

Arlington Special Education Advisory Committee
MINUTES
 February 28, 2023
 All Virtual - on Zoom

See Appendix for the Zoom chat.

ASEAC Members:

First Name	Last Name	Present?/ALL virtual meeting	Vote on January 2023 meeting minutes
Claudia	Ramirez Cuellar	Yes	Yes
David	Rosenblatt	Yes	Yes
David	Siu	Yes	Yes
Ellen	Fitzenrider		
Emily	Remus	Yes	
Jennifer	Wheelock	Yes	Yes
Kathryn	Pericak	Yes	Yes
Keith	Chanon		
Kristin	Gillig	Yes	
Kurt	Schuler	Yes	Yes
Laura	Bryant Njanga		
Matt	Leland	Yes	Yes
Michelle	Best	Yes	
Minerva	Trudo	Yes	ABS
Nicholas	Walkosak	Yes	Yes
Paige	Shevlin	Yes	Yes
Paul	Timm		
Raquel	Cepelak		
Rebecca	Hunter		

Motion made to approve minutes by Kurt Schuler, seconded by Jennifer Wheelock:
Approved

Non-Member Attendees

Virtual	Kathleen Donovan, Kelly Krug, Heather Rothenbuescher, Gina DeSalvo Emma Parral Sanchez, Julio (Interpreter), A Stewart, Ayelech, Reade Bush, Cecelia Kline, Kathleen Clark, Susan Kerin, Griselda, Jen Craine, Heather Desplechin
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Welcome

Agenda

- 7:00 - 7:20 pm Welcome and Public Comments
- 7:20 - 7:40 pm OSE Updates and Response to January Public Comments
- 7:40 - 8:30 pm Discussion about the APS 2024 draft Budget
- 8:30 - 8:40 pm ASEAC's End of the Year Report - Potential Topics
- 8:40 - 8:50 pm Parent Resource Center updates
- 8:50 - 9:00 pm ASEAC Business, Updates

Meeting opened at: 7:05 PM

Public Comments

Michelle Best

BACKGROUND

Joseph is on the autism spectrum and has ADHD. His preschool years were in APS self-contained preschool settings, followed by Montessori at both Drew and Gunston. Joseph attended Dorothy Hamm for 8th grade. Joseph is now a sophomore at Arlington Tech.

PRELUDE

Sometime during the winter of 2021-2022, several students in Joseph's Health & PE Class began to harass him both during class-time and other times during the school day. He was repeatedly told, "Shut-up Joseph, you're white," even

when the topic at hand had no social context, such as a math or science observation.

During this time, _____ and others began circulating rumors that Joseph referred to members of minority groups with pejoratives. In speaking with a parent from Joseph's school, I learned from her son that "everyone knows Joseph says these things."

I have never heard any one of these words come out of Joseph's mouth. What's more, when asked, Joseph doesn't even know what one of the words means. I asked the school to investigate if any adult had ever heard Joseph use such language. I was informed in June 2022 that no one had ever heard Joseph use these words. Joseph has autism. He does not have the capacity to use this language in one setting and not in another. He has a spotless record outside of school.

Another student, _____ often mocked and harassed Joseph in his classes. In one instance, Joseph walked out of his English class due to this harassment. The comments were public and, although made by _____, were shared with a group of friends who proceeded to laugh at Joseph. Joseph felt emotionally unsafe attending many of his classes.

INCIDENT 1 - MAY 2022

Immediately following the Supreme Court leak of the decision to overturn Roe vs Wade, many APS students staged walkouts. Joseph was approached by up to 10 students in his PE class and asked multiple times for his opinion. Each time Joseph replied, "no comment." During PE, they were on a walk on Walter Reed Drive. The students encircled Joseph and began grabbing at him, accusing him of being sexist and opposing women's rights. One student got a loose grip on his leg.

This situation threw Joseph into a heightened state. He lost control and said things he should not have. He tried to lunge back at the students, mostly to get them away from him. A video was taken of this episode and shared among the students at school.

This incident resulted in a PTSD diagnosis.

INCIDENT 2 - MAY 2022

While Joseph was in his PE class, several students gathered around _____ then engaged in online bullying of Joseph's mother in the Arlington Education Matters Facebook group. I have copies of what was said. No child could withstand this type of bullying. We have screenshots and would like to share them...we held back initially but, at this point trying to protect students who have harmed Joseph is resulting in further harm to Joseph.

