

**Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020**

Member Name		Organization	Attendance
Darcy	Acquavella	City of Fairfax School Board	P
Ally	Baldassari ***	SEPTA	P
Sanaa	Bouzit	Member at Large-Abrar Omeish	P
Liz	Brocato	Braddock District-Megan McLaughlin	E
Brandon	Cassady	Hunter Mill District-Melanie Meren	P
Sandi	Dalhoff	Neighborhood & Community Services	
Susan	Edgerton	Member at Large-Rachna Sizemore-Heizer	P
Mary Kate	Ganley	Student Representative	P
James	Gillespie	Fairfax/Falls Church Community Services Board	P
Meghan	Gray	Lee District-Tamara Derenak Kaufax	P
Mary	Hackman	Providence District-Karl Frisch	P
Harry	Henderson	Mason District-Ricardy Anderson	E
Lissy	John	Dranesville District-Elaine Tholen	P
Lynn	Kiewel	Fairfax Co. Health Dept.	E
Andrienne	Konstas	League of Women Voters	P
Toby	Latham	Springfield District-Laura Jane Cohen	P
Connie	Lorentzen *	Mount Vernon District-Karen Corbett Sanders	P
Rachel	Macias	Region 4- -Jay Pearson-Assistant Superintendent	P
Linda	Mason	Higher Education	P
Phara	Rodrigue	Member at Large-Karen Keys Gamarra	P
Brianne	Russell-Morris	POAC-NoVA	P
Michael	Simon	Sully District-Stella Pekarsky	P
Dena	Sonneborn	Region 3-Nardos King-Assistant Superintendent	P
Joanne	Walton	Faculty	P
Ann-Marie	Ward ***	Fairfax County Council PTA	P
Niki	Zimmerman	Region 2-Fabio Zuluaga-Assistant Superintendent	P
* Chair **Vice-Chair *** Secretary			P = Present E = Excused Absence R = Resigned

FCPS Staff Who Were Present:

- Michelle Boyd, Assistant Superintendent, Department of Special Services
- Mike Bloom, Director of Special Education Instruction
- Jane Strong, Director of the Office of Procedural Support
- Mary Beth Harrison-Cunningham, Director of the Parent Resource Center
- Dawn Clements, Assistant Ombudsman for Special Education

School Board Members Present:

- Rachna Sizemore Heizer, At-Large, Committee Liaison

This meeting was held virtually via Blackboard Collaborate Ultra and live-streamed on the FCPS website. The meeting was recorded. Public comment was submitted electronically.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

Call to Order: The meeting was called to order at 7:00 p.m. by Connie Lorentzen.

Agenda & Minutes:

- Ann-Marie presented the minutes from the October meeting. Joanne motioned to approve the minutes as presented. Brandon seconded. The motion passed unanimously.
- Ann-Marie introduced the agenda for the meeting. Ally amended the agenda to include the name of Policy and Regulation Subcommittee co-chair Brianne Russell-Morris. Joanne motioned to accept the agenda as amended. Ally seconded. The motion passed unanimously.

Public Comment:

- Translated testimony from the October meeting was read into the record. The translation can be found at the end of the minutes.
- Written testimony from Dawn Haptonstahl about the need to ban seclusion and restraint
- Audio testimony from Nicole Zupan, a teacher in FCPS, about her lack of guidance and preparation for return to school and concurrent teaching. She also addressed concerns about compelling special education students to wear a mask in-person and the educational ramifications of not allowing those students to attend school in-person because of their refusal to wear a mask.
- Video testimony from Kerry Murphy about the need to ban seclusion and restraint - <https://youtu.be/KaeIXNSPaIY>
- Video testimony from Lauren McCaughey about the need to ban seclusion and restraint - [https://youtu.be/ UtMFvhAfs0](https://youtu.be/UtMFvhAfs0)

NOTE: Written testimony can be found in its entirety at the end of the minutes.

Parent Resource Center News:

- **Mary Beth Harrison-Cunningham**, Director of the PRC, provided an update on upcoming webinars. Registration has opened for December webinars, including a webinar on making positive connections with children, presented completely in Spanish., a session on positive discipline, and a session on coping strategies for anxious kids. The PRC YouTube channel contains many recordings of previous workshops and webinars. Library materials are available for check-out, please call or email for details. The PRC will be supporting Inclusive Schools Week, during the first week of December. Preview of 2021, January-May – mini-webinars called Coffee Break at the PRC (about an hour long) with an opportunity to provide information and have a Q&A.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

