges filed against the student. So sometimes you will see mechanical restraints in there. They are not from our staff for what you're seeing on these charts. At this point, they are actually if law

[00:15:42] enforcement is involved. Ms. Mansfield. Thanks, Chair Donahue. I just need to just be clear as to why that special education was that committee was put into place and the reason why was because of February 2018 seclusion of a student which now we have a law about starting in 2019 so I just want

[00:16:16] everybody to be clear that this was this was in reaction to that particular incident and why we had to look at our restraint and seclusion practices i just think that's important to remember thanks thank you so the next section really is the revision updates for what that's really what we did in where we ended in may these updates actually include the feedback that came from

[00:16:55] msac and the equity committee uh so that was all part of the discussions that we did in the spring in April so the changes that are reflected in here really are reflective of those recommendations as well the instead of going line by line I kind of just did sections in the PowerPoint so the changes in the definition section the formatting of that as it is right now from May was how came from the recommendations that you all gave on how you wanted them put into the policy so that was there and then the other thing is I actually put them in alphabetical order because in the previous policy they were not in alphabetical order and

[00:17:33] then we align the definitions to match the definitions as they are written in the code of Virginia so those were the changes in the definition section in the prohibited practices section there's a revision for the use of a prone restraint to align with the code of Virginia there were also four practices added to align with the code of Virginia when we did the comparison there were a number of things that were actually missing from ours for the code to match the code of Virginia so they were actually added as well the use of seclusion rooms or freestanding units not meeting standards set forth in the

[00:18:13] code of Virginia was also added I'm sorry missed one actually I was for the bullets of the four that were added seclusion that restricts breathing and harm students were added restraint and seclusion not being allowed to be used as a punishment or discipline coercion retaliation a convenience or to prevent property damage those were added to match the code of Virginia adding the that it is prohibited for the use of seclusion rooms or for freestanding units that don't meet the standard set forth in the code because there's very specific standards that seclusion rooms have to

[00:18:51] meet we do not have seclusion rooms in Latin we do not have established rooms for the specific purpose of seclusion but we did add those as part of the policy and the use of restraint seclusion for medically or psychologically contraindicated like documented by the IEP team or if a health profession under the scope of their professional authority indicate that there is that it would be detrimental to the student then we would not be able to use those practices for those students as well. In the training section of the policy again it was updated to align with the Code of

[00:19:30] Virginia. Focus skills related to positive behavior support conflict prevention de-escalation and crisis response were added it is stuff that we were those are practices that we were doing in Loudoun County but we needed to add them to the policy all school personnel needed to receive initial training regarding the regulations policies procedures governing the use of restraint and seclusion again we were already doing it but it needed to be formally documented in the policy advanced training in the use of physical restraint and seclusion in every school for one administrator and school personnel assigned to work with a

[00:20:06] a student whose IEP or 504 team determines the student is likely to be physically restrained or secluded, and the initial and advanced training is evidence-based, those were added to. Again, we were doing it as a division, but we needed to add them. The monitoring and intervention section of the policy, there was really no substantial changes. There were some clerical changes to that section of the policy, but nothing significant, as well

[00:20:33] as with the notification and awareness section. For the exceptions section, I put in, so the current policy as it reads says nothing in this policy prevents a school employee from stopping a physical altercation to prevent physical harm to a student or another individual and the policy does not apply to school resource officers who are performing law enforcement duties. This was updated to really reflect how it's written for the Code of Virginia and also through the

[00:21:09] recommendation of our legal counsel so it just really outlines it a little bit more specifically about the authority of teachers to be able to remove students as provided by the code that is not restraint or seclusion. The authority of the school resource officer or school security officers as provided by the Code of Virginia, the authority of Virginia Department of Juvenile Justice Programs, and civil immunity afforded to teachers as provided by the Code of Virginia were added to our policy. The data collection and reporting section, we did remove the reference to

[00:21:46] the assistant superintendent reporting quantitative data to the U.S. Department of Education for the Office of Civil Rights, and that was removed because that data, over the past couple years, it's actually changed and it's required as part of our state reporting now. It's part of the student record collection that is reported, as well as the quantitative data that's reported to the CRDC. It's part of the overall school division's report to the Office of Civil Rights and the CRDC that occurs every two years. So those are all now just required reporting that comes through so it's no longer really needed as part of the policy and one of

[00:22:25] the newer revisions that we talked about in the spring as well as we also now report the data for the private day schools and the residential schools for restraint and seclusion previously prior to the last couple years it was reported by the private schools but not by the division but we track and monitor all of that and report it to the state and then there was some just formatting changes that was made in May.

