

## **SEAC Meeting Minutes**

### **September 10, 2024**

#### 1. Attendance

##### SEAC Members:

- Chris Seaman - Henley (Chair)
- Jessica Allen - Ivy (Vice Chair)
- Ashley Fore - Brownsville
- Kate Gariepy - Community Member
- Nicole Group - Community Lab
- Caitlin Foley - Mountain View
- Kateri Thunder - Community Member
- Dee Curry - Scottsville
- Katie Richard - Woodbrook
- Laura DeNunzio - Brownsville
- Grace Steljes - Stony Point
- Sam Peacoe - Burley
- Christian Simmers - Crozet
- Kalin Bird - Stone Robinson
- Amanda Vogel - Baker-Butler
- Tracy Magee - Ivy
- Elizabeth Kobb - Western Albemarle HS
- Tanya Evans - Community Member
- Lisa Bushey - Hollymead
- Betsey Soulsby - Community Rep (remote)

##### Administration:

- Dr. Chandra Hayes, Assistant Superintendent for Instruction
- Dr. Daphne Keiser, Assistant Superintendent for School Community Engagement
- Dr. Matt Haas, Superintendent
- Katy Compel, Director of Special Education
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##### Others:

- Stephanie Hicks, Parent Resource Center
- Maureen Stravulo

#### 2. Minutes from May 2024 Meeting

- Correction - Nicole Group is the Community Lab rep, not the WAHS rep
- Unanimously approved

#### 3. Jacqueline Servo-Jacobson (Mountain View) nominated as the Secretary

- Unanimously approved

4. Presentation - Welcome to SEAC (Chris Seaman and Jessica Allen)
  - VA Law requires each public school system to have their own SEAC
  - Advisory capacity to the school system
  - Appointed by the local school board, supported by administration
  - $\frac{2}{3}$  of committee must be parents of children with disabilities.
  - Bylaws updated this past May: 1 voting member from each school with the option for 1 alternate. Everyone participates in discussion.
  - 6 main functions of SEAC slide
  - Giving annual report to the school board in December
  - SEAC website is a resource
  - Meetings are open to the public on the second Tuesday of each month
  - In-person meetings unless ill or out of town with 24 hours notice
  - Quorum =  $\frac{1}{3}$  members
  - Public comment period either through email address on the website or email Jessica or Chris directly to keep it confidential
  - Thursday, December 12 = School Board meeting with SEAC annual report
  - Send Jessica and/or Chris an email if there are concerns after the meeting
  - Fall Events and Timeline = based around presenting to the school board in December, need to approve in November meeting
  - Survey will be sent out in the next week or two- school reps should communicate with all families with IEP/504 to complete the survey. May update with new comments- can email Chris and Jessica
  - Spring- annual budget (presented in March), collaboration with UVA Law (special education eligibility process), application for federal funds.
  - School representatives engaging with community members within their school. New community engagement team- in person events in the schools, reaching out to schools with lowest response rates to the parent survey.
  - Principals should be reaching out to the SEAC reps - proactively if they haven't been reaching out to the reps. Amanda has a blurb that she's willing to share
  - Adding SEAC reps to directories
  
5. Presentation by Team Special Education (Katy Compel)
  - Valerie Parks- works with privately placed students
  - SPED department supports the Blue Ridge Juvenile Detention Center
  - CATEC- significant number of ACPS students who attend with an IEP
  - Teaching Assistants/Drivers for medical complex children
  - OTs serve students across school division. 3 PTs.
  - Pre-K evaluation team ensures all students with suspected disability < 5 years old will receive an evaluation
  - Post-High: Ages 18-22, life skills, post-secondary skills. New 4th classroom at AHS for this year due to increased numbers.
  - 2 school psychologist interns for this year
  - 1.2 FTE spot available for SLP this year

- Medicaid allows schools to get reimbursed for specialty care provided, permits additional resources/services to be completed.
- C-BASE require an alternative assessment/curriculum pathway, ADL supports
- Ivy Creek School serves students with emotional disabilities (for one more year as it stands today)- regional program will change next year
- Wrap Around Services- works to meet students' needs to keep them in their school
- How does ID play into disproportionality? Transfer services may be placed in modified curriculum when they could have received a standard diploma. Very large difference in students with ID who identify as Black vs. everyone else.
- Needed to fill a gap for summer evaluation- created an 11-month SPED evaluation and eligibility team
- Concern for rising number of disproportionality for ED in Black students- if cited, you can't re-use a previous plan (even if it's worked before). Highest category where there's disagreement among the team. Not increasing across all demographics, often it's not the right category for the student. Will send criteria to qualify for an ED.

#### 6. Family Survey

- Paper copies vs. electronic format (or both): concerns that some schools won't fill out an online format
- Power School allows families to indicate if they want paper copies- could give more paper copies with schools who've identified that they need paper copies
- Discussed reading level of the parent survey, different language copies. May reach out to EL teachers for additional support. May also make a QR code for different languages to be available. In an envelope may help it not get lost in the shuffle and maintain confidentiality. Concerns about spotty connections in Scottsville.

