



The Role of SEAC in Identifying the Unmet Needs of Students with Disabilities



OBJECTIVES

- Discuss the legal mandates and responsibilities of a local advisory committee (LAC) – commonly known as a local Special Education Advisory Committee (SEAC);
- Provide information and resources to assist with the effectiveness of local SEACs;
- Provide information about the State Special Education Advisory Committee (SSEAC); and
- Identify the needs of Arlington County's SEAC.

WHAT IS REQUIRED WITHIN THE

*Regulations Governing Special Education Programs for Children
with Disabilities in Virginia*

(the Virginia Regulations)

8 VAC 20-81-10 et. seq.

REGULATORY REQUIREMENT

- A local advisory committee for special education, **appointed by each local school board**, shall advise the school board **through the division superintendent**.

See. 8 VAC 20-81-230.D

- This is a Virginia specific mandate.
- Federal regulations speak only to a requirement for a State level advisory committee.

SEAC MEMBERSHIP

- A majority of the committee shall be parents of children with disabilities or individuals with disabilities.
- The committee shall include one teacher.
- Additional local school division personnel shall serve only as consultants to the committee.

See. 8 VAC 20-81-230.D.1.a-c.

SEAC FUNCTIONS

- Advise the local school division of needs in the education of children with disabilities;
- Participate in the development of priorities and strategies for meeting the identified needs of children with disabilities;
- Submit periodic reports and recommendations regarding the education of children with disabilities to the division superintendent for transmission to the local school board;
- Assist the local school division in interpreting plans to the community for meeting the special needs of children with disabilities for educational services;

SEAC FUNCTIONS (Continued)

- Review the policies and procedures for the provision of special education and related services prior to submission to the local school board; and
- Participate in the review of the local school division's annual plan.

See. 8 VAC 20-81-230.D.2.a-f.

ANNUAL PLAN

- The local educational agency shall prepare annually and submit to the Virginia Department of Education an application for funding under Part B of the Act in accordance with the requirements outlined by the Virginia Department of Education. The annual plan shall include:
 - ✓ Assurances that the local educational agency has in effect policies and procedures for the provision of special education and related services in compliance with the requirements of the Act, the policies and procedures established by the Virginia Board of Education, and any other relevant federal and state laws and regulations;
 - ✓ A report indicating the extent to which the annual plan for the preceding period has been implemented;
 - ✓ Budgets outlining the use of the federal funds; and
 - ✓ Any revisions to the local school division's interagency agreement regarding the provision of special education and related services in a regional or local jail, if applicable.

ANNUAL PLAN (Continued)

- Prior to submission to the Virginia Department of Education, the annual plan **shall be reviewed by the local school division's local advisory committee**, and approved by the local school board . State-operated programs and the Virginia School for the Deaf and the Blind at Staunton shall submit their annual plan to the state special education advisory committee for review prior to submission to the Virginia Department of Education.

See. 8 VAC 20-81-230.B.2

PUBLIC NOTICE

- Public notice shall be published annually **listing the names of committee members and including a description of ways in which interested parties may express their views to the committee.**

See. 8 VAC 20-81-230.C.3.

MEETING FREQUENCY

- SEAC meetings shall be held at least four times in a school year and shall be open to the public.

See. 8 VAC 20-81-230.C.4

WHAT IS CONSIDERED TO BE

BEST PRACTICE

AND SHOULD BE ADDRESSED IN LOCAL POLICY AND
PROCEDURED OR THE LOCAL ADVISORY COMMITTEE
BY-LAWS?

SUGGESTED ROLES

- SEAC Chairperson
- SEAC Members
- Director of Special Education
- Superintendent of Schools
- Other School Division Personnel
- School Board Members

SUGGESTED ROLES AND RESPONSIBILITIES (SEAC Chairperson)

- Provides leadership
- Facilitates meetings (from agenda development to follow-up)
- Serves as spokesperson
- Promotes collaboration
- Assists with recruitment of new members
- Mentors new members

SUGGESTED ROLES AND RESPONSIBILITIES (SEAC Members)

- Work collaboratively to fulfill the six functions defined in Virginia regulations
- Serve as advisors
- Consider issues/needs at a systems level
- Attend regularly scheduled meetings
- Maintain a good working knowledge of special education law
- Participate in sub-committees as appropriate.