We removed the reference to pupil services because our department changed to student services. We used to be the Department of Pupil Services and we are now Department of Student Services. We removed the

[00:23:02] statement that said the superintendent will promulgate administrative regulations for the proper implementation of the policy and that was really in alignment with the current policy formatting. That statement has been removed from the policies as they've been revised. We included the additional legal references to align with the recommended policy revision and that was actually at the recommendation I think of chair Mansfield and in April and we added more cross references that was also updated to reflect the updated policy numbers for the division as policies have changed any question

[00:23:37] regarding where we are to get to where we are now or the changes to now so the next section I broke down a little bit differently these are the recommendations that came out of the SEAC committee and so I put on the left side the recommendation of SEAC and then our response to each of those recommendations and if that's okay I'd like to go line by line for those for that discussion so

[00:24:17] the very one of the first recommendations of SEAC was to just to amend the policy to prohibit seclusion altogether really we feel that seclusion is an emergency safety procedure and we utilize it when students behavior pose an imminent danger to others and is not able to be managed by other crisis intervention strategies or emergency safety procedures so we really do try to use non-physical or non-restraint and seclusion practices prior to engaging in those procedures but sometimes safety is an issue and in order to minimize student and staff injuries seclusion is something that we would recommend

[00:24:56] maintaining it is a last resort for students but it is something that we feel is important for the safety of others and the student. The second recommendation, there were a lot of them in the second recommendation, so I titled them A, B, C, going through. They're not that way in CX document, but I just tried to break down each one of them in order to be able to address all of the different issues. The recommendation was to prohibit restraint from being written into an IEP, a section 504 plan, individual crisis plans, or behavior

[00:25:35] intervention plans. So per the Code of Virginia, we actually have to, as an IEP team, identify as a 504 team as well, if a student is likely to possibly engage in behavior that may result in the use of restraint and seclusion. The IEP teams have to consider that information and discuss the use of restraint and seclusion. So we're not writing them in as an intervention. We are really documenting the the behaviors and the concerns that may arise and making sure that those conversations are had with families as part of an open discussion

[00:26:13] of the needs of the student so it's really not written in as an intervention plan that we're doing for students but it is documenting that that level of need may be utilized with students it is not for every student but it is required for any time a student has a high likelihood of engaging in behaviors that may require crisis intervention. Throughout the recommendations from SEAC, they added the word staff at various places throughout the policy. Really, staff is implied in the use of the term

[00:26:49] or others throughout the policy as we have written. It is written as we will do something for the student and or others, or others and the others would imply anyone else, other students, staff anyone else for part of the safety so the staff was really incorporated in the or others or implied recommendation to see physical restraint is not to be used on any student under the age of 6 school personnel may implement physical implement physical restraint only when other interventions are or would be in a

[00:27:27] reasonable judgment of the particular school personnel implementing the physical restraint and emergency situation as ineffective if they feel like nothing else will be effective to ensure safety then they need to be able to utilize the physical restraint in order to support the student so there's not an age restriction for any of the restraint and seclusion but the policy and the reg or the regulation does talk about developmentally appropriate and really being aware of what's appropriate for students the recommendation to

[00:28:04] include definitions from the regulation and policy again I the way it's formatted currently is formatted as requested by the Student Services Committee the school board members in April 20 April 18th of 2024 and it was to maintain definitions that are permissible and applicable to LCPS and the policy and the remaining definitions included in the corresponding regulation so that's how we have it established at this point they recommended or SIAC recommended adding a definition for floor restraint and floor restraint is not a type of

[00:28:40] of restraint that is defined. It is not part of our training practices either for what we do for restraint. I do think the definition of prone and supine restraints really address floor restraints because those are when prone is when a student is laying on the floor face down and supine is when a student is being restrained facing up. So those are I guess when a student is lying on the floor and that's, but we don't, there are no trainings for floor restraints. There were several regulation

[00:29:15] revision recommendations, and we revised the regulations after we see the board's final version and approval of the policy. I will say there were a couple of recommendations that were made by SEAC for revisions in the regulation that really did clarify some of the parts of it, And I do have those written down to make sure we incorporate or consider in the regulation as well.