Presentation: iReady Universal Screener

- Brandon Robertson, Ed.D., Testing Administration Specialist, Office of Student Testing, presented about the iReady screener
- Screeners assess foundational skills and are focused on target skills that predict future outcomes. They screen for risk and gaps. Then use diagnostic assessments to problem solve, provide interventions, and monitor for growth.
- iReady is a universal screener for math (grades 1-6) and literacy skills (K-6)
- Students with disabilities who exhibit frustration can have the assessment discontinued. Exemptions for standardized testing are allowed; however, iReady is a formative assessment, and students can participate as appropriate
- It's an online assessment, computer adaptive test, scores are based on proficiency estimates
- Covers phonics, phonological awareness, high frequency words, vocabulary, comprehension
- Audio support is provided for some items on the reading test, but not every question has audio support.
- Questions:
 - Could community members take a sample iReady assessment? See the FCPS website for sample questions
 - How can students with complex communication needs or fine motor skill deficits be able to participate? Accommodations can be provided as they would in other circumstances
 - Question about perception of student ability based on the test. The student receives a unique assessment, but it is only one data point in a set of data points that teachers collect
 - Could you clarify what MTSS means? Multi Tiered Systems of Support
 - How do schools report iReady scores to students' families? All schools should report the results to families, in both the fall and spring
 - How is the plan for remediation communicated to families? Not via the test results but rather through the MTSS team
 - Are assessments done remotely? Yes, the fall iReady was done remotely but in-person testing will resume as soon as students return to the building

Presentation: The Effects of Restraint and Seclusion on Students with Disabilities

- Ted Hoch, Ed.D., Associate Professor, College of Education and Human Development, George Mason University
- Dr. Hoch gave a background on the terminology associated with physical restraint, restraint, seclusion, and time out.
- Intellectual disabilities, autism, developmental disabilities. Language learning needs, social behavior learning needs, emotional learning needs, lag behind peers. Unique individuals. Having behavioral difficulty, attention, emotional, behavioral, language abilities are at or beyond their limits.
- Experiencing adults placing hands on her/him, adults holding her/him, adults moving person somewhere and requiring them to remain – not the preference of the child.
- Students are not willing participants in restraint and seclusion.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

- Effects include potential injury to staff and students.
- Sources of trauma / fight or flight response – the person experiencing the event determines whether it was traumatic for them.
- Children who can't/won't behave may already be exhibiting signs of trauma as a result of life experiences elsewhere – results in both overreaction and numbing.
- VDOE suggests minimum standards but there is nothing wrong with exceeding those standards – DBHDS Standards for Seclusion and Restraint (Dept of Behavior Health and Disability Services – group homes, psychiatric hospitals).
- Distinguish between time out and seclusion (close the door).
- Training, credentialing, delegation of responsibility to appropriately trained staff, functional assessment, treatment, and instruction, delivered by staff who'd completed training, data collection, assessment of data and corrective action, review of programs and data, reporting to family, oversight – leads to reduction in time out and restraint and reduction of injuries
- Requirements: transparency, training, responsibility for student and staff, delegation to trained staff, accountability, reporting and data collection, oversight.
- Need a receptive climate from staff to accept help and resources.

Special Education Update:

- **Michelle Boyd** shared that they have provided additional guidance to principals to ensure that there is clarity about which special education students with intensive support needs will be invited back to in-person instruction in Group 5.
- **Mike Bloom** shared that the Office of Career and Transition Services offered a virtual College Boot Camp for students with disabilities in the class of 2021. Inclusive Schools Week Dec 7-11.
- **Jane Strong** mentioned that they are working on documentation about Recovery Services and will notify our committee when it is available.

Old Business / Election of Vice Chair:

- Brandon nominated Joanne to serve as Vice Chair. She was elected unanimously.

New Business:

- Ally and Brianne, co-chairs of the Policy and Regulation subcommittee, brought forward the following motion from their subcommittee:

I move that we vote on adopting the recommendations of the Policies and Regulations Subcommittee to become the recommendations of the Committee of the whole, and these recommendations be presented to the Superintendent, by the Chair, to inform the school board prior to their vote on new restraint and seclusion policy.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

Recommendations from the Policy and Regulation Subcommittee:

- Seclusion be banned
- Supine restraints be banned
- We recommend a “Chain of Intervention” prior to restraint.
 - Evidence-based de-escalation practices.
 - Verbal redirection
 - Give the student choices
 - Consider biological factors (Is the student hungry, thirsty, or sick?)
 - Consider modifying the student’s schedule
 - Give praise and frequent feedback, delivered promptly
 - Increase the rate and quality of reinforcement
 - Safety measures not involving hands on the student.
 - Escort student to another location away from peers and other individuals that may be harmed.
 - If student cannot be escorted, evacuate other students and unrequired staff.
 - Staff members don protective gear per the Ukeru method, while continuing to speak calmly to the student.
- Should the period of restraint reach ten minutes, or a second application be necessary within an hour period, the parent/guardian will be contacted expediently by the teacher or administrator’s designee. The parent/guardian will be given the opportunity to remove the concern for imminent serious injury by taking their child home from school.
- Replace “good faith effort” to notify parents with this notification procedure: “Call, leaving a message if no answer, all contact numbers on file until parent/guardian is reached. Should that fail, send an email and an alert through SIS.”
- When phone notification is successful, an additional notification of restraint must be made in writing and provided before the end of the school day on which the restraint occurred.
- A student shall be visited by a counselor. or person believed to be a more student-preferred or trusted staff member, within 24 hours of any restraint episode. The visit shall be for the purpose of emotional support. The opportunity to debrief without judgment will be provided.
- Staff members also require the opportunity for emotional support, free from judgement, from a counselor or other trusted co-worker.