SUGGESTED ROLES AND RESPONSIBILITIES (Director of Special Education)

- Serves as a consultant to the SEAC
- Provides relevant and current information
- Assists the chairperson
- Provides administrative support
- Facilitates communication with the LEA
- Supports the SEAC in carrying out its functions

SUGGESTED ROLES AND RESPONSIBILITIES (Superintendent of Schools)

- Receives and reviews SEAC reports and facilitates their presentation to the School Board
- Stays informed of the work of the SEAC
- Makes requests of the SEAC for advice and recommendations
- Considers recommendations made by the SEAC

SUGGESTED ROLES AND RESPONSIBILITIES (Other School Division Personnel)

- Serve as consultants to the SEAC
- Provide information on areas of expertise

Note: If a school employee serving as a consultant is also a parent of a child with a disability, the employee must be careful to represent area of expertise and not their personal agenda in order to avoid conflict of interest.

SUGGESTED ROLES AND RESPONSIBILITIES (School Board Members)

- Appoint members to serve on the SEAC
- Receive and review SEAC reports
- Respond to SEAC's recommendations as appropriate
- Appoint a board representative to attend SEAC meetings as appropriate
- Implement plans that incorporate SEAC recommendations as appropriate

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS

- Virginia Freedom of Information Act (VFOIA) §§ 2.2-3700 through 2.2-3714 of the Code of Virginia (COV)
- Policy (as set forth in § 2.2-3700):
 - ✓ All public records and meetings shall be **presumed open**, unless an exemption is properly invoked.
 - ✓ Unless a public body or its officers or employees specifically elect to exercise an exemption provided by this chapter or any other statute, **every meeting** shall be **open to the public** and all public records shall be **available for inspection and copying** upon request.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is a meeting under FOIA?
 - ✓ Gathering of members as a body or entity or as an informal assemblage of:
 - as many as three members; or
 - a quorum, if less than three, of the membership.
 - ✓ When business of the public body is being discussed or transacted.
 - ✓ Includes when the body or entity is in a work sessions.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is NOT a meeting under FOIA?
 - ✓ Gathering of employees of a public body;
 - ✓ Gathering or attendance of two or more members of a public body where there is no discussion or transaction of public business (and not called for that purpose); and
 - ✓ Gathering or attendance of two or more members of a public body at a public forum, candidate appearance, or debate, the purpose of which is to inform the electorate.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What does FOIA require if it is a public meeting?
 - ✓ Notice of the meeting;
 - ✓ Meeting must be open to the public; and
 - ✓ Minutes of the meeting must be taken and preserved.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is sufficient notice?
 - ✓ Date, time, and location of the meeting is required.
 - ✓ Helpful (but not required) to include agenda to inform the public generally of what topics will be discussed.
 - ✓ Notice should include an indication whether public comment will be received and approximately when within the agenda it will occur.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Where to post the notice?
 - ✓ FOIA requires that all public bodies post notices in **two physical locations**:
 - In a prominent public location at which notices are regularly posted; and
 - In the office of the clerk of the public body, or in the case of a public body that has no clerk, in the office of the chief administrator.
 - ✓ A public body must also post notice on its official public government website, if any.
 - ✓ State public bodies must also post notice on a “central, publicly available electronic calendar maintained by the Commonwealth”

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- When to post the notice?
 - ✓ For regular meetings:
 - at least three working days prior to the meeting.
 - ✓ For special or emergency meetings:
 - FOIA defines emergency as “an unforeseen circumstance rendering the notice required by FOIA impossible or impracticable and which circumstance requires immediate action.”
 - Notice must be reasonable under the circumstances and given at the same time as it is provided to members

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Agenda materials available to the public/media?
 - ✓ At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting must be made available for public inspection at the same time they are furnished to the members.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Are minutes required?
 - ✓ Only at open meetings.
 - ✓ Not required to be taken during closed meetings.
 - ✓ Not required to be taken at deliberations of General Assembly/legislative study committees, study committees appointed by the Governor or study committees appointed by local governments/school boards (unless committee includes a majority of the members of the governing body).

