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# Loudoun County School Board, Special Education Advisory Committee (SEAC) Meeting, Wednesday, June 10, 2026

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| Date                                                                                                                                                                                                                                                                                                                                                                  | Wednesday, June 10, 2026                                                       |
| Place                                                                                                                                                                                                                                                                                                                                                                 | Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV) |
| Length                                                                                                                                                                                                                                                                                                                                                                | 2h 17m (video)                                                                 |
| <ul style="list-style-type: none"><li>Official meeting video (Vimeo / LCPS-TV): <a href="https://player.vimeo.com/video/1200253990?rel=0">https://player.vimeo.com/video/1200253990?rel=0</a></li><li>BoardDocs (School Board): <a href="https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public">https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public</a></li></ul> |                                                                                |

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[00:04:33] meeting to order and please scan in with a QR code. Today we're going to have Erin run the meeting since she is technically SEAC chair now. Okay, thank you everybody for coming out to our June 10th SEAC meeting. Did everybody scan the code? Come on, Shanaz. Is this how I'm changing?

[00:05:05] No, I'm just going to read it as it is. Yeah. I'm good. All right, Shanaz, where's my? Oh, I'm sorry. You just, this one? Okay. Here. All right. So here's our agenda for this evening. I think we all know

[00:05:40] what SEAC does. You'll do that. Everybody knows who the wrapping up officers are and admit the

[00:06:34] virtual attendees. I moved to admit the virtual attendees. Okay. So virtual attendees have been admitted can we make a motion to approve the May meeting minutes do I have a second all right May meeting minutes approved do we have public comment okay as usual our executive committee will meeting

[00:07:12] after our SEAC meeting over at Clyde's all are welcome that's you I'm going to say thank you guys so much for all of you who came out to support us during the SEAC awards we could not have done it without all of you I'm also going to give a shout out to Liz and Laura and I'm really going to give a shout out

to Laura over here I mean honestly there's a lot of work behind the scenes and she took everything I threw at her like with you know no complaints or

[00:07:50] anything like that so thank you all again and I just wanted to add that in there so all right and now on to our SEAC policy subcommittee before we begin do we have quorum

[00:08:19] It's checking that way. Yes, Terry Adams here Liz crotty Ginger Donato is not here. Marcia Kelly Tom Ketchum present shanas Khan Rosina cutock Laura Colossi Mary McClintock Alicia McFadden Craig Metz here Steven Meyer

[00:08:57] Catherine Moran Kelly Ralston Aaron Roselle Poe Katherine Rosenbrook, Carly Sabatino, Carla Sola, Sharon Trough, Melissa Wah, and Sakina Zarbouche.

[00:09:18] I did forget to mention one thing before we all begin. It came to my attention that some people have been not included on our website as SEAC members. But what I need you all to do is I need you to give me your SEAC email.

[00:09:36] Because they will attach this, so whatever it is, Carla.Sola or whoever it is, right? I need the SEAC email. I've talked to the other person who wasn't on the website. And then I'll go ahead and get that fixed right away. And going forward, we're going to do some rearranging, and we will get in touch with DDI, and we'll be sending out emails.

[00:09:57] I just recommend you all do it right away so we can have the most accurate information up on the website. I had a question about the slide. i don't recall 5340 being no recommendations is that we did have a spirited discussion did leave it as no recommendations but we may have some um discussion on the floor okay yes if folks are amenable to separating the question perhaps we could have a motion to approve that we have no

[00:10:31] recommendations for the first four of these and then one two three we did it's actually moved and seconded thank you though so the motion is to approve that we have no recommendations for the force four of these policy 4310 4370 2420 and 8270 is there any discussion hearing none all those in favor please raise your hand and say aye aye opposed nay and are there any abstentions

[00:11:07] um sharon troff jaron yes the unmute button wasn't working sorry yes yes yay hey carrie adams aye motion carries unanimously now policy 5340 yes we had a spirited discussion in our subcommittee for this one the subcommittee's outcome is that we have no recommendations I think actually I'm gonna I think I'm gonna

[00:11:46] tap you Liz just for a moment to explain to everyone what this policy is and why because I think it really is important to start a discussion with some context, if that is okay with everyone. All right. I'll do my best. I apologize in advance.

[00:12:06] My brain is not functioning super well. It's been a really long week. Um, so all of this came about because last year we had our review of the policy on restraint and seclusion, and we had gotten several communications to SEAC about situations that were very concerning and problematic,

[00:12:39] but they did not fit into the categories of restraint or seclusion. So there was discussion at the time that we needed a different policy that could address these things that weren't quite seclusion, but that we wanted to at least have eyes on, we wanted to have transparency to admin so that if there were

reoccurring problems, someone could step in. We also wanted to make sure that parents knew what was going on because that was part of the problem is parents

[00:13:18] felt blindsided by these situations. And that's never a good thing, right? They need to be understanding what their child's school day looks like. They need to understand when their child comes home, what kind of a day they've had, and when something that could be traumatic is occurring, they need to know about it. So that's where this policy originated from. And after getting the initial draft of it, we requested to have CIEC involvement. And so Student Services put together

[00:13:56] a work group that included representatives from groups like MSAC. It had a LEAF representative, school board members attended, and then people from student services were there as well.

[00:14:16] And we went through the policy in two parts, first half, second half, and had some thoughtful dialogue about what kinds of changes we would want to see. And it was really helpful to hear the different perspectives. And that's, we ended up, I think, getting a policy that is clear, much clearer, and hopefully addresses these situations that we had heard about as a SEAC.

[00:14:48] So I just wanted to say one quick thing about the clarification on the situations. So where this kind of stems from is the way the Virginia Department of Education defines seclusion in its regulations.

[00:15:08] And it uses the term alone, if the student is alone in a room that they cannot leave. And that's being interpreted by a lot of school districts, not pointing fingers at Loudoun County per se, as even if there is an adult present watching the student through a glass window, Or if there's one administrator, for example, blocking the doorway, they consider that the student is not alone and therefore that is not seclusion.

[00:15:37] So we were not getting data on that. Parents were not being notified about that. And the irony is also in those same BDOE regulations, it defines what is quote unquote legal seclusion. If schools are going to seclude students, there are certain things they have to do, which includes the fact that the student must be observed at all times in the seclusion by an adult.

[00:15:59] So there is some inconsistency in the regulations and how that's defined. And so that is, again, why when we were doing the restraint seclusion policy, it became an issue and why this policy was so important. Because we wanted to make sure what I think a lot of us in the disability community would very clearly define as seclusion was not being captured.

[00:16:19] information about that was not being captured. So there was some spirited discussion in the subcommittee, but the subcommittee did not come up with any recommendations. However, this is a subject that has impacted a lot of families. I think a lot of people have strong opinions on, and I think it would be welcome to have a discussion if anyone has any suggestions that they would like to. So when we were talking about this in subcommittee, I think that there's Marcia, please make sure your mic is. It's on. You can't hear me? You want me to talk louder?

[00:16:58] You guys hear me, right? That bullying complaint. So there's two situations that I think weren't covered or not clearly enough in the policy.

[00:17:15] So when I read it, I did not interpret the policy to say that it covered situations where a classroom was evacuated as opposed to the student simply being removed. So if Liz is acting up and we

have to remove the class because of her dysregulation, that doesn't feel, when I read it, I did not interpret that situation being covered.

[00:17:38] And as part of that, if everyone else in this classroom, their learning was interrupted because of the student's dysregulation or safety, whatever the situation was, those families were not being notified. It wasn't covered in the policy. The other thing that I thought about, too, was that the policy doesn't really talk about a review process for repeated or patterned removals for a student.

[00:18:02] And I thought that that might be something that we could recommend. I don't know if we'd want to set a specific number of removals. I don't know if we would know. And the goal is that with each incident, it is reported, recorded, and the parents are notified.

[00:18:22] And so with the repeated, one would hope that there would be. But it's not there. So that's what I'm saying. So let's say Liz, again, is misbehaving every single day. So there's a pattern of behavior, some sort of review process for that pattern so that we could figure out, do we need to get an FBA?

[00:18:40] Do we need to change the BIP? Do we need to, you know, whatever the situation may be, but establish some sort of review process after a certain number of repeated incidences. We can make the concerns and recommendations, and then they can decide on what constitutes repeated, you know, and stuff like that, yeah.

[00:19:03] And I really like that, Marcia, because, you know, and Aaron, you'll probably back me up on this. I mean, we have clients that are not native English speakers, a lot of clients who are native English speakers, who parents just don't know what they don't know, and they may be getting all of these notices even daily about this happening to their child, But they have no earthly idea what an FBA is, that they even have a right to ask the school to do something about it.

[00:19:30] So I actually do really like the idea of putting something in that the school affirmatively must, you know, maybe after a certain number of them, or I don't know how you were wording it in your thought, but that there be some kind of affirmative review if there are repeated removals that are happening for the students.