[00:29:45] Some of those are in the regulation and the policy, so they'll be covered on here. Define prone restraint, 3D. Prone restraint was actually listed and defined under prohibited practices. And it was on the red line, version lines 121 and 122.

[00:30:02] We recommend going ahead and adding the definition of prone restraint into the definitions. It is prohibited, but if clarifying that in one of the definitions we would find is appropriate as well, and we would want to utilize the definition as it's defined in the Code of Virginia, and the recommendation would be to do that after line 77 in the red line version if you all approve.

[00:30:27] The revised definition of seclusion, the recommended definition as recommended by SEAC is not in alignment with the Code of Virginia, and I did reference the Code of Virginia. our definition is in alignment with the code of Virginia for seclusion the definition of supine restraint it actually supine restraint is not addressed in the code of Virginia it's not in the regulation for that is provided by Virginia it was inadvertently cut from the prohibited section of the policy when we did when I'll own it when I did one of the revisions when we were doing the

[00:31:01] red line and I do recommend putting that back into the prohibited section and also adding it to the definition section if you also approve to do that. And I would just put it in the alphabetical order. Please let me know if you want me to pause because there's a lot of these.

[00:31:22] Again, number four, the recommendation four had a lot of regulation revision recommendations. So those are things that we would definitely be considering once we have the final

version of the policy. That's the same thing with the recommendations for number five. Number six, clarify that direct contact with a parent or guardian occurs the day of the incident.

[00:31:44] Policy addresses the recommendation. It's in redline versions 208 through 215. I do recommend separating the second sentence from the first section to truly outline and clarify that in the redline section of 208 through 215.

[00:32:03] There was actually a clerical error on the redline version, too, because it already has an extra space. But the first sentence is really about our annual reporting requirement, and the second sentence of that is about how we are notifying parents.

[00:32:20] So I do recommend separating those to clarify. 6B from the recommendations add provided to the student in line 215 of the red line version. I did align their recommendations to the red line version.

[00:32:39] I don't know that that's the policy that the version that was being reviewed by SEAC because the numbers were not aligning in the recommendation. So I tried to align it to the red line of what we would be looking at. And I actually, this is one of the recommendations that I think definitely clarifies things much better and I appreciated the recommendation, so I'd like to incorporate that as well.

[00:33:03] Recommendation number seven, clearly list all prohibited practices. There were several recommendations are in the updated version, and I recommend also adding the supine restraint. We added the ones that were in the Code of Virginia, and again, supine restraint is not in the Code of Virginia, but we do recommend adding that as a prohibited practice.

[00:33:25] in our policy recommendation number eight i kind of already discussed in the previous one of for the revision that we did and that was deleting the reference to the student to the quantitative data and again now that data is incorporated in our student record collections as well as the division crdc reporting which includes a lot more than just restraint and seclusion and then number nine is the restoring about the superintendent this the statement regarding the the superintendent and we removed that for alignment with the current policy

[00:34:02] formatting and that is all of them I do want to highlight one thing and I should have said this in the beginning just as a this restraint and seclusion policy is for all students in the division and it is for all staff it's not a special education policy you will see that there's a higher incidence of restraint seclusion occurring with students with disabilities although our divisions numbers have decreased dramatically over the years so at this we do have students who have very intense needs and so it's more likely to occur with

[00:34:40] students with disabilities but this really does apply to all situations in our schools thank you very much miss Smith and miss Richardson and your staff for putting together this comprehensive overview it is a lot to digest and I'm sure it was a great deal of effort for you all to gather and sort and put into

[00:35:06] a format for us to to work through I had a couple of questions about data number of instances that you listed here and our reporting requirements for your slide That is number of instances of seclusion and LCPS school locations. I see that there were Five in school year 21 to 22 and three in school year 22 to 23 were those instances actually at LCPS facilities

[00:35:48] the only Instances that I'm reporting for this presentation is just ones that occurred in Aladdin County comprehensive school. Okay, and Do we have, so I guess 22, 23, what year are we in?