The motion passed unanimously.

Member Time:

- Upcoming SEPTA Meeting on Evaluations
- In the interest of time, please send news items to Ally.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

Next meeting is December 9.
5 pm – 7 pm for Subcommittees,
7 pm – 9 pm for the whole Committee.

Meeting adjourned: Connie adjourned the meeting at 9:15 p.m.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

Translated Testimony from October Meeting

Good evening, distinguished officials. Responding to the invitation you sent me by email, I am going to share with you my statement regarding my fifteen-year-old daughter, Maria Jose Giselle Villafuerte Andia. She is fifteen years old, she's a wonderful girl who was sent to my family by God's will. Since she was born, she has had physical developmental difficulties, particularly regarding her head. She was born with microcephaly which limited the development of her brain, specially the occipital lobe which affected her motricity, her sight with atrophy of her optical nerve, convulsive syndromes, and 4 years ago with hemiplegia which affected the right side of her body, both her arm and her foot, or leg.

Notwithstanding, she continues with her smile, continues with her optimism, and continues with her will to live and her will to take advantage and enjoy each blessing that we have when we open our eyes and wake up alive.

It's because of that that I still have faith that she can continue receiving treatment. I still have faith that she can recover some of her physical abilities or faculties impacted today. However, beyond my hope it is my duty as her father to encourage and, of course, help and inform the fine professionals such as the educators, the teachers and professors who today are building and contributing a lot to my daughter's self-esteem and future. If she has been able till now to get ahead with curricular accommodations and with an individualized education, I ask that you consider with all due respect if there is the possibility for her to continue studying or if there are any other options available.

God bless you,

Thanks

Public Comment from Dawn Haptonstahl

My name is Dawn Haptonstahl. I am the parent of an 8th grader in FCPS. My student has an IEP and receives Special Education support services. I firmly believe it is absolutely unconscionable that FCPS teachers, staff, administrators, bus drivers, SROs, or any other school-related personnel use restraint, seclusion, or aversive procedures of any kind on students with disabilities, period.

Restraints, seclusion and aversive interventions are not effective, therapeutic, or educational. Restraints include physical force, mechanical devices or drugs that temporarily restrict freedom of movement or control behavior. Seclusion includes the use of locked rooms or other spaces from which students are unable to leave voluntarily. Aversive procedures use painful stimuli in response to behaviors that are deemed unacceptable by their caregivers. All aversive techniques have in common the application of physically or emotionally painful stimuli. They are physically and psychologically abusive. There is no justification for abusing children.

Every student is entitled to be treated with dignity and respect. No student with a disability should be subjected to the abusive treatment of restraints or forced seclusion, even if - and especially when - the reason for or method of restraint or seclusion is inflicted under the guise of providing educational services.

Fairfax County Advisory Committee for Students with Disabilities (ACSD)
Meeting Minutes
November 11, 2020

The National Disabilities Rights Network issued "School Is Not Supposed To Hurt" investigative report in 2009. The Government Accounting Office issued a report in 2009 stating, that they found "hundreds of cases of alleged abuse and death related to the use of these methods on school children during the past two decades," and investigated cases in which "there was a criminal conviction, a finding of civil or administrative liability, or a large financial settlement. The cases share the following common themes: they involved children with disabilities who were restrained and secluded, often in cases where they were not physically aggressive and their parents did not give consent; restraints that block air to the lungs can be deadly; teachers and staff in the cases were often not trained on the use of seclusions and restraints." Just last year, in 2019, the US department of Education announced an initiative to address the inappropriate use of seclusion and restraint. Also in 2019, COPAA, the Council Of Parent Attorneys and Advocates and ASAN, the Autistic Self-Advocacy Network, joined in a lawsuit against Fairfax County Public Schools. "In their complaint, the plaintiffs allege that students with disabilities, some as young as five years old, experience discrimination, psychological trauma, and physical harm from FCPS's improper use of physical restraints and seclusion in cell-like rooms. The lawsuit claims that FCPS is violating the Americans with Disabilities Act, and FCPS's own guidelines, by using restraint and seclusion to punish and segregate students with disabilities. Plaintiffs contend such techniques are ineffective, traumatic, and are systematically used on the students without any valid educational or safety reason. The suit points out that physical restraints and seclusion are so inherently dangerous and traumatizing that many states specifically outlaw or limit their use, and the U.S. Department of Education has heavily scrutinized and sought to regulate their application. COPAA wrote a Declaration of Principles Opposing the Use of Restraint, Seclusion, and Aversive Interventions in 2008 and openly supported federal bill provisions against the use of seclusion in Head Start and K-12 settings, against the use of aversive interventions that compromise health and safety, and against mechanical and chemical restraints and interventions that restrict airflow.

Simply put, the use of restraints, seclusion, and aversive practices harm our students with disabilities. They should have no place in our schools. Ban them. And fire any adult who participates in or condones such abuse towards our students.