[00:19:49] So Shanaz asked me to put language together, and so for that one I put, the repeated or patterned use of safe and supportive removal involving an individual student shall trigger administrative review to determine whether additional supports, interventions, evaluations, or plan revisions are necessary.

[00:20:08] For students with an individualized education program, Section 504, Behavior Intervention Plan, or other documented support plan, repeated removals should prompt consideration of whether a team meeting, review of supports, functional behavioral assessment, or revision of behavioral interventions is appropriate.

[00:20:25] Then I had in here, chat GPT&I, LCPS shall monitor removal data for patterns related to frequency, duration, disability status, educational setting, and other indicators necessary to ensure equitable and appropriate implementation of the policy.

[00:20:42] I have two suggestions. First, it should to shall, please. There was a should, if there's a pattern that they should... We like to have shalls. I think shall is what was typically used in policies, and I think probably this policy is the sort of thing that's probably going to end up with an implementing regulation

and perhaps like the number of and things like that become regulation material because there's some implementation complexity there.

[00:21:13] The restraint and seclusion policy actually has some language at the end that has to do with gathering top-level data and a yearly required report to the school board. And the idea was, you know, we're capturing the data at the incident level, but then when we pop up to the system level, we could, you know, we would like to be able to say, is the trend reducing or is the trend increasing?

[00:21:39] Because both of those are telling us things that we do want to know about behavior. I wonder if we should look at the language in the existing restraint and seclusion policy and just clone that. The other thing is that this might naturally just be something that could be included in the presentation that is already being compiled and made, which would be probably a little easier for everyone logistically.

[00:22:02] Liz? So the language that is in here under Section E, we do have that last sentence at line 68, a meeting with the parent guardian, and it says should, will.

[00:22:20] I'm guessing we need to pick the will maybe. Will be scheduled as appropriate to discuss the incident and any additional supports or interventions needed. So it sounds like what Marsh is saying is maybe just a little bit more detail on that, you know, to say when there are repeated things.

[00:22:40] But there is a whole section, Section H, review and monitoring, which says that the safe and supportive removal will be reviewed regularly by educational division level administration to ensure consistent implementation of this policy and to support positive student outcomes.

[00:22:59] Data will be collected, analyzed, and reviewed at least annually to identify patterns or trends, monitor equity in practice, and inform professional learning and future policy revisions. Reporting to the school board will occur on an annual basis.

[00:23:16] So I think that's kind of what you were saying is what we're hoping to happen, and that was something we really wanted to make sure was included in the policy. Yeah, so I was saying to H and or I, yeah.

[00:23:33] Okay, so what concerns do you have that we feel are not addressed? That the policy doesn't explicitly cover the entire class being removed as opposed to the single student being removed. Right.

[00:23:48] That's one thing. The notification of the rest of the class who's been evacuated or removed because of the one student, and then the repeated or patterned removals, at least annually.

[00:24:09] What if Liz is acting up like I feel like I don't think I don't think yeah I don't think that part about the data collection and reviewing annually is that that is global data that is not data about an individual student I don't think that at all addresses what Marsha and and I agree and I also am concerned about I thought Liz I thought there was another part that you read that had a meeting under the parent guardian notification it says a meeting with the parent guardian should will be scheduled as appropriate to discuss the incident and any additional supports or interventions

[00:24:45] needed. And I think if I'm hearing Marcia correctly, what she's advocating for is to just tweak it slightly to say that when there are repeated incidents, and I know that one of the things that we did talk about when we were looking at the policy is for some of our students, there may be things that are written into their BIP that would constitute this. And so if that's part of their BIP that's occurring, that's not

something you would necessarily, you know, continue to meet on if that's something that has been spoken through with the parent and

[00:25:21] they're fully aware of. So it's not that every time there is a repeated incident you would meet, but I guess putting in language, I mean, you're not actually requiring them to do something. I think if I heard you correctly, it's just the consideration of whether additional supports would need to be put in place is that correct that's correct so the when i was when i read the policy those are the areas that were not explicit to me i don't feel like and i know that you spoke to someone i forget who she spoke to someone the day after our policy meeting and they said that

[00:25:57] yes the policy should also encompass the evacuation of a classroom or the removal of a student but it's not explicit if the six eight how many ever of us were that read the policy in detail we're talking about it and none of us could say for certain either way it's not clear enough for whoever's reading it so that piece of it but but also the notification piece for that because that's not happening I my kid has been removed several times I know of other students I know of other schools those families aren't being notified so that's a concern but the the new person or if

[00:26:36] I have a current IEP yes I'm going to be notified if I'm removed but if I've been removed 10 times in the last two weeks I'm in crisis something's happening something's changed that's the situation that I think is not covered here and I think a paragraph could help help that well and I think that would be indicative that the BIP that exists isn't working and so we need to meet but maybe what I was thinking is you mentioned the should slash will and maybe the way we split that is should

[00:27:10] on that first incident if necessary but will if there's a pattern of removals and I don't even know if we want to define what that pattern of removals would look like because that can be up for a lot of interpretation. I mean, a pattern could be once a month for six months.

[00:27:28] It also, I think what you and I are envisioning is more multiple times within a few weeks. And maybe it's just, it's something that's not contemplated by the current plans in place. You know, maybe that's what it is to just call out something that is outside of the norm because that norm is going to look different for every student.

[00:27:50] Just as a reminder, this policy also covers non-special ed students. And for that reason, we have to watch the language. None of them, not all of them will have BIPs.

[00:28:08] There may be students in the class that are agitators and causing things to be, the class to be evacuated. So when we write, and I agree with you, these things are not addressed. But when we write the policy, we have to make sure that we specify that these are the actions for special ed students, whereas other things may happen to students that are general ed students.

[00:28:34] And that was something we brought up in the policy subcommittees, that if two students get into a fight in the classroom and the rest of the class is evacuated, even those are not, you know, reported to parents, you know.

[00:28:51] Well, they are. Natalie sends out messages, oh, your students had to be evacuated from class. Do, too. But that's not happening to parents, you know. But here's the thing. The definition of safe and supportive removal is a temporary response of removal of a student from the instructional setting to a designated supportive area for the purpose of de-escalation or regulation.

[00:29:14] That doesn't say that it's there, the cause of it. It's the fact that the student has been removed from the educational setting. Whether or not it's because of them or someone else, it still falls under that definition. So I think this policy, as written, does cover if the rest of the class is evacuated.

[00:29:32] So the next day I spoke with John Pepper, and he did clarify that, yes, it does encompass, that that portion does encompass what we've been talking about. Now the question is for us here is would we like to add it still as our recommendation and if so I would like some wording.

[00:29:54] If there is consensus as to what the intent is and there is not consensus that the wording currently in the policy clearly expresses that content if we're getting confused then the folks in the school whose job it is to implement this might get confused too. So clarity is good. Do we have wording?

[00:30:11] One quick thing. I don't think that that language, as I just heard it being read, actually covers, that covers all the students who are not dysregulated, who left. It doesn't cover the kid who's left in the classroom. I mean, that kid definitely, their parents definitely need to be notified. I don't think that language does accomplish what the goal is.

[00:30:35] Right. So I am hearing at least a concern that the language needs some clarification to candle these cases because different people are reading it different ways, even though there seems to be a consensus as to what's intended. If I may. One of the problems that we have right now is that we need to get this to the board in order to have it voted on by the next board meeting.

[00:31:10] So, the sooner we can get this, and I don't know that Student Services is going to meet before the next board meeting. So, we need to get this clarified and to Mr. Pepper and Dr. Richardson as soon as possible so that we can put it out there as an amendment to the policy as opposed to, you know, we want you to rewrite this.

[00:31:37] We can always amend the policy from the dais. So, that's a concern. Is there a reason that the policy could not be deferred and informational, that it has to move forward at the next available meetings?

[00:31:54] We would like to get everything we can out before the school year starts so that we can let people know what's going on. And we don't meet after the 23rd, again, until August when teachers and principals are coming back.

[00:32:11] the disciplinary regulation book. I'm having trouble with words. I haven't had enough sleep yet. Anyway, that has to be produced and put out there for parents to read and sign.

[00:32:30] All of that has to be done prior to school starting. So if we can get it to Dr. Richardson before the meeting, it could actually, The Thursday before our next meeting is the date that we have to have everything in there by.

[00:32:47] So the sooner we get that, the better it is. And otherwise it won't happen. We might have to make it from the dais, but if you can get it in there before then. Do we have proposed a recommendation for wording on the floor?