[00:36:05] We're in 24, 25, so 23, 24 would have been the most recent. So do we have data for 23, 24? That data is actually being disaggregated now because we are going to be doing our annual presentation on restraint and seclusion for last year's information.

[00:36:24] There's a little bit of delay in us being able to put all of that together because of really getting all of the instances from the private day and residential facilities. That's where we needed the information. And we also carried over the information from the summer because we look at the extended school year data as well for all of the students.

[00:36:44] Okay. And is it the same for the physical restraint reporting? If it happens in the private setting, we now report those numbers as falling under LCPS reports? All incidents of restraint and seclusion gets reported by each individual school division.

[00:37:08] And so you said we're no longer required to report this data to the Department of Education Office of Civil Rights. We do require, but it is now incorporated in our normal student record collections that are reported to the state.

[00:37:28] So they do student record collections throughout the year at different times of the year. And this is reported in our student record collection as part of a larger data set that is sent to the state. And then it is required for the Office of Civil Rights, but it's part of the CRDC report that goes to the Office of Civil Rights.

[00:37:50] And that is done every two years, and it includes a lot of information other than it's not just restraint and seclusion. There's a lot of other data that's in that report as well. So it's just required reporting that every school division is required to do. the section H does still state assistant superintendent shall publicly report physical restraint and seclusion quantitative data on an annual basis.

[00:38:20] Is that the, you were just referring to the report? Yes, that's the report that we do to our school board annually. Okay. And is that information publicly available after it is made public in your report to the board? Okay. I imagine there are a lot of thoughts and questions.

[00:38:49] I am I am already wondering how much we want to try and bite off of this today. In the normal course of committee process, we might be making our discussion, giving direction to staff, and then moving this to be an action item at the last meeting.

[00:39:11] And I'm certainly curious to see what my fellow committee members think. But my gut, just from getting to this point right now, is that I fear that trying to do that with this will feel a little rushed.

[00:39:30] But I want to know what you all think. Ms. Mansfield. Well, I feel like we should put all of CAC's recommendations in there because I know that they worked with staff on it for about, what, three nights at least or more.

[00:39:51] And there was consensus on a lot of it, and it was a good collaborative effort. I had a question. Ms. Smith said something about comprehensive schools. Do we consider North Star and the TAEP program comprehensive schools, or are they programs?

[00:40:11] They would be considered a school. Comprehensive schools. Yes. So they would be put into this as well. Okay, I just wanted to make sure that all of our – because sometimes when people mean

comprehensive school, I think that I thought it meant something else.

[00:40:28] okay to our programs as well great i need anything else ms mansfield i mean i would like to put all the cx uh recommendations in there um i know that there's going to be some pushback from people about seclusion but i do feel strongly that we do not need seclusion period the end um having done

[00:41:04] this you know in my lifetime working with different populations and i also feel like nobody should be restraining a six-year-old um that's you can hurt them and um i just have strong feelings about those particular items uh so i am happy to have these things written back up and included and then move from there the next time but so i but i leave it up to you thank you miss labelle thank

[00:41:42] Thank you, Ms. Donohue. I think when we looked into this at first, of course, my focus is always special education. But now knowing that this applies to any student in Loudoun County Public Schools, and if we look at the reports, there was actually three instances where students who were not special ed students had to have either restraint or I can't remember what page it was on but there

[00:42:17] were students that were not special ed students that this policy would apply to. So I think we need to be a little bit more mindful like if I'm looking at the SEAC response it says prohibit restraint from being written into an IEP section 504 plan, individual crisis plan or behavior intervention plan.