#### 7. Policy Review

- Over the summer, multiple policies that related to discipline of students with disabilities. SEAC wants to weigh in before the school board acts.
- Concerns over reporting crimes to authorities disproportionately affect students of color.
- Not all offenses that occur at schools are mandatory reporting. The current policy doesn't distinguish between mandatory or required reporting.
- SEAC would like access to data about disproportionality of reporting of incidents- already required by the state of Virginia and U.S. Department of Education.
- Provision related to bodily injury- taking into account that disabilities may have affected the injury.
- Policies updated with changes to state law, or every 5 years.
- SPED Parent/Family Liaison: Resources to parents/families, now required to be posted (Stephanie Hicks), understanding the processes in the school system.
- SEAC voted unanimously to recommend changes to Policy JGDA (Disciplining Students With Disabilities) suggested by SEAC Leadership Team. (See attached.)
- SEAC voted unanimously to recommend approval of Policy JGDB (Disciplining Students With Disabilities for Infliction of Serious Bodily Injury) and Policy IGBA (Programs for Students With Disabilities).

- SEAC leadership will communicate recommendations to ACPS policy team.

8. New Business

- Family Council - VIA film screening In a Different Key 10/1. Have to RSVP to attend.
- Principal at Hollymead invited SEAC to staff meeting on October 3
- Flyers for Family Fun Fitness Nights (RSVP required), Reading Workshop, working on getting Parents as Partners in SPED conference with PVCC with rotating exhibits and showing resources. Sign up to get the newsletter.
- Amanda has a SEAC 1 page available with talking points for back to school night.

9. Public Comment

- None

10. Adjournment: 8:42 pm

## School Division – Proposed Change to JGDA:

### XIII. Reporting of Crimes

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

#### SEAC Recommendation:

### XIII. Reporting of Crimes

a. Nothing in these procedures prevents the reporting of a crime when required by Va. Code § 22.1-279.3:1 to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

b. The School Division shall record and shall make publicly available by September 30 of each year aggregate data for the preceding school year regarding referrals of students to law enforcement and school-related arrests, including the percentage of referrals and arrests involving students with disabilities.

#### Explanation:

SEAC expresses concern about the proposed new language in Part XIII of Policy JGDA, which would authorize the reporting of students with disabilities to law enforcement for any offense that may constitute a crime, regardless of its severity. Numerous studies both nationally and here in Virginia have found that students with disabilities, and particularly students of color who have a disability, are disproportionately arrested and referred to law enforcement. For instance, according to a 2021 report by the Virginia Joint Legislative Audit and Review Commission, in 2019, students with disabilities made up 42% of the population at Bon Air Juvenile Correction Center -- the state's only youth prison -- even though students with disabilities make up 13% of the total student population. Research has found that the disparate referral of students with disabilities to the criminal justice system -- sometimes called the school-to-prison pipeline -- is often due to implicit bias toward children with disabilities. Indeed, the School Board has already recognized these equity concerns in 2020 when it noted in a resolution that "students of color and students with disabilities are disproportionately arrested for school-related incidents in Virginia school divisions and that the criminalization of school behaviors contributes to the school-to-prison pipeline."

In lieu of a blanket rule authorizing referral to law enforcement for any suspected criminal offense committed by a student with a disability, SEAC instead recommends that Policy JGDA be modified to confirm with state law, which distinguishes between two categories of school-related offenses: (1) mandatory reporting offenses and (2) optional reporting offenses. Mandatory reporting offenses include student conduct that amounts to serious and/or violent crimes, such as:

- Sexual assault, death, shooting, stabbing, cutting, wounding, abduction, or stalking of any person on school property, on a school bus, or at a school-sponsored activity;
- Written threats against school personnel made by a student without a disability;
- Illegal carrying of a firearm onto school property;
- Any illegal conduct involving explosive or incendiary devices (either real or hoax), or threats or false threats to bomb, on school property, on a school bus, or at a school-sponsored activity; and
- Felony alcohol, marijuana, or drug offenses that occur on school property, a school bus, or at a school-sponsored activity, including theft or attempted theft of student prescription medications.

Va. Code § 22.1-279.3:1(A), (B)(1)-(2). In contrast, student conduct triggering optional reporting includes:

- Misdemeanor and/or civil offenses involving alcohol, marijuana, or drugs;
- Assault and battery that results in bodily injury on a school bus, on school property, or at a school-sponsored activity; and
- Written threats against school personnel made by a student with a disability.

*Id.* In SEAC's view, requiring reporting of suspected criminal activity to law enforcement that falls within the statutory definition of mandatory reporting, but allowing school officials to exercise discretion regarding the reporting of less-severe offenses (for instance, by deciding instead to handle such misconduct through the regular school disciplinary system), is more likely to result in equitable treatment of students with disabilities.

In addition, SEAC recommends that the School Division publicly report aggregate annual data on referrals of law enforcement and school-related arrests of all students and students with disabilities. This data is already required to be recorded and reported to both the Office of Civil Rights in the U.S. Department of Education and the Virginia Department of Education. *See* 20 U.S.C. § 3413(c)(1); 34 C.F.R. §§ 100.6(b), 106.71, and 104.61; Va. Code § 22.1-279.3:1(D). Making this data publicly available in a timely manner will help ensure students with disabilities are not disproportionately referred to law enforcement.