[00:33:07] Okay. It appears that there's a sidebar to develop that. While that's in progress, what about the other concerns that were raised? we have some proposed wording i think this is going to be a little more hands-on than we're used to doing but that's actually a fine thing well while they're talking about that do you guys

[00:33:39] think that we should give a number of repeated or patterned removals like what constitutes repeated or patterned i actually like the wording pattern and perhaps then the implementing regulation may give it a little bit more specificity only because there are hairy things like if there's a BIP in place, we might. I have always, I've always, you know, my understanding is, you know, in common use, three, about three makes a pattern. But I think this might be one

[00:34:17] where a little bit of flexibility might be a good thing. Yeah. I mean, you might have someone who it's, it's three days or three incidences, but maybe over a month, whereas it might be the same time on those days, you know, like just right after lunch or right before lunch, but you're going to have people counting times and saying, oh, that's three, when it's not really a pattern at that point, or maybe it is, but not critical.

[00:34:49] So allowing that leniency, you know, I'm thinking about bean counters, you know, it's this way, and, you know, we sometimes need a little leniency. In special education, we have a problem with manifestation determination review hearings.

[00:35:05] People have been told that it is required by law that you have them at N, therefore up to N minus 1 are free. And so if I say a pattern is 3, then the first two incidences are consequence-free, even if someone by common sense may say, hey, there's something we should address here.

[00:35:25] So there does become a mindset of if there is a cutoff, anything before that, I don't have to do anything. Having worked with manifest committees, been on them, you're right. It's like they've got this blinder, so this is what it says.

[00:35:44] No. I'm just saying the more we restrict it, I think it's going to be harder to incorporate all the scenarios. As a matter of further context, I just want to remind everyone that this is a whole cloth new policy.

[00:36:08] This is a new initiative. There is some, I hope there's some kind of broad understanding that we're going to try this and we're probably going to have to iterate a little bit based on what we learned from the first year or so of implementation. So we want to get it as right as we can, but perfect may be the enemy of good on this one.

[00:36:28] We can always go back as a board and bring it up again. Just last night, oh my God, was it just last night or the night before? we redid the phone policy. And so we tried it that way, but we found that there was something, well, we did it three years ago, and then we did it last year, and now we're adding a little more.

[00:36:50] So you can tweak things. It's not like it's written in stone. So that's, you know, you're right. All right. So there was some proposed wording. Where are we with regard to the proposed wording? Do we feel like that's where we want to go? So Marsha read some proposed wording. The question is based on this discussion, do we feel like that's about what we want or we want to do something radically different? And if it's about what we want, what are the tweaks needed to get it to there? What I'm trying to do is figure out where we have some consensus so that we can get

[00:37:30] those things checked off. So I think my recommendation would be that we add, so under section C, right now section C talks about removing the student from the classroom.

[00:37:52] I think we need to add wording into at least Section C that says it also pertains to removing the classroom from the student. And so that's some of the wording that they're looking at that I read that does. So that would be proposing a concern and a specific recommendation.

[00:38:12] Correct. Okay. Liz. I do still have, and we talked about this at our policy subcommittee, I do still have a lot of concerns about us notifying a full class of parents about a behavior disruption, because I do think it is going to target our students who are having behaviors.

[00:38:35] It's going to put pressure on our administration to not to reduce the inclusion of those students in general education settings. And I also like and maybe Miss LaBelle can speak to this, but I really worry that it's also a FERPA violation because like we aren't even allowed to like say where a student, what school a student is from.

[00:38:58] And when we get those notifications of overdoses, like, it's very, very high level because it is so easy to identify a student. So I'll let you take it from there. Thank you.

[00:39:16] You do that for me. Samara does that for me. It's good. If you do send out a notice, the principal, if there's something that happens at the school, the principal sends out a notice to the entire school and says the class was on lockdown today because the sheriffs were investigating an individual or a student had a medical issue and had to be removed from the school so your students might have been disturbed seeing it they it's from the principal

[00:39:51] to the community to the school community but no names are mentioned the the children make him home and say oh Tommy was sick at school and had to be taken away but you know we're not in control of that but it's very easy if a student especially if it's a repeater is getting the class removed from instruction repeatedly and every child in that school will know who it is and they will tell their parents and the parents will make a fuss and then we have violated FERPA so that's an issue if we're sending out a notice saying oh all of

[00:40:30] these children were removed from the the class because so-and-so was having an issue no but you wouldn't say that so no but I mean that's kind of what we're saying if we're saying that we're sending if we're saying that today you and I got into a fight and we sent out an email to that classroom and said Marcia you know Carrie went at it and oh they can't say that but I'm saying it's there was a fight there was a fight in the classroom and your students were removed if we're saying we're doing that now why could we not say your child's classroom was evacuated for safety concerns or due to a safety issue or whatever that's the same thing we'll have to run that by Wes Allen because

[00:41:06] he's the one who decides how close to violating FERPA we're going to come and it's for protection of the families and the students but I'm saying if you're already doing that if we're already today sending out an email because two students got into a fight I've gotten those there was a racial slur yeah using your child's classroom there was this or that that happened in your child's classroom why would we not also be able to say your child's classroom was evacuated today because of a safety concern a behavioral concern whatever wording yeah but again we're good I'm not against it you know I understand

[00:41:43] entirely the parents need to know and they need to know how many times their classroom is being disrupted and they're learning i have a i have a question comment something so i dealt with this this school year first semester for the entire semester with an individual there were only five students in the

program one individual was repeatedly taken either removed from the classroom or or the class left or if we were in the community the class was divided and i

[00:42:22] would take that that one student in a car on their own and the job coach would have the remaining four this was a daily occurrence i did let families know no names were used we had an incident in the classroom today everyone is safe everyone is good i understand communication can sometimes be a little wonky so i just want you to know everyone's safe everyone's good um x concern

[00:42:55] or we handled it whatever i had to do that because my kids couldn't communicate effectively home and when i didn't do it the first week i got some very concerned phone calls um from parents i don't understand what what we are deliberating right this second when it it should be going if an individual is creating such a distraction that they are either causing self-harm or harming

[00:43:29] others to the point of removal or removal of the class why are we dialoguing right now about semantics and what what we're going to say what we should be dialoguing in my opinion is give the teacher the right to communicate what's happening with parameters looking at FERPA making sure I don't use he, her, him. I don't use those. I use them, they, their. So you can identify in my emails

[00:44:07] and my, and, and when we have to do the ridiculous incident reports that no one looks at, by the way, I make sure they're gender neutral. There's no way to identify the student. Why can we not send that email? What is the problem? Thank you. This is what I go through on the board all the time.

[00:44:37] Once again, it is the administrator's responsibility, there is the word I'm looking for, to decide what we're telling the community. I had another administrator out in Western Loudoun who couldn't get hold of anybody that he was supposed to report these incidents to.

[00:45:01] The parents were frantic, and so he sent them a calming letter. But he got in trouble. What we're trying to do is follow the rails, basically, to make sure that everything is correctly covered, parents are informed, they know who to respond to, the teachers know who to respond to.

[00:45:26] We don't want the teachers to get in trouble. If somebody comes back and said, well, my, you know, oh my God, social media. If somebody came back and said, oh, we had to their parents, so-and-so in class today was being so bad, we had to leave the classroom again. All of a sudden, you'd have all this stuff going on in social media.

[00:45:44] We don't want that for families. And I can tell you, as a board member, sometimes the families hear about things before I do, and they're calling me. And it's very hard to control. So in order to avoid some of that, I'm not saying we're hiding it.

[00:46:00] I'm not saying not to be transparent about it. But if we follow the regulations, and FERPA's very tricky legally, They will find some way, if there's an opening there, to say you violated FERPA. So let's make sure that the teachers are not being accused of violations.

[00:46:20] The families aren't upset by it. I think we need to, as I say, follow the procedure. Having seen twice now where people in Western Loudoun, the principals did something, and the administration wasn't happy, and they got complaints from the administration, And I don't want that happening to anyone.

[00:46:44] All our teachers, all our principals are very, very precious to us. And I don't want that to happen. So that I understand. And I absolutely don't want to argue over protocol. I'm wondering if our

situation is different because we are out in the community daily and I am not accountable to my building admin.

[00:47:12] I'm accountable to central office admin. And so there's a delineation there where every time I fill out an incident report as a CAS teacher, it goes to my supervisor, no one else. So it doesn't go to building admin.

[00:47:29] I don't have a tracking thing for building admin. Now, what I've done to kind of mitigate that is do the, it's a Google form, so I send the responses to myself and then forward it to my building admin so that they are aware.

[00:47:46] I also verbally make sure they're aware. But they do not get themselves involved. Let me back up. The daily stuff, they are not involved in. They get involved as administrators if security is called and if there is some kind of interruption for a safety security reason.

[00:48:12] So I still don't know of a protocol that I'm supposed to be following if there is one in general for the county.

[00:48:28] But I also know that the nature of our program, I don't fall under. I am in a building, but I don't fall under their, I don't report to them.

[00:48:45] Does that make sense? Yes, and I think it's a loophole we have to fill so that you're not left hanging out by yourself. That's what worries me. I know, but yeah.