Upon reading the text of what was said by _____, Joseph's psychiatrist insisted that I remove him from school immediately. Joseph did not return to school to finish his freshman year.

INTERIM

Returning to school in the fall of 2022, Joseph has repeatedly been subjected to students calling him out for the lies that were spread regarding his alleged use of pejoratives. In addition, he has been subjected to repeated humiliation based on the video that was taken during the encircling.

A student new to Arlington Tech was fascinated by the video and began collecting information on Joseph and his family and confronting Joseph with it. One example is when he came to Joseph and said, "I know about your brother and his disease." At one point a document was created and an effort was made to distribute it to students. A peer brought this to the attention of a teacher and the document was confiscated. We were not notified.

INCIDENT 3 - FEBRUARY 2023

There is a student-run Discord server at Arlington Tech. Most students have accounts on the server. Joseph has never been invited to join.

At some point, a fake account mimicking Joseph's personal Discord account was created and allowed to join the school Discord server. This account began spewing hateful speech, specifically targeting the transgender population. We have some screen shots of one conversation, but don't even know what all this account has said.

Some of the information in the Discord postings requires knowledge about Joseph's past and the friendship between his mother and the parent of another student. There are very few students at Arlington Tech who would

know this information.

Because the lies regarding Joseph and his alleged use of pejoratives were never addressed with the student body, the students had no trouble believing that this was Joseph speaking through the fake account. As such, nearly all of the students believe Joseph is someone who actively spews hate. From what we've heard, many of the students now wish harm on Joseph.

We were informed of this incident by the parent of one of Joseph's longtime peers. If not for this parent, Joseph would have walked into school on Monday unaware and with nearly the entire student body actively hating him. We made the decision over the weekend to keep Joseph home on Monday and his psychiatrist is asking that we not send him back.

CURRENT STATUS

Joseph is currently back in school and the principal has encouraged Joseph to report any incidents. We are grateful to the school for helping Joseph re-enter, but it has been hard on Joseph and the stress has led to his being sick. His PTSD is back and he is terribly behind on assignments. He is likely to fail at least one class this quarter.

Susan Kerin

In 7th grade, the first full year back after quarantine, my son saw his friend being harassed for his androgynous appearance and stood up for him against the group. That placed him on the radar of the restless kids. The fact that he and his friend are also in the school's autism program was also a factor. The kids in that program get called names regularly. After the incident in 7th grade, the mom of my son's friend and I worked together to get satisfactory action from the middle school. We requested procedures, and when there wasn't anything concrete from APS, we found guidance from a friend at Montgomery County Public Schools about their bullying processes. We adapted some documentation and presented it to the middle school. To their credit, they reviewed the documentation and willingly adopted it, for our kids at least. My son continued to endure name calling throughout the year, but managed to make it through 7th grade, still willing to return for 8th.

Within one month of the start of 8th grade, my son was being targeted again. He was tricked into believing kids wanted to be his friends, and then tricked by those "friends"

into using a racial slur. When that happened, the kid who tricked my son spread the word that my son had called him a racial slur, with the implication that it had been done maliciously. My son was rushed by other kids in the cafeteria and threatened with physical harm, until the lunch monitor broke up the gathering. At the end of that school day my son was cornered by that same threatening group of boys and chased all the way to the bus.

I requested that in addition to the individual students being disciplined, that a larger group be addressed so that kids would know that my son was tricked and not being malicious. That did not happen. A few weeks later, kids with whom he had never interacted, found him in the hallway and tried to lure him into the bathroom. When that didn't work, they found him at the end of the day, and harassed him in the hallway. My son had no idea who these kids were. He tried to ignore them and walked away. One of the kids in the group chased after him and punched him in the back of the head.

The school offered only to address the one kid who punched my son. No larger group would be addressed.

This middle school hosts an Autism Program, but it seems as though only the staff involved in the autism program know anything about autism. Schools need to implement training about Special Ed students for the student body and staff. Special Ed kids are at greater risk for bullying, because they are not fully equipped to deal with complex social situations. In the case of my son, he thought he had made friends, and was grossly taken advantage of.