[00:42:38] I could see that might be a possibility because we have students that don't have those but may still need restraint or seclusion. So I think we need to look at each SEAC recommendation and see if that might be needed, might need to be retained if they're recommending removing something that might need to be retained due to the fact that we're now talking about all students, not just special ed students.

[00:43:07] And I know that there are some characters in our school system that might need restraint or seclusion. And if we take some of this out, then we're endangering the students in the class as well as the staff that are trying to deal with it.

[00:43:26] So I think we need to be very, very mindful and look at the recommendations from that viewpoint as well. Ms. LaBelle, I think I always knew that this was going to be for the whole school, for all students, not just for special education. I just want to be clear about that.

[00:43:42] I did not know. I'm thinking strictly from a special ed teacher's perspective. And now I understand where this is going. I think we need to, at least I need to have another look before I make a decision on some of these. Some of them are yes.

[00:44:00] Some of them I want to think about again. Thank you. Ms. LaBelle, I will say while we did already have the benefit of CX recommendations prior to today, we did not have the benefit, I hope it's okay to say, we did not have the benefit of the staff responses until today.

[00:44:27] And I frankly don't feel comfortable going through and doing line by line, yes, no, yes, know, I agree, I don't agree, without having time to review and consider the LCPS response.

[00:44:45] On top of which, we haven't even talked about, there is some feedback from MSAC and also some other community feedback that has been provided to us, which we have not talked about, which, frankly, I was more focused on reviewing CX suggestions as they were lengthy.

[00:45:11] But I don't want to short shrift the other comments. So for those reasons, I am going to Ms. Smith. If I may, I'd like to address some of the concern about the smaller statured students as well.

[00:45:32] There is additional training that we provide, which is for small-statured students as part of our technical MANT training. So I do want to indicate that. And I am happy to, again, address the MSAC and the other committee recommendations, but this is actually what we reviewed also in April.

[00:45:51] So this was part of the original discussions in April, which resulted in our May redline version. So as a committee, that was actually discussed in the last, in April, just for clarification. Thank you for refreshing my memory, Ms. Smith.

[00:46:07] A lot has happened since then. Well, I'm going to pull out my committee chair card here and say I would like to have this on again for information at our November 7th meeting so that I have a little bit more time to digest the comments and suggestions and responses.

[00:46:36] I have a clarifying question. - Thank you, Chair Donahue. Yes, so trying to take notes as the committee members have been sharing, I know that Mrs. Mansfield has indicated that she would like for LCPS to accept all SEAC recommendations.

[00:46:56] I think the most substantive recommendation would be the removal of seclusion. So I would ask if that moving forward is a strong consideration of this committee, we will also need to talk about What do we do in the event that seclusion does occur if we've removed it?

[00:47:17] And even possibly what are some other crisis intervention techniques that we would need to consider as a school division to keep the student that is in crisis safe, other students and staff safe?

[00:47:36] I have heard Ms. Labelle say she wants a focus on safety for students and staff. And then I've heard you say more time to process all of the information. So when we come back on the 7th, is there anything different that you wish staff to present?

[00:47:56] Thank you for that question, Ms. Richardson. And thank you for the, particularly for bringing up the, if there is an appetite to remove seclusion altogether, what then?

[00:48:15] What do we, how do we replace, or what can we put in place in the absence of that? Chair, I think there's a lot of resources that SEAC provided from other states and other things like that that do not have seclusion. And while I can appreciate that we have training for smaller statured children, I still feel the same way. So I think if we want to do a deep dive, we need to do

[00:48:48] a deep dive into those other policies and other states and things like that thank you um miss richardson i was going to say your you bringing up that point um reminded me that i have had i have heard from a couple of parents who have reported instances which in which there are children who are students in our schools were put into situations that uh the parents say this this looks and feels a lot like seclusion, but the school is telling me it's not seclusion. And I

[00:49:27] understand both of those things could possibly be true because seclusion has a very specific legal meaning. But if it is the case that these things are happening, which I don't have any reason to doubt the veracity of the parents who are reporting this to us, it does not seem like those situations are necessarily being addressed by the guidance in this policy, which I bring up not to say specifically that I would like staff to be prepared to discuss that gray

[00:50:03] area at the next meeting, but that is something that has been on my mind as we are discussing these provisions is, is there a need, is there a gap of a gray area between the legal definition of restraint

and seclusion and other things that are happening in our schools that maybe is not adequately being addressed in our current policies and regulations that we can or should look at

[00:50:32] addressing. So for the future. But as far as specific, anything specific additional for staff to bring back at the next meeting, I don't think that I have anything right now. Ms. LeBeau.