[00:49:07] dual rules or or things that are for the greater good but it doesn't cover when programs are out in the community or for a program whose main function is to be in the community and to and that is separate from a school building so that's a whole nother thing yeah but i guess then that's still like i have to be able to communicate i understand that entirely but i don't want you hung out we need to sit down and address that particular part and that is something that we could

[00:49:43] do next year after you know that I don't want you left out there Catherine I like you so I hate to cut off the conversation because it's a good one but I may have a bit of a solution because and again y'all tell me if I'm all wet but as I see it there are two distinct issues here issue one is the student who is dysregulated and is left in the classroom when all the other students are evacuated would not be covered by this policy at all as a safe and supportive removal

[00:50:19] is currently defined. That's problem number one. Problem number two is the discussion I was listening as Tom and I were trying to come up with some language is this issue about do we or do we not notify the parents of the non-dysregulated students who are removed. I see that as a separate second issue go ahead and I just want to speak to this real quick okay so we worked on this policy for a long time when we had restraint and seclusion our concern was when our students were being secluded or whether this was defined as secluded or not at that time we never had any

[00:50:56] provision in there to notify any of the other parents if they were removed out if a child was being secluded at that point, right? So we've never had this provision in there. I think that by if we continue to limit this policy, there are going to be certain FERPA violations and everything that we don't know enough about. So that being said, my proposed solution is we bifurcate these issues. We have got to address the issue of the dysregulated student left in a classroom who is

[00:51:33] not at all in any way covered by this policy. That has to be addressed. This issue about whether we're notifying parents of students who are not dysregulated who just got evacuated I see that as a different issue it's very contentious and I say we table it.

[00:51:56] It does not address a student who is dysregulated and left in a classroom where everyone else is evacuated because the policy specifically says they are removed from the instructional setting and oh sorry it does not address it because the language says a temporary responsive removal of a student from the instructional setting to a designated supportive area.

[00:52:14] So right now, as written, this policy only covers students, the dysregulated student, who is removed from the instructional setting and taken somewhere else. This does not cover the situation where the student is dysregulated, they are left in the instructional setting, and everyone else is removed.

[00:52:33] That is not covered in the definition of a safe and supportive removal. So the language that Tom and I are suggesting is to, after that part that's currently in the policy, a temporary responsive removal of a student from the instructional setting to a designated supportive area, comma, and we add, or the removal of other students from the instructional setting, leaving a student in the instructional setting, comma, and then this is what was originally in the policy.

[00:53:07] for the purpose of de-escalation or regulation of a student or students. I currently have that at line 17. That is where you're referring, B, under definition 1. Line 15 through 17.

[00:53:30] And actually, because what we were trying to cover was the situation that was raised about what if two students were fighting. Because, again, we don't want to just have our little blinders on for students with disabilities. And that's why we added at the end for the purpose of de-escalation or regulation of a student or students.

[00:53:48] So it probably also ought to say or the removal of other students from the instructional setting leaving a student or students in the instructional setting, comma, for the purpose of de-escalation or regulation of a student or students.

[00:54:03] So that would then cover the situation of two or more students fighting and everyone else gets taken out. Does that make sense? And that doesn't change anything about notification. That's just who this policy applies to.

[00:54:21] Right. And obviously, the parent of the dysregulated student or students left in the instructional setting to be de-escalated, their parents would be notified pursuant to this policy. So the concern, basically, is that this policy does not address a student who is left behind after the class has been evacuated.

[00:54:48] dysregulated student or students just want to make sure so i have my concern regulated student or students i do think that because it says um the removal of a student from the instructional setting to a designated supportive area and then we define designated supportive areas as clearly identified spaces like there's a little bit of a cascading effect that we'd have to also address

[00:55:23] so I wonder if it wouldn't make more sense to just if this is something different do we just put another explanation about what this is because it's not falling into these you know at these definitions that we have here so okay i want to make sure i understand your question so you're saying because the original language includes removal of the student from an instructional

[00:55:58] setting to a designated supportive area you're saying we haven't defined what a designated supportive area we have that's and it's a clearly identified space within the educational building where students may take a break under supervision she's saying she's saying we've removed the student and taken them to the safe space right now we're saying the student didn't get removed all the other kids got taken out but they maybe they didn't go to the safe space so she's saying so no no the comma is important here the designated supportive area stays with the original language

[00:56:33] the comma is after designated supportive area comma or the removal of other students from the instructional setting so either a the dysregulated student is removed and taken to a designated supported area which is defined in the policy or option two the dysregulated student is left in the instructional setting and everyone else is removed gotcha okay that makes sense did that answer the question yep that clarifies i think i'm good with that it's about where the comma goes yeah i love

[00:57:02] a comma welcome to legal land so i'm trying to make sure everything that we're discussing is captured and but i also try to make sure that we're moving forward there's a concern and a recommendation that I am hearing a rough consensus form on can I just get a kind of a set of nod do we have a rough consensus I would appreciate if I'm sorry but I really do appreciate if Melissa would just read the concern and just for a record and then I can go back and I wrote it down I was

[00:57:40] going to get this to you but okay so the concern is that this policy does not address a dysregulated student or students who are left behind in the instructional setting for the purpose of de-escalation or regulation. That's our concern. Our recommendation is to modify lines 15 through 17

[00:58:12] as follows so that it will now read a temporary responsive removal of a student from the instructional setting to a designated supportive area, comma, or the removal of other students from the instructional setting, leaving a student or students in the instructional setting, comma, for the purpose of de-escalation or regulation of a student or students, period.

[00:58:47] And I've got it written down. Yes.

[00:59:03] Well, it hasn't been seconded yet. if the chair is amenable, I was thinking that maybe what we want to do is a straw poll for temperature on the other two issues to see what people... A straw poll is a non-binding vote, and the idea is just to get a sense for where people are so that we can get a sense. For example, are we debating an issue for which most people have made up their mind, or is there a further productive debate to be had? Does that make sense? So the second issue that I was hearing was when a student is wouldn't like for example the classroom is clear do we communicate that to the other

[00:59:38] parents and I was not hearing a consensus so my suggestion is that we just do a quick straw poll to see roughly what the room feels on that so that we can decide whether further debate on that is going to lead us to and Melissa's recommendation was to table that issue and Melissa's recommendation was to table that issue it's not actually moved it's not actually moved so it's not actually on floor so the question is is should we like here we actually developed a proposal the question is should we try to do that or if people are just like no okay so who thinks that we should develop a proposal on the communicating

[01:00:16] to the other parents yes I think tonight is yes tonight if we table it for a future discussion we're also being told we have to get this in front of the board as soon as possible if we put this in front of the board and we don't have anything about communication to families then we're saying we're all okay with

everyone else not being notified that their child was removed and lost instructional time is that that's my understanding of what we're talking

[01:00:54] about right now is that accurate we could always list it as a concern right to be addressed in a future work session it's a model we've used before that would be my suggestion as well that we don't lose the concept that we're concerned that that parents of the other students being evacuated we need to figure out how we communicate that and not violate ferpa so i agree we can make that a concern as part of this so we're still going to duck so this part of this that's what i'm trying to understand what we're talking about doing so what we're saying is let's put it forward as a concern, we all agree that it's a concern, but we don't have a solution for said concern,

[01:01:34] but we're still going to put it as part of the policy. Okay. Well, in the past, we have raised concerns without recommendations for the situation that we know this is a problem, but we do not have specific exact wording to commit to a solution for reasons just like this. For example, there is a legal needle that needs to be threaded that we are not able to do tonight. So a concern without a recommendation would be the way that we've handled that in the past. So I think, well, that wasn't exactly what I was thinking, but that's what I'm hearing now. So that's what I'm trying to really do. I'm trying to see what is the productive consensus for what we're going to do

[01:02:12] tonight. If I may, what you have written is very succinct, able to be put into the policy very quickly. The next concern about the parents of the students who have been removed is a concern, And if you would just label it as a concern, as you're talking about, that would be wonderful.

[01:02:34] If you're going to do that, also mention the concern about there is no particular path given to CAS teachers. Catherine is not the only one. And we will let them worry about that sometime next year.