The school spoke to me about restorative justice, however, I saw no acts of restoration to my son. I asked the school to help clear his name, but nothing of that kind was done. My son had been canceled. The school, had they acted swiftly, could have worked to uncanceled my son. Instead, they offered my son the opportunity to leave class five minutes early, so he wouldn't have to encounter anyone in the hallways. Later I found out that because he didn't always remember to leave early, they made him wear a fluorescent yellow lanyard with a fluorescent yellow card that said he could leave five minutes early. The school basically put a target on his back with that lanyard. And my son had no idea this was grossly inappropriate, because he only knows what he has learned in this life so far. He had not had enough life experience to understand how bad things were going to go for him when he wore that lanyard.

I had no insight into what was happening to keep my son safe at school or what the school was doing to address the growing targeting of my son, and the school had no answers. Because of inaction by APS, I had to file criminal charges against the boy who punched my son. The last thing I wanted to do was criminalize a fourteen-year-old, but

I did not want to continue to sacrifice my son's wellbeing. APS needs to do better in offering a safe environment to our most vulnerable kids, and because this is not the case, I was put in the position of pressing charges against a kid to protect my son. I didn't want to do that. Kids make mistakes. The need to be steered in the right direction, not criminalized.

- APS needs to educate students and staff about special needs kids and encourage their protection.
- APS needs to tighten the ship on behavior early on, to prevent it from escalating into criminal action.
- APS needs to find ways to apply both halves of restorative justice to include the victims.

APS needs to do better in providing a safe environment for all. Discipline is providing a good balance of structure, accountability, and caring. Right now I hear the caring words, but I am not seeing accountability or sufficient action.

Kathleen Clark

A year ago, I came to speak to you all about the horrific experience my son had in gym class at Swanson middle school. A year later, he is still dealing with the trauma of that experience, and it continues to impact his ability to attend gym today. Colton is a social creature - he thrives when he is set-up in environments where he can be an equal participant and leader. He is not naturally gifted in sports but can hold his own. From a social-emotional perspective, he is a dichotomy - in many respects he is far beyond his years in life experience and relates way better to adults (also because adults are way more predictable), and in other ways, he is very similar in his thought process to his 7-year-old sibling. None of this is abnormal for a student with Autism.

As a parent, I am struggling with the fact that he tries to solve his problems by eloping from PE class - either hiding in the broom closet or running to the field behind the school as he told me he did last week. I also don't blame him for wanting to avoid other students or situations that make him feel uncomfortable, especially given his experience last year. He wants to fit in and be accepted, so before anyone says, "if he just didn't react, this wouldn't be a problem", let's be clear that he doesn't want to react just as much as we all don't want him to. There isn't a person that wants him to struggle, but he is struggling, and it is heartbreaking.

I am concerned about the amount of "face" that he has lost with these other students in class, specifically because Colton genuinely WANTS to be friends with people. It saddens me to think that many students may have already written Colton off because they never learned the skills to handle other students who are different from them. There is no neurodiversity training at all. This is why I have made a huge effort within SEPTA to focus on what "inclusion" really looks like at the elementary level, so that ALL students, not just those with disabilities, are learning these critical life skills of getting along with others.

I know Colton's IEP is coming up within the next month or so, but would really like to come up with a game plan for PE as I am really concerned for his safety if he is trying to elope. I get that it puts not only himself at risk, but also the other students in class if the teacher has to leave to go after him. Luke and I have talked with Colton about this countless times, which means that he is far more afraid of dealing with the other students/difficult situations than he is of the potential consequences for elopement. He wants to avoid participating in PE because he doesn't want to be picked on. Where Colton does get stuck in a "thinking trap" sometimes, I don't think that is the case here; he is definitely experiencing a tough time handling relationships with other students as they are with him.

OSE Updates & Response to November Public Comments

Tracking IEP Hours

There is no school board policy or PIP for tracking IEP hours, which are governed by IDEA and Virginia regulations. Local Education Agency representatives at each school are responsible for IEP implementation at their school. There is no system in place to track things hourly or anything like that. Schools have some discretion. From time to time teachers are out. Schools have no obligation to make up for every instance of absences. Schools are obliged to provide compensatory services for extended absences. The Office of Special Education (OSE) has ongoing meetings with coordinators to monitor the provision of services. OSE also conducts walk-throughs at schools to check in to see how things are going. Coordinators do random samplings of progress reports to ensure the completion of progress reports.

Concerns Regarding Treatment of Disabled Child at School

Where can parents go for help or guidance? Parent Resource Center. Reach out to OSE if you continue to need help.