[00:50:55] Once again, I'd like to see how many times this past school year that we have not heard about yet, how many of the incidents of physical restraint and seclusion were used for students that were not special ed students, special needs students.

[00:51:17] Then that would help us go back and look again at, you know, some of the things that are advised both by SEAC and by MSAC and others so that would that would make me happy if we can look and see if there's been anything this past year I know we have the three but you know before we move on I'd I'd be happier knowing that thank you good point Miss LaBelle thank you if if that information is available from the 2324 school year by the time of our

[00:51:51] next meeting that would be um that would be uh very helpful um um okay anything else on this uh ms labelle not particularly okay ms mansfield yes um is there a way that we could um get some of the training materials from mant so that we could see what they say about children under six

[00:52:21] Yes. We'd be happy to provide that. Thank you. Okay. All right. So we will see this policy again and continue discussing it at our November 7th meeting where it will come back to us for information again. And now we will move on to item number five, which is new business.

[00:52:51] I have new business briefly. Ms. Richardson, I have received some inquiries regarding the status of the 80/40 focus groups and I was wondering if you might be able to provide a brief update, please.

[00:53:09] Thank you for that new business item, Chair Donahue. So as the committee members may recall, we have started the procurement process. We have established an evaluation team. We have reviewed all proposals that have been submitted.

[00:53:27] We have narrowed down the focus to vendors of interest. And we continue to remain sort of on the procurement side of things, getting some clarifying questions from concerns and questions that the evaluation team members had, wanting to have specificity on exactly what the process would look like, feel like, sound like for staff, for our community, for our students, and for our other invested parties.

[00:53:59] So we are hopeful that we will be able to have a final recommendation once we are crystal clear on what LCPS can expect, because we do have an obligation to make sure that our community is also well informed about the processes moving forward.

[00:54:18] I can share that the timeline stays as anticipated, that once we are able to get focus groups up and off the ground, that we are looking at several months to get the feedback back from the stakeholders, to review that feedback, to go back, take certain groups' feedbacks to other groups so that they can assist us in building a path forward as a school community.

[00:54:45] Thank you, Ms. Richardson. And do I recall correctly that if and when the procurement evaluation team selects a preferred vendor, that the choice of vendor will then be subject to approval from the full board prior to the contract being awarded? So that's partially accurate. So depending on the cost of the vendor that is selected, certainly the full board will be informed and given a thorough

[00:55:21] breakdown and really sort of a play-by-play of how the evaluation team worked towards clarity and how we landed at this particular vendor as the selected vendor. If it's under a certain threshold, which I believe if it's under \$250,000, that does not require board approval, but we would certainly inform the entire board and afford every board member the opportunity to ask questions, get more information prior to us moving forward.

[00:55:53] Thank you, Ms. Richardson. That is very helpful. I have another new slash old business because I would like to go back to our discussion about special permission, but prior to that, do you have any other new business, Ms. LaBelle?

[00:56:12] Yes and no. Yes and no. I had spoken with Mrs. Richardson after I believe it was our last work session and asked a question about Perkins money and being able to use that for some of our special ed transition students.

[00:56:32] to help out in the lunchrooms of small schools. Have you got any feedback for that on us yet? - So I have shared that question with colleagues and currently that is not how the Perkins grant is written. So it would require a rewrite of that grant and then we would need to really look at what the grant is currently supporting and then how we would offset using the Perkins funds to provide compensation for students with disabilities working transition experiences And then what was previously covered under the Perkins grant should those supports and services still be needed.

[00:57:10] So we would not be able to really take any action on that until it's time to rewrite that grant. And so we have to submit a plan of how we plan to utilize those federal funds on an annual basis. Would we be able to have those transition students work as a work experience, an unpaid work experience?