[01:02:51] Can we put that just as more explanation under the concern? Yeah. Just so that it's definitely want to capture it. Have a pathway. Okay. I mean, I'm if that's what people want to do, that's fine too. So, and just to clarify, I am a cast teacher, so I'm going to speak directly to my experience, but I am not the only teacher who has individuals out in the community on a regular basis. So this is an issue across the board that should be looked at. Um, and I would request that it have some push,

[01:03:28] from some direction for it to be looked at and some something done if if we're left to our own devices um it may take a while and um so i would appreciate brush your teeth i don't want to right now i haven't had dessert yeah i just so i would like some backing from either um carry other from

[01:04:01] the board or from SEAC that says hey these are concerns let's get something done I'm working on it you know me I'm very pushy I will be on it when I see Tedra John Pepper and anyone else on the board we will be talking about that and probably before the next board meeting so don't worry about that I'm there that's my job being here all right so I believe Melissa is going to

[01:04:39] take a stab at wording for his concerns two and three three three is the oh the cast oh we're separating that up got it okay sorry I well is there a rough consensus that this is where what we want to develop to move forward tonight I'm so sorry I'm still really concerned about a concern even actually coming from SEAC that could target our students with disabilities and we may not have

[01:05:13] any parents in this room tonight whose kids have caused a disruption that caused an entire classroom to be evacuated. But I'm trying to put myself in the headspace of what that parent might feel like. I've also been that parent who's had to have the call, the email, the go pick up your kid because

everyone had to be removed from the setting or the individual was removed from the setting it's disturbing either way and I take that very seriously when I communicate with families

[01:05:52] because it's it's raw it does not feel good so I don't know what the it still is an issue so I still need to know as the parent because I have to be able to partner with you as the teacher in that in that setting so I guess I'm not sure what the concern is to be clear I the parent of that child needs to be informed. I'm not sure as that parent of the child who's being removed or is causing the disruption, knowing that every other single parent in that classroom also got

[01:06:30] a communication. That's where I'm really struggling because I just, I feel like our kids can be targeted and it's so easy to say, like, we don't want our kid in an inclusion classroom. I've heard that from parents and like that is so painful to hear and I don't want SEAC to say anything to put anything out there in the world that would stigmatize our students any more than they already are sometimes and so that's I I'm deeply wrestling with this because I can also see on the other side

[01:07:08] that like if my kid was getting pulled out every week would yeah I wouldn't be thrilled with that either. I mean, I hear you. And I know the shame that's involved in getting that phone call and your kid being the kid that caused that kind of issue. But let's take a step back. Inclusion is great, but there are times where a student is in the wrong placement. And if my child, and I've been in this situation personally, where my kid has lost instruction time because of another

[01:07:40] student's behavior, it happens. My kid could be the one doing it, and it happens. But I should know about that because if my kid is the one causing the disruption or is not receiving what they're supposed to be getting because of the disruption, I need to work with you to make sure that my student, either side of that, is getting what they need, right? And sometimes it takes me knowing that you're causing this disruption to be able to help facilitate something in the classroom

[01:08:18] my kids missing out we're going to have those people regardless we're going to have those people that don't want our kids in their class but i think that we need to to also advocate on the other side of it and advocate that that there's transparency there needs to be transparency and i i i see where you're coming from i think because and maybe i'm wrong maybe i'm wrong in interpreting this but for me it was more of what was this policy put in place for it was put in

[01:08:53] place for the student who gets dysregulated in the classroom how do we address that particular student's needs in a supportive dignified way that they will be removed from this setting and placed in a different educational setting that is more of a you know a supportive space we've introduced another situation which may not have been the actual purpose of this policy so I get the title says safe and supportive removal but and maybe

[01:09:32] Liz if you maybe I'm not right in this but I feel like that that wasn't the intent of this policy and that's where I'm struggling because I feel like your point is valid and and I've said this before I just I'm not sure it goes here in this policy because of what it was designed for, and that's something we know because we saw this being born, basically. So if I could jump in real quick, because I think, you know, look, it's a concern. We aren't making a recommendation, and what I'm hearing is two camps that can equally be reflected in our concern. So if I can just propose a little language, and just by the way,

[01:10:11] Liz, I do agree with you, actually. I am very concerned about it as well for all the reasons you said, but I am only one person. But I think the concern needs to reflect both parts of what we're

discussing. So here's what I'm proposing. Concern two, a question was raised whether the parents of students removed slash evacuated from an instructional setting due to dysregulation of another student or students be notified of the incident and whether this would violate FERPA and would lead to unnecessary embarrassment and public ridicule as well as improper exclusion of

[01:10:48] students with disabilities. Yeah and I would say that well so I would say that it should be a very very neutrally raised concern because well I think we did as Kerry pointed out succinctly fix the problem of making sure that students that remain in the educational setting while the rest of the class is evacuated are addressed in the policy. I think we fixed that one but if you look at now the notification section, I don't think we have the wherewithal to completely rewrite that this evening, but it says parents and guardians must be notified within 24 hours if their child has

[01:11:26] been removed or isolated or excluded from the educational setting. So in that case, only the students that were evacuated would be notified with specific reasons, must include the reason for the removal, isolation, exclusion, and that's not what we're intending either. So that notification has to be redrafted to accommodate those different situations that we're talking about.

[01:11:51] And I think we raise that generically as a concern and not maybe bias what the concern is sort of leaning toward, just that it's got to be reconciled with the actual ways in which this might happen.

[01:12:09] Yeah, actually, I think that language, the way you read the notification language, actually maybe does the way it's worded covered the kids who are excluded who are not dysregulated but I think that language should be modified as part of our concern one to use the define that we just changed the definition of a safe and and supportive exclusion to fix the problem we need to make sure the notice paragraph uses that language so that it includes the student who's left behind in the instructional setting and i i appreciate that what we just went through and i'm in agreement

[01:12:48] i think where where i think it's two different things so this is the framework or the foundation of the thing and what you're describing is how we do the thing and that to me that's a separate way so how do you communicate that what does that look like to me that is it's not just about ferpa it's not just about HIPAA all the things it's about care and it's about wording like semantics and

[01:13:23] meeting people where they are and training for educators to be able to write appropriate communicate with families I could be way off I hear the issue and I and I'm the mom of that kid who got kicked out of multiple schools so i'm i am hearing right but i do think it's two separate issues one is we have the framework to work from the other is how we implement and how we

[01:14:01] communicate that to staff to who then will communicate with families um i i hear you Catherine I hear you Liz I will go back to the word communicate to parents again this administration says that it is their job to craft and send the letter out and it's for our protection I think if we communicate that to dr. Richardson

[01:14:37] and mr. pepper and the rest of the committee of which I am one we will be able to address that and put it into policy though so that it is clear that the parents of the people that the students that were removed need to be notified but how they frame it so that it is not violating FERPA needs to be their job not the teachers job again for the protection of the teacher yeah I I think that that's fine I I just don't think that this is going to be something

[01:15:14] that's solved within this policy and to some sort of like, you know, special like school communications policy or something like that.

[01:15:33] It just, it wouldn't because there are so many times where like Carrie was, as you schools have to be evacuated for all sorts of reasons, who's the one doing those notifications for events, you know, that take place. And it, I don't think it should be the teacher, like quite frankly, I think that that's putting a lot of responsibility and legal concerns on a teacher and we have enough on our plate as it is i don't want to get in trouble personally for for saying something and using the wrong word and you know i i don't think

[01:16:08] that that's one more hat that we should have to wear and i think for consistency too right like across the school like if one teacher is doing it and another isn't then we have that's a lot to manage on a teacher level okay I also will remind you that when they do send out these notifications from the principal it has been crafted and approved by the administration to protect the students the teachers and it

[01:16:46] generally says your your student may mention that they were removed from class today there was a data data but it doesn't go they don't send it out to each individual parent, they send it out to the entire school and that helps protect the identity of the student.

[01:17:08] So I think that having it go through the administration, which looks at it from a legal standpoint and then crafts the message so that we are protected, then allows the principal to send it out to the parents of that particular school is probably the safest way to do it.

[01:17:33] And just one more thing real quick to Tom's point about the, was that under the parent guardian, was that section E you were talking about, Tom, with the notifications and you were worried that the safe and supportive removal wouldn't cover students who are left alone in the classroom?

[01:17:56] I think by revising the definition of what is safe and supportive removal as we were talking about under that proposed amendment, I think then it would be covered later on. Possibly, but it doesn't refer back to the definition because now it restates removed, isolated, or excluded, which isn't necessarily exactly the same wording as the definition.

[01:18:19] So I think maybe the recommendation would be just reconcile that notification with the definition. I'm hearing some consensus that a change needs to be made in that section. And what I'm hearing from Carrie is that a concrete implementable recommendation is helpful at this point.

[01:18:42] Because stating a concern and letting you figure it out is less likely to succeed than change this in this way, please. All right.

[01:18:57] Now, we did also have the issue of pattern, did we not? Did we end up wanting to make a concern on that? How do we, where did we end up on that? Your mic, microphone.

[01:19:20] Then repeated incidences might be different from school to school because, you know, Catherine is throwing her shoes across the room at me every day. One of us is getting removed from the classroom. But in Liz's class, it might be, you know, once a month something happens.

[01:19:37] So how do you, you know, what, who defines the pattern? Is it, you know, once a month, three times a month? And is the pattern physical aggression, verbal aggression, like lots of variables?

[01:19:59] I don't know why you're looking at me like that. I don't have the skill set to define the pattern. I just see it as a gap in the policy. So I think the pattern could vary kid to kid.