OSE Updates

Annual Plan

- Required by the Virginia Department of Education (VDOE)
- Provide a detailed description of how federal entitlement funds are spent (IDEA 611 and 619)
- Components of the Plan
 - Policy Statement
 - Statement of Assurances
 - Report on Implementation of 2020-21 School Year
 - Excess Cost & Maintenance of Effort (MOE)
 - Interagency Agreement with Correctional Facilities
 - Application for IDEA Section 611 and 619
- Y 24 Proposed Budget:
 - Assistants: Instructional, Resource, Transition and Hourly
 - Assistive Technology Specialists
 - Child Find Teachers
 - Clerical
 - Coordinators: Student Support Team, Transition, Parents Resource
 - Set-Aside Parentally Placed Students
 - Psychologist
 - Technology Support Specialists
 - Instructional Materials
 - Employee Benefits
- Timeline
 - December 2022-March 2023 Budget Development Activities
 - March 16, 2023 Information Item to School Board
 - February 28, 2023 Presentation to ASEAC
 - May 12, 2023 Submit to VDOE
 - The Annual Application is maintained at the VDOE and previous plans can be viewed [here](#).

The Office of Special Education would appreciate input into how to expand Medicaid billable services.

The new legal positions are not part of the Office of Special Education. The Office of Legal Counsel is to hire someone focused on SPED. There are no new positions for special education.

Budget

Overview

- \$803.3 million budget (\$53.6 million/7.1% increase)
- County Transfer: \$607.6 million
 - 46.8% revenue share (\$593.6 million) +
 - one-time \$14 million transfer
- Taps \$41.2 million of reserves
 - Structural deficits of \$61.2 million, \$73.3 million and \$80.1 million forecast in next 3 years
 - Increase county funding? Decrease APS expenditures?
- Provides a step + 3% cola for staff (5.26% average increase)
- Adds 117 new FTE
 - 91 “directly support students”; 23 “directly support schools”; 3 support Central Office
- Process details [here](#).

Most increases in staffing result from enrollment changes, not changes in planning factors. Arlington contributes the lowest percentage of total revenue of all Northern Virginia counties. This year the School Board and Superintendent are proposing a budget based on resources in the County allocation. Most funding increases go to support general staff compensation.

Budget Items of Interest Particular to Special Education Programs

- Holds most special education staffing constant, including major investments from 2023 (Assistants, Speech Language Pathologists, etc.)
- Adds \$150k for a consultant to support inclusive practices
- Adds \$150k for a new attorney in the Division Counsel’s office to focus on special education, realigns \$200k from Office of Special Education to Division Counsel to fund outside counsel.
 - In house counsel focusing on special education could help steer staff towards making decisions that would avoid litigation in the first place.
- Adds .4 FTE psychologist for Pre-K Child Find
- Adds 4 translators to the welcome center specifically to help translate documents into four major non-English languages.

Further advocacy priorities

- Language about consultant report
- Clarifying purpose of the attorney position
- Medicaid does not appear in the document. Where is this
- Where is money for planning factor study?
- Advocate to county about ways increases in funding for schools could impact disabled students and all students at APS

Title I schools receive additional funds that can be used to hire staff to support students. There is concern among some attendees that students at non Title I schools who are struggling with reading and math may not have equitable access to support specialists. Further, there is nothing in the budget to address learning loss, especially among students with disabilities.

With respect to the new Office of Legal Counsel attorney focusing on special education issues, there is a difference between an attorney who will ensure compliance or fight parents.

Parent Resource Center Updates

New Videos*

- PreK to Kindergarten Transition
- AAC Supper Club
- Medicaid Waiver Session
- Substance Use and Neurodiverse Kids
 - English & Spanish

5 Session ADHD Parent Series begins on March 15th

ASEAC's End of the Year Report - Potential Topics

Potential topics:

- Education and training regarding neurodiverse students, in particular for students and their families
- Independent education evaluations
- Training of translators, and other work with the Language Services & Registration Center (LSRC) and the Parent Resource Center (PRC) have been collaborating on.

The budget is separate.

ASEAC Business & Updates

Leadership for Next Year

Paige Shevlin has volunteered to be the ASEAC Chair for 2023-2024.

Advisory Council on Teaching and Learning Representative

There is a meeting of the Advisory Council on Teaching and Learning tomorrow, March 1, 2023. Seeking an ASEAC member who is willing to attend the meeting.

Adjournment

The meeting adjourned at 8:52 pm.

Appendix: Transcript of Meeting Zoom Chat