[00:57:33] Would that be an option? Certainly. So we currently have post-secondary students with disabilities that are employed through operations, maintenance, and nutrition services. We can also work with other departments to look at expanding those workplace opportunities. Absolutely. You're welcome.

[00:57:59] Thank you, Ms. LaBelle. Ms. Mansfield, did you have any new business? So I do see that it is 6. 31, and technically this meeting was booked to end at 6. 30, but as we had discussed a plan to give direction to staff in order that they can prepare revisions for the special permission policy to bring back to us at our November 7th meeting,

[00:58:28] I would like to ask my committee members and staff if you all are, if it is possible, if you are agreeable to continue our meeting by some amount of time that hopefully will not exceed 15-ish minutes. Maybe I'm overly optimistic. I don't know.

[00:58:48] I have an appointment after this. I mean, I have, I can stay for about 10 minutes, but then that's going to be it. Okay. Thank you, Ms. Mansfield. Ms. LaBelle my horse will be angry at me for postponing his dinner, but he'll get over it So will my cats And Ms. Richardson, thank you. Okay, so we have 10 minutes For we have 10 minutes with Ms. Mansfield Now is the time we need to give some direction to staff

[00:59:27] We have talked about a lot of options related to possible changes to the special permission policy I will say my inclination is to recommend at the very least that we change the application window and move it to an earlier start we had discussed staff had presented us with some proposals to have that earlier start either begin on February 1st or January 1st so if we are wanting to see that proposal in official as an

[01:00:05] official policy revision we would need to I suppose choose between those two dates what we would like them to bring back to us I am also inclined to ask for a set of parameters or bases on which special permission could be granted instead of it just being anybody can request it for any reason and there's no you know no no parameters around around what qualifies or what doesn't qualify

[01:00:39] but I do realize that that might be a heavier and possibly more time-consuming lift so those are my thoughts committee members I would like to hear yours I agree with you I think that we need some sense of consistency in a granting or rejecting special applications I think also we need to look at whether the permission is being asked due to a special education issue or some other

[01:01:18] issue that cannot be remedied within the school that they are supposed to be attending such as bullying or somebody had a sexual experience that was unwelcome in from people in the building or whatever it might be but we need to make a cutout for special ed students that feel they have to go or have to go to get the services they need to a different school if one is over

[01:01:52] overwhelmed with students over you know so that would be my concern I also like starting earlier because that gives parents uh more time to come to terms with are they going to be granted permission what do i need to prepare my student for or we're not going to get permission what do we need to prepare for so i think that giving parents more time is also important as well as to the principals and the teachers in planning for the classes thank you ms labelle

[01:02:29] regarding moving up the application window would you advocate for moving it to february 1st or january 1st i'd like to see january 1st if we can get it together by then thank you ms mansfield i'd like to see january 1st as well i disagree with the criterion except that i would like someone from vhsl to come that's not our staff but someone who is actually who are on the directors there so that they can, because I think there might need to be some criterion for that in

[01:03:04] particular. But I think we might get into the problem that I think it was Ms. Lehman was talking about as far as if we don't, if we have some criterion for regular special permission. But I do think we have a particularly difficult time with VHSL. And I think that we need to get more guidance from VHSL, the directors from them, because we get a lot of conflicting information.

[01:03:42] Thank you, Ms. Mansfield, Ms. Richardson. It seems that we have some consensus here about moving up the application timeframe. I know from my prior conversations one-on-one with you that it may be a heavy lift to have the application portal open on January 1st, at least for this year, given that it is already halfway through October. I would ask you to look into if it is

[01:04:20] feasible. And if it is not feasible, could we consider like January 15th instead of waiting all the way until February 1st I don't want to overburden the staff at the admin but I know one of the factors that was on all of our minds was making this process work better for the school principals as they are assessing their staffing needs and my fear is if we push if we only push back the application open to February 1st that they will continue to have those same issues