[01:20:15] I don't... I mean, personally, I actually like the literal word pattern, and I like leaving it a little bit ambiguous to be more inclusive rather than more exclusive, as discussed previously.

[01:20:31] The repeated or patterned use of safe and supportive removal involving an individual student shall trigger administrative review to determine whether additional supports, interventions, evaluations, or plan revisions are necessary. So we have a concern and a recommendation, and it's implementable. How do folks feel about it?

[01:20:51] Is there a nod? Is there a rough consensus on that point? Can you say that one more time? Marcia, could you please repeat that? The repeated or patterned use of safe and supportive removal involving an individual student shall trigger administrative review to determine whether additional supports, interventions, evaluations, or plan revisions are necessary.

[01:21:17] It's the first paragraph. So a question about the definition of pattern. So under IDEA, there's a definition of removal and frequency, duration, all of the things.

[01:21:37] Is that identified in this? And I realize this is for all students, not just students with disabilities. Is that why? Okay. Right. And at least my thought is when we give a precise definition, we run the risk of people using that to limit.

[01:21:59] Well, and if this policy also covers kids without IEPs or BIPs or 504s, so if I'm a student who's unidentified at this point but I'm having patterned behavior, we'd want to uncover that and review that too. I think that the teacher, having been a teacher for all these years, the teacher is the right person to identify what a pattern is.

[01:22:26] It's going to be different for every student and for every action that other students take. It could be throwing shoes or it could be ripping and throwing computers. It's a pattern of behavior and the teacher is the best one to identify it because she lives with it on an everyday basis.

[01:22:45] So is there rough consensus on the wording that was provided? We're good there? Yes? Okay, I'm seeing nods, not shaking heads. So that one we've got consensus on. Number one we've got consensus on.

[01:23:01] Well, we have to do one more recommendation for concern one. And this is just a quick, easy way to fix the concern about in the notification paragraph at lines 69 and 70. For whatever reason, new language was inserted there describing what this is.

[01:23:20] removed, isolated, or excluded. And that unfortunately is not going to cover our situation of the student left behind. So the recommendation is at line 69 and 70, delete the phrase removed, isolated, or excluded, and substitute subject to a safe and supportive removal. And reading a little bit more of the sentence, if their child has been subject to a safe and supportive removal, they will then be notified within 24 hours, blah, blah, blah, blah, blah. What line is it?

[01:23:54] Tom. Yeah. Line 69. No, no, no, no, no. Wrong paragraph. It's paragraph F. Paragraph F at

[01:24:12] lines 69 and 70.

[01:24:41] Well, which one is the current version? The one in board doc says safe and supportive removal. Then we're good. Well, then we need to double check lines 15 and 17. Is that

[01:25:18] correct? Is that the part about a temporary, the definition of a safe and supportive removal? Okay.

[01:25:37] All right. So we are good now on concern one. Yay. Concern two, I know y'all moved on, but are we going to have a concern two that was the issue about FERPA and notifying students removed?

[01:26:00] What was the final consensus? Because I was working on something else. Yeah, I mean, looking at Liz's body language and Shanaz's body language, I feel like I'm missing something in this conversation, and I'm pushing for something that we shouldn't be pushing for. So, I mean, maybe we table it all together.

[01:26:19] I don't know. What I was proposing was a straw poll to see whether we believe that further discussion is going to be productive or whether we have a rough consensus either direction on that issue. I understood Liz's concern.

[01:26:36] No, no, no. But Liz is concerned about even putting it as a concern. Correct. Well, that's what I'm saying. And you are now, too, right? Straw poll. As long as we note all the concerns. Say it again. As long as we're noting the part we're also concerned about FERPA and we're concerned about unnecessary shaming and we're concerned about potential to increase.

[01:26:59] Yeah, but are we opening Pandora's box then at that point? I mean. Yes. Yeah. It's very easy for people to grab onto that and do things that we really don't like. That's just, that's my fear.

[01:27:18] this is where I if you don't mind why don't we just call a straw poll because we keep rediscussing and I'm not sure that we're moving forward so should we make a concern and put it forward based on this at this time all those who feel that there should be a concern give a thumbs up go ahead and read it no just the concern of notifying the other parents when there is a like a clear the classroom situation whether we would notify the other parents in the room the

[01:27:55] students in that case this is what goes back on mine on this with this whole thing is notifying parents the first time I don't think so but maybe when we start to notice that pattern you know if it happens twice in one week it's the same student and we're having to clear the classroom out then yeah I think we do need to notify but like a one-off if it's just a bad day maybe not just for procedure thumbs up is we should continue discussing this topic thumbs

[01:28:27] down is we should table this topic and not discuss it further that would be further refined but we keep you know we keep wanting to veer back to discussion okay so thumbs up if you want to continue discussing this concern and develop it further in this meeting anyone okay I am seeing a consensus that we are going to all right and concern three I just had that that was Catherine's

[01:29:02] issue but are we are we not addressing that that we need to that the cast teachers need a needs to be considered the question is does that yeah so I did clarify that to say it's not my issue does that belong in this policy - I wrote

[01:29:36] it down let me see sorry there is no chain to report disruptive behaviors I guess what are we calling it safe safe removal from students however you want to phrase that for students that are out in the community to report behavior

[01:30:04] issues I think that's that's what's the issue there there's no way they're they're on their own they're left completely out of this and that's not good so for community programs there is no chain to

report interfering behaviors requiring a safe removal safe and supportive removal of students out in the community that

[01:30:40] would do it is that a policy sorry I just want to get it before I lose it in my head okay all right so I've written it so now okay so that's concern three concern for if there's a pattern of safe and supportive removals then there should be a review and and then i didn't get the rest of it but you know see marsh's language

[01:31:12] sorry i didn't get it all all right and then recommendation is it line or lines and i don't know and shanaz we may need to use your version where are we adding the repeated or pattern use

[01:31:51] of safe and supportive removal will trigger a review section h lines or line yeah can i write it first okay no no no this is the repeated or pattern use of safe and supportive removal will trigger a review of and I didn't get the rest of it so that's section H what line are we adding

[01:32:16] this language at line something add 91 oh I don't know I'm sorry I was still trying to clean up the

[01:33:00] rest of it at line 91 add that language at line 91 okay all right so that's now concern three so

[01:33:09] we've got concern one concern two concern three thank you everyone for your patience we're working

[01:34:01] on getting it typed up and then we might be able to get that onto the screen what I'm going to do

[01:39:46] is I'm going to just take the screen off for a second and then I think we're just going to have

[01:41:10] to read this the best we can here because I don't know any other better way unless we try to move it to word or something but this is not my computer so I have no idea thank you okay so are we just reading it and then hear a motion okay all at the same time or you want the concern separate unless anyone called wants to call separate okay so concern one this policy does not address a dysregulated student or students who are left behind in the instructional setting for the purposes of de-escalation or

[01:41:48] regulation so recommendation one modify line 17 to read a temporary removal of of a student from the instructional setting to a designated supportive area, comma, or the removal of other students from the instructional setting, leaving a student or students in the instructional setting, comma, for the purpose of de-escalation or regulation of a student or students.

[01:42:13] Concern two, for community programs, there is no chain to report an interfering behavior requiring a safe and supportive removal for students out in the community. Concern three, if there is a pattern of safe and supported removals, there should be a review to identify patterns, evaluate contributing factors, and determine whether additional supports, interventions, evaluations, or plan revisions are needed.

[01:42:37] Recommendation at paragraph H, line 91, add the repeated or patterned use of safe and supportive removal involving an individual student shall trigger administrative review to determine whether additional supports, interventions, evaluations, or plan revisions are necessary.

[01:42:58] - Katie, or sorry, Carrie. Go back up to the first recommendation, or the first concern, I'm sorry. Instead of saying left behind, just say, that remain. That remain.

[01:43:14] Who remain? Can we modify his? I'm working with him, I'm sorry. Very first line. Well, hold on. We can't edit it here, but yes. Yeah, left behind doesn't sound too hot.

[01:43:32] No, no, no. Yeah. And the other one was removal of students out in the community instead of saying that, say, who are in community-based programs. We don't want to sound like we left them out there alone.

[01:43:48] Who are in community-based programs. Catherine, okay with that? Oh, good. Let me see if I can get my eyes to focus again.

[01:44:04] A safe, supportive removal for students who are in community-based programs. at the very end of this yeah do we need to put those revisions up or is everyone okay with that verbally well if you're gonna send that out to she has the edited copy it's just the the what we will need to get it up here yes we will

[01:44:29] we will email just is there are we ready for a motion to adopt it we can separate the question if someone calls for it well I will go ahead and make a motion to adopt the concerns and recommendations as described. Second. Moved and seconded the motion

[01:45:06] is to adopt the concerns and recommendations as discussed as described. Can I make an amended motion to? Okay I amend that motion to separate each concern and recommendation out. Move to separate the question. Yeah. Okay each concern and recommendation separately or concern one recommendation one concern two. Okay so we will separate along those lines. Any further discussion?