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What must be included in minutes?
 - ✓ Minutes must include:
 - the date, time, and location of the meeting;
 - members present and absent;
 - summary of matters discussed; and
 - record of any votes taken.
 - ✓ Motions to enter into a closed meeting and certification after a closed meeting.
 - ✓ Minutes and all other records of open meetings (including audio/video recordings) are public records and must be released upon request.

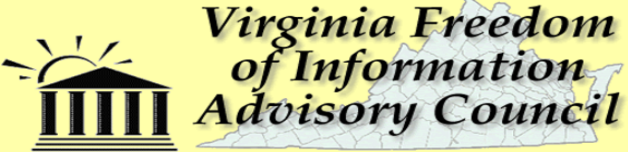
ADDITIONAL FOIA RESOURCE

Virginia FOI Advisory Council – www.foiacouncil.dls.virginia.gov

Code of Virginia Code - x Virginia Freedom of Info x FOIA AND LOCAL GOVER x

foiacouncil.dls.virginia.gov/foiacouncil.htm

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Virginia Freedom of Information Advisory Council

Services of the Council

FOIA Council Meeting Schedule	Members
2017 Subcommittees	Staff
2017 Freedom of Information Act	Annual Reports
2017 Legislative Update	Reference Materials
Searchable Advisory Opinions	Forms and Sample Letters
Responding to Out of State Requests	Archives
FOIA Exemptions of General Applicability	Privacy Statement
HJR No. 96 (2014) FOIA Study	Litigation Policy
Policy on Individual Participation in Meetings by Electronic Means	Other Resources
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HJR 96 Study Bills as Introduced: [HB1539](#) and [HB1540](#)
[HJR 96--Report of the FOIA Council to the General Assembly: Executive Summary](#)
[FOIA Officers](#)

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IDEAS FOR RECRUITING NEW MEMBERS

- Support and engage current members
- Use a recruitment “tool kit”
 - ✓ Job Description
 - ✓ Membership Application
 - ✓ Brochure
 - ✓ Letter of Introduction
 - ✓ Membership Grid
- Advertise and disseminate information
- Post meeting agendas and minutes
- Be intentional about diversity

IDEAS FOR RECRUITING NEW MEMBERS (CONTINUED)

- Arrange for current and prospective members to get to know each other and lay groundwork for collaboration by using team building activities and by providing informal “get to know each other” time with refreshments.
- This would not be a “public” meeting requiring notice – as long as no SEAC business is discussed.

IDEAS FOR INCREASING AND CONTINUING PARENT PARTICIPATION IN MEETINGS

- Stress the importance of public comment and the SEAC desire and need to hear from its constituency
- Seek to ensure that the “community” as a whole is represented
- Be cognitive of other parental obligations when scheduling meetings
- Be time conscious
- Consider meeting location
- Ensure notice of meeting is disseminated well in advance of the meeting date
- Be transparent
- Stick to your agenda
- Protect student specific information

IDEAS FOR INCREASING AND CONTINUING PARENT ATTENDANCE AT MEETINGS

- Focus on systems issues, not personal issues
- Create a summary of public comments for future use
- As appropriate, provide direct feedback to person who made comment
- Follow up at next meeting with a report from administration on any action that may have occurred (while protecting confidentiality)
- Aggregate data regularly in order to inform the committee of issue trends
- Ensure adequate space and seating
- Do not exclude general education parents from attending
- Offer child care opportunities

IDEAS FOR COMMUNICATING ABOUT MEETINGS

- Articles in School Newsletters
- Information about the SEAC and meetings in the Annual Student Handbook
- Cable TV Channel
- Opt-in e-mails from schools
- Public listing in local paper
- Announcement on school division web-site
- “Robo Calls”