[01:04:55] yes if i may please um so based on information that we have shared on our previous two work sessions on the topic it sounds as though the committee has come to consensus on proposal number one so i just want to read those terms again so you have the clarity special permission portal would open january 1st for staff and february 1st for families okay it would close

[01:05:31] april 30th on that timeline the school board would have made all final decisions on appeals to the process by may 20th 2025 is that what we are if that's the revision that you would like staff to bring back i believe so if it's feasible for staff to line up to have that early start

[01:06:04] certainly okay i do have another clarifying question as i go back to my notes from our last work session we also had a conversation it was um mrs mansfield that put forth that um she wanted the auto-generated reply to show up for parents anytime so because we we do inform our families of our schools that are projected to be at capacity um so we have that in that information

[01:06:37] as a division usually by december just before winter break and so we would be able by january to be able to post these are the schools that we project to be at capacity there was conversation that we wanted to have an auto-generated reply that your request has been received for an over enrolled school and there's no ability for an appeal is that language that the committee still wishes for staff to work into a revision? Wait a minute. Wait a minute. The idea was that, um,

[01:07:14] was that Gabrielle did, wouldn't, wouldn't have to use that timeframe. I mean, they'll still have an appeal, but it was because then they were waiting for another email as, as to, to tell them about the appeal. It's over-enrolled. Over-enrolled, you're going to have to go straight for an appeal. Thank you. Straight to the appeal. Gotcha. Straight to the appeal. Okay. And so that

[01:07:47] they didn't have to wait that period of time, 30 days or 10 days or whatever it was. It was just an immediate thing. And I'm hoping that making this timeline earlier will take away some of the problems with special education because then the principals would be able to find the special education teachers earlier. That was part of my thought. Thank you, Ms. Mansfield, for that

[01:08:24] clarification. That is also consistent with my memory of what we were intending. And in light of that, yes, I believe we would like to see revisions along those lines. Okay. Last point of clarification um i believe mrs donahue and ms labelle you both indicated that you were interested in discrete parameters for the considerations or shaping the consideration of special permission

[01:09:02] i heard mrs mansfield share she was not so much in favor of that our staff to work on two different versions of a revision for your consideration for november 7th one with parameters and we would go back to the data that we've shared with you in our previous work sessions and really identify those top categories and then what sort of documentation we would like to accompany those requests. So that could be one version with, of course, the adjusted timeline and the clarity for if you've applied for an over-enrolled school, you immediately go to

[01:09:40] appeal. And then we can work one version that does not have the parameters and they would still have the same drop-down choices that are in the current portal is that my understanding is that correct i do think that that is a big lift to be asking of you of your staff uh and i'm not sure

[01:10:10] i others have suggested that it might make more sense to tackle changes to this process in stages rather than trying to change everything all at once um despite my desire to fix it all right now um Ms. Mansfield yeah that's my thought I mean we can have that and I think that we can do this in stages and maybe think that you know you can you're going to be here for four years you and

[01:10:46] Carrie you can you know that next year I mean as opposed to just shocking the system like that thank you for reminding Ms. Richardson that she's stuck with Carrie and me for a good long while.

[01:11:04] I think it makes sense to prioritize right now the other two matters that we discussed and keep in mind there is at least some appetite to make additional changes, but prioritizing the timeline and the automatic email response.

[01:11:26] Thank you. The staff will be prepared to bring back revisions for policy 8155, specifically for the special permission section, we would have adjusted the language to reflect a change in timeline. We would also have the over-enrolled school, you go straight to appeal, and we will hold on the factors, and we will tackle that.

[01:11:51] I would probably think maybe summer, maybe fall of next year. Thank you. Thank you very much, Ms. Richardson. Thank you to my fellow committee members. Does anyone have anything else before we adjourn? Ms. Mansfield. No, oh, you're just waving.

[01:12:08] Okay. Just bye. Bye. Thank you, Ms. Mansfield, for spending extra time. Enjoy your time away. Thank you, Ms. LaBelle. Thank you, everyone. Thank you for everyone who is attending. This meeting is hereby adjourned.

[01:12:24] Our next meeting will be November 7th, 2024, at 5.30 p.m. Thank you, and everyone get home safely.



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