[01:45:36] hearing none uh first concern one and recommendation one all those in favor please raise your hand and say aye aye opposed nay are there any abstentions two abstentions uh carrie adams aye sharon trof i think that counts as an abstention so we have four abstentions i i'm actually here that the mute

[01:46:15] button doesn't always work i'm an eye sorry so three motion passes with three abstentions concern two all those in favor please raise your hand and say aye opposed nay are there any abstentions i see three abstentions for concerned oh four four for concern two um carrie adams

[01:46:50] aye sharon trof i'm going to abstain so five abstentions on concern two concern three and recommendation and the still passes with five abstentions concern three and the recommendation this will be recommendation three um all those in favor please raise your hand and say aye aye

[01:47:17] opposed nay are there any abstentions is that an abstention so i i see four abstentions i'd say five abstentions um kerry adams aye sharon trof i'm gonna abstain so carries with six abstentions this seems odd to me i'm sorry i have this we have at least as much or more abstentions than

[01:47:54] we do votes we still have we have more eyes well okay it just makes me super uncomfortable that that that almost half of the people in this that are voting are not in favor of what we just did and again no one has to say you can say for any reason but it just honestly it makes me uncomfortable that we're saying we're putting out there that we we are in agreement and it doesn't We feel like we are in a clinic.

[01:48:31] So let me ask two questions. I spent so much on that part of it.

[01:48:47] Like I know there was a lot of blood, sweat, and tears put into it. Is it because you guys are close to it or is there? Like I feel like I'm missing a big picture. So for me, honestly, it's the intent of the policy. The intent for me when we were discussing this way back when, when we were talking about removing seclusion and that there is a piece that was missing when we have a student who is not

technically secluded but was kind of overlapping in the definition but we needed parent notification we needed parents to know what was going on and all that now what what we've proposed here which is valid again I'm never going to say it's not valid

[01:49:27] I just personally don't feel like it goes in this policy because of the intent of the policy that when we're now looking at instances when the rest of the class is removed or patterns of behavior. I think there's just, we need more information for me to feel, I need more discussions to say whether I feel comfortable putting it in this particular policy. So your preference would be to have a separate policy for it. Correct. That's your preference. Correct. I also think that the language, and I know why we're doing it, but it's also vague and, and there's benefits to that, but

[01:50:04] I also don't know if it would be helpful. I don't know. I just, I, I honestly, like I, I, I see the need i don't i i'm not an a on it i'm just not a yay right like and that's kind of where i'm landing on some of this language because i i just without kind of talking through what what the ramifications are and how it how that would work out i just that that's where i am it's it we were doing this and i when we were talking about this and i i hear you guys right you guys spend a lot of time i understand what the intent of the policy was but when you read it objectively as someone

[01:50:43] who didn't sit in on all those meetings it feels like this is a gap in the policy but the fact that so many people are abstaining from so many different recommendations feels like we are doing something that not everyone's on board with like that I'm missing something from the conversation does that make sense absolutely but we have half that abstain and but half that are yay you know and so the people but the chairs all the chairs are the ones that are abstaining And you guys are the ones that have a lot of the knowledge.

[01:51:17] What I would have liked to have seen with some of these issues, and I agree that these issues definitely need to be addressed. I'm not, when I'm abstaining from a vote, it's not that I'm saying that I disagree, that these are not significant issues that impact not only students with disabilities, but all students.

[01:51:35] What I would like to see is because these issues do encapsulate multiple students outside of special education, I would like to see them kind of embedded into, let's use the communication one, since I know that's a big issue. I would like to see something like that actually added to the communication policy. I think it's absolutely important. I think parents have, that's just an underlying theme within LCPS, that parents want transparency, parents want communication. And I'm behind that

[01:52:08] 100% on either side of the situation. 100%. But I think that ties directly into how LCPS as a whole communicates to the parents in these different situations. I don't know if this is the right place for it. But when I'm looking at these issues, I 100% agree that they have to be addressed in some way, shape, or form. Where I am struggling to make the connection is, does it really, is this the best place to house these issues okay so and and i hear you if you if you gave us two policies

[01:52:45] if we had 5340 and 5341 and one was for removing the student and one was for removing the class it would be a no-brainer right but we have this policy we can't suggest a new policy right in the interests of time i need to ask two questions so the first question i'm going to ask is of the abstainers. Is there anything that would get you to a yes tonight? I'm not hearing anything. Now, for the yeas, does anyone feel sufficiently uncomfortable with the outcome that

[01:53:23] they wish to make a motion to reconsider and change their vote? The yeas. If you were on the prevailing side, you can call to reconsider because you wish to change your vote because I think there was some discomfort with the number of abstentions. If both of those, if the answer is no to both of those questions we have completed this discussion and need to move on to the next policy what I don't want to do is just we have spent a lot of time on this and if we have reached a conclusion I don't want us to continue debating and I

[01:54:00] think this moves forward and it's just documented that we have what I am asking is is your discomfort to the level that you wish to reconsider your vote if you are comfortable with your yay it then we have abstentions and we have yays and no one's changing their mind and then further discussion is not productive just briefly issues are too important for us not to move forward with

[01:54:29] them and there were no nays it just just feels weird tell me about it just to be sure we are putting this as a concern we're not asking them to change anything right now I will speak with dr. Richardson and mr. pepper perhaps we will decide to make the removal of the class rather than the removal of the disruption

[01:55:01] the disrupter a separate policy but for right now what we should be focusing on is what what the policy says and yes we are putting our concerns about communication parents all of that there but it could be addressed at another time we do actually have two recommendations so those are actual changes we are asking to be made it's just we i think we would all feel a little more comfortable if there was consensus that we wanted that change than a split decision but if that is where we are then we do need to be forward because it is about

[01:55:37] eight o'clock all right i am not hearing anybody disagree with that then let's move on how do i

[01:56:03] it only took me a year to figure this all out now and i got it now i will do that one policy 8265 searches involving students and seizure of contraband so the first concern that the subcommittee developed was that this policy does not provide explicit safeguards for the needs of students with disabilities during searches so there without explicit language that that says you do need to consider disability-related

[01:56:40] communication, behavioral, sensory, and emotional needs, a student's response, just because of who they are, the disabilities that they have, could be misinterpreted as a refusal and interference or a noncompliance, which there are penalties for, I believe, in this policy.

[01:57:00] And this could result in unnecessary escalation or disciplinary action for behavior that is related to the student's disability rather than any intent. So the first recommendation is in the policy, not just the regulation.

[01:57:16] When conducting searches involving students with disabilities, LCPS officials shall consider the student's disability-related communication, behavioral, sensory, and emotional needs, and shall implement appropriate accommodations and de-escalation strategies. Disability-related behaviors or communication difficulties shall not alone constitute interference or refusal for disciplinary purposes.

[01:57:38] If memory serves on this one, there was some of this treatment in the regulation and we are asking that it be pulled up to the policy because it is so important. Concern two, students may not fully understand what is happening during a search if communication is not provided in their primary language and their primary mode of communication.

[01:58:00] This is especially important for our ELL students, for our students with assisted communication devices, communication disabilities, who require visual simplified or supported communication. If they don't have accessible communication, students may not be able to understand the directions being given to them, ask questions, express concerns, or respond appropriately.

[01:58:21] So recommendation two, LCPS officials shall ensure that communication throughout the process to students is in their primary language and or their primary mode of communication. Should that just be an and as opposed to an and or? I think it's an and.

[01:58:42] Yeah, that is, I think that should be a strict and. Okay, well, I have a suggestion that we just, yep.

[01:58:57] So as amended in the motion, please. Concern three, the current parent or guardian notification language does not provide a clear time frame for when families must be notified after students search.

[01:59:15] Student searches can be stressful, may have significant emotional, behavioral, or disability-related impacts on students. Requiring notice on the same day when possible or within one school day when not ensures timely communications with families and allows parents or guardians to support their child and address any concerns promptly.

[01:59:33] If a student is going to come home in an escalated emotional state, the parent should be able to know why, and many of our students don't have the ability to communicate what happened. Recommendation three, at line 386, such notice shall be provided on the same day if possible or within one school day.

[01:59:51] Concern four, searches involving students with disabilities may be conducted without input from staff who understand, without the staff who understand the student's disability related needs, accommodations, behavior plan, communication needs, or sensor triggers.

[02:00:06] Except in extreme circumstances, consulting the special education case manager or designee before a search would help everyone ensure that the search is conducted safely, appropriately, and with consideration of the student's individualized needs according to their disability.