IDEAS FOR IDENTIFYING UNMET NEEDS

- Review the latest annual report to the school board
- Review current policies and procedures
- Review public comment from previous year SEAC meetings
- Focus Groups
- Surveys
- Review Indicator 8 data
- Planning Meetings
- Communicating with Special Education Director
- Attend School Board meetings
- Data from Parent Resource Centers

IDEAS FOR IDENTIFYING UNMET NEEDS (CONTINUED)

- Attend the quarterly SSEAC meetings
- Public Comments

IDEAS FOR POSTING THE ANNUAL NOTICE OF MEMBERS AND HOW CITIZENS CAN COMMUNICATE WITH THEM

- Student Handbook
- School division web-site
- Cable TV Channel
- Provide at Annual IEP Meeting
- Attach to Procedural Safeguards
- Create a brochure

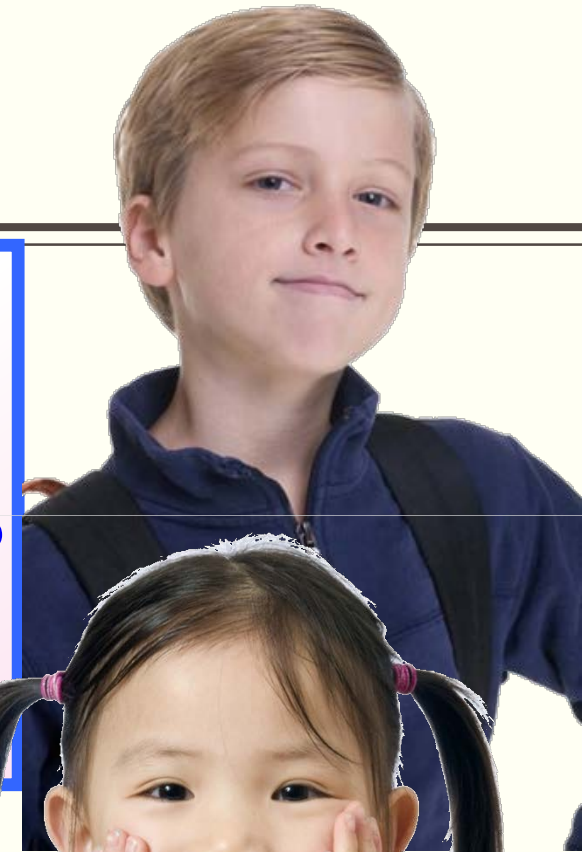
IDEAS FOR CONDUCTING PUBLIC COMMENT

- Develop and publish a public comment protocol
- Have a sign-up sheet to guide timeline and provide a record of who is making comment
- Limit total time devoted to public comment – but be flexible
- Limit time for each public comment – ensure that you have communicated your public comment protocol
- Provide a variety of methods for providing public comment
 - ✓ In person – may want to request that they provide written comments in case they cannot finish in allotted time
 - ✓ In writing – if this is used, how long can it be – can it be read in the time allotted
 - ✓ By video – ensure that the video length does not exceed allotted time
 - ✓ Presented by another party
- Listen intently to public comment
- Record summary of comments
- Be responsive and provide timely feedback

MAINTAIN A COLLABORATIVE ATMOSPHERE

- Remember your role is that of an advisory nature – you cannot individual or collectively direct or demand change.
- Stay focused on making systemic change.
- Avoid the “us” against “them” mentality.
- Establish and maintain effective communication.
- The SEAC is not a place for addressing personal agendas.

The Focus
MUST Always
be the Child!



INFORMATION ABOUT THE SSEAC

SSEAC General Information

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/

SSEAC Membership

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/committee_members.pdf

SSEAC Meeting and Agenda

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

SSEAC General Purpose Email

SSEAC@doe.virginia.gov

NEEDS OF ARLINGTON COUNTY SEAC

How can VDOE assist
you in your efforts?

CLOSING THOUGHT

Unless someone like you cares a whole awful lot, nothing is going to get better. It's not.

Dr. Seuss

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