



**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;
- Identify the needs of Fairfax County’s SEAC;
 - also known as the Advisory Committee for Students with Disabilities (ACSD); and
- Provide information about the State Special Education Advisory Committee (SSEAC)

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 advisory panel.

See. IDEA 2004 Regulations, 34 CFR Part 300 §300.167-169.

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;
- 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.

See. 8 VAC 20-81-230.B.1

- 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 and MEETING FREQUENCY

- 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.

- 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.

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
- Arrange for current and prospective members to get to know each other

IDEAS FOR INCREASING PARTICIPATION

- 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 PARTICIPATION

- 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 MEETINGS

- Articles in School Newsletters
- Information about the ACSD and meetings in the Annual Student Handbook
- Cable TV Channel
- Opt-in emails from schools
- Public listing in local paper
- Announcement on school division website
- “Robo Calls”
- PTA Meetings

IDEAS FOR IDENTIFYING UNMET NEEDS

- Communicating with Special Education Director
- 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, and planning meetings
- Review Special Education Performance Report
- Attend School Board meetings
- Data from Parent Resource Centers
- Attend the quarterly SSEAC meetings
- Public Comments

IDEAS FOR SHARING ACSD WITH PUBLIC

- Student Handbook
- School division website
- Cable TV Channel
- Provide brochure at Annual IEP Meeting
- Attach to Procedural Safeguards
- Create a brochure and efficient methods for distribution

IDEAS FOR ACCEPTING 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
- Provide a variety of methods for providing public comment
 - ✓ In person – may want to request they provide written comments
 - ✓ 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

IDEAS TO MAINTAIN COLLABORATION

- 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.

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.

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

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Focus **MUST** Always be the **CHILD!**