[02:00:23] This consultation may also help everyone prevent unnecessary escalation and protects the rights and the dignity of the student. for except in emergency or extreme situations the students a special education case manager or designee shall be consulted prior to the search to ensure the students disability related needs accommodations and communication needs and behavioral considerations are taken into account we have four concerns and i believe four recommendations is there any discussion on

[02:00:58] this one absolutely okay better there um so all right you have a gun the student has a gun

[02:01:31] I'm trying to figure out, when you say shall consider, the student has a gun. I don't care what, I don't care about the student's disability.

[02:01:49] The kid has a gun. So maybe the student doesn't know why that would be a problem. This is for surges and seizures of students with contraband.

[02:02:05] But the kid has a gun. Right, right. Yeah, but let me also add, because we've had this discussion in the past as well, right? No teacher is allowed to throw a student out the window. The building is on fire,

and they threw the student out the window. Nobody is going to raise a policy objection in that kind of case, right?

[02:02:24] And it does address later on here, except in emergencies. Because there's always the exigent situation, right? I know that language is in the other part. That's why it's in the other part. But that's why I wanted to come back to this one, because I wanted to know.

[02:02:40] And this is just show consider. And at the moment, I considered it, and I realized it was more important to grab the gun. Well, right. But, you know, that's a situation where we really don't want to have a miscommunication and we really don't want to escalate it. So that would just be, no, no, I understand that.

[02:03:02] You should think about, as you try to figure out how you de-escalate that exigent circumstance, consider can be as simple as think about this. Consider does not necessarily mean, and certainly in an exigent circumstance, right.

[02:03:27] And that's why the emergency or extreme situations comes in a little bit later. But consider, right, but the shall consider, I think, is just think about this. The amount of time you spend thinking about it may need to be adapted, certainly in an emergency or extreme situation.

[02:03:47] But that's also, you know, an emergency or extreme situation is exactly the time when we do want to make sure that we are not escalating, that we are handling it. Motion to adopt the policy recommendations and concerns on 8265.

[02:04:07] moved and seconded the motion is to adopt all four concerns and

[02:04:17] recommendations do we do we have quorum okay moved and seconded the motion is to

[02:04:57] adopt all four concerns and recommendations is there any further their discussion hearing none all those in favor please raise your hand and say aye opposed nay are there any abstentions Carrie Adams aye Sharon troff motion passes unanimously policy 8160 exceptions to school assignment due to

[02:05:27] attendance zone change the sub so the concern is that for some students with disabilities being reassigned or transferred to a different school may significantly impact their ability to access a FAPE.

[02:05:51] So for example, some of our students with autism and some of our students with extreme intensive behavioral needs, a whole new set of staff, a whole new physical building could cause easily half a year or more of loss to regain those relationships, regain that familiarity.

[02:06:12] And so that's an individual case-by-case consideration that needs to happen. Neither Policy 8155 nor Policy 8160 clearly addresses how this determination would be made for an individual student. IEP teams should be given the opportunity to review whether a proposed school reassignment would negatively affect the student's services, support, placement, progress, or overall access to FAPE.

[02:06:38] The policy should also include a clear process or mechanism for addressing these concerns before a student with a disability is moved to another school. So Carrie? Having sat on these zoning appeal boards, we do know that we have another policy for instructional suitability.

[02:07:06] And that's where we tend to send or ask to send all the special ed students because that's where they consider all this. The policy that's here is just basic general. We're moving and rezoning here, and

we've given options for people to ask to stay there if they apply during a certain amount of time and if the school's not over-enrolled.

[02:07:32] If the parent feels that there's an emotional problem, we've considered that. We've had one lately where the child has come in, a language issue, as well as a special ed issue, identified as a certain disability, and yet the parent hasn't gotten an IEP, doesn't want her son moved, and, you know, it's like, you really need to get this kid into a program where they can actually help him.

[02:08:09] He was ELL and special ed, and so we had to deny that one with a heavy push to say you need to go and get him moved to the insufficient portion, and then we can address where he's going.

[02:08:30] So a lot of this, the special ed kids coming through, if they have a problem, they can ask under the zoning if it's over-enrolled, it'll be a no. But if they have a real problem, they should go through the, I just said it.

[02:08:48] Instructional suitability. There it is. I got to tell you, and I need to apologize. I have been for two days in a row up at 530 and gone straight through to midnight. And last night when I was on the dais, I was the very last thing just before we finished.

[02:09:11] I was the last speaker. And I do need to apologize to CAST, and Catherine, would you share that with the rest of the CAST teachers as you get it? I actually said, oh, we had this wonderful program, this CAST Awards, and celebrated their 20th anniversary.

[02:09:28] And I know full well it's 25, but it came out wrong because I was just giddy at that point. And I'm getting to that point again tonight. So instructional suitability, that's where they get sent. or supposed to go if they are special ed and that is what we recommend. So provision of a free appropriate public education is supposed to be the domain of the IEP team. IEP teams have been told they're not allowed to touch what school you're assigned to. No but they can recommend to appeal

[02:10:06] for instructional suitability. I mean I've been personally told you know we do not discuss any of that in the IEP. And the other thing is that came up in the discussion was sometimes the answer is not this student can't move, but in order for this student to get a FAPE, we need to develop a transition plan. And that too, that needs to be done by the IEP team, which once again, I have been told by IEP teams, we can't do that. And so what we find is basically there's a lot of finger

[02:10:39] pointing and everybody wants to say there's this other process that can do it I think there was some consensus that when the question is FAPE the IEP team should be the group making these determinations that's what they're supposed to be doing and maybe they have to actually invoke some other mechanism but fundamentally the discussion of what are the students needs and how do we meet them what are the impacts on the student should start with the IEP team so this is yet another place where a lot of what we're recommending is that an IEP meeting needs to happen and the

[02:11:16] discussion needs to be had. But we also did specifically discuss in the subcommittee meeting that there is a problem whereby the IEP teams do not currently believe that they are empowered to deliberate or discuss on that particular issue. And that appears to be a problem. Because again, for some students, and not all students, but for some students transitioning to a new school or new school staff a new team could be very disruptive and it may be in the systems interest in everyone's interests that the student remain as an exception so who makes that determination we're suggesting

[02:11:56] the iep team and that also has you know right now there's a possibility that you're effectively having placement decisions about a special ed student being made by a school board appeal committee which is probably not most of them don't understand special yeah and it gets really and i run my math every time we're there right and and this also this is out of scope for here but instructional suitability is a whole nother question mark that needs to be worked on we keep getting told instructional suitability is the way and yet we need a precise definition of what that

[02:12:32] is, and there is a draft that I have heard about that I have yet to look at, right? Yeah. What I put down is the zoning choice, the IEP team should be part of the zoning choice because of FAPE.

[02:12:49] Should be considering the question as whether there's a FAPE impact here. Okay. I think we would expect that the majority of students would not, but that some do, and that's an individualized question that needs to be asked, and the teams should be empowered to cause some action to happen on that through some other mechanism. Today, again, they are basically being told they're not allowed to talk about it. Because at that point in time, if the IEP says, or the IE team says, you know, this is a FAPE issue, we're worried about instructional

[02:13:26] suitability, it might disrupt the child, then it needs to go through the instructional suitability path to get them because a lot of times our special ed classes are full and yes we do have a lower ratio we we call it closed when they're 12 but statewide it could be 14 but if it's more more than that we might have to hire different instructors so that's why it needs or more instructors that's why it needs to

[02:14:04] go through the instructional suitability but come on brain but when we're talking about program placements yeah osc makes those do they not well i'm sorry you're placed into a program but in the particular school assignment yeah that's typically made by osc so for program placed students that's a whole nother well we will talk about that this is why this is a concern because this is actually a little more complicated than just change the sentence in this policy but we do see this

[02:14:40] over and over again when we're contemplating moving a student to another school is is there a FAPE impact and who should be thinking about that? I will have that conversation with Mrs. Tate who's taking over after June 30th until they place a new person in for Mr. Lewis and Dr. Richardson who is working on the instructional suitability pathway. Okay. You know I have to say that in the now we're going on two and a half years. We've been working together.

[02:15:18] This is the first time I've actually felt useful. Oh, there's been many times. No, no, I mean, I'm getting to participate, and I thought, well, this is nice. Thank you. It has come up from time to time. I really appreciate you coming out tonight, because I know you have been very, very busy. I'm exhausted.

[02:15:39] I will tell you that. I know. Thank you so much. Thank you. Is there any further discussion on this one? Or should we have a motion? I move that we adopt the concerned policy 8160. I second.

[02:15:55] Moved and seconded. The motion is to adopt the concerned policy 8160. Is there any further discussion? Hearing none, all those in favor, please raise your hand and say aye. Aye. Opposed nay. One nay. Are there any abstentions?

[02:16:14] Carrie Adams? Aye. Sharon Trofe? Aye. Motion passes with one nay. Thank you all.

[02:16:33] OK, having said all that, do we have any questions, discussion?

[02:16:51] Then having said that, we are adjourned.



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