

Office of Children's Services and
Virginia Department of Education

Private Day Special Education Outcomes

Report to the Chairman of the House Education and
Appropriations Committees and the Senate Educational and
Health and Finance Committees pursuant to Item 282 (O) of
Chapter 2 of the 2018 Appropriation Act.

November 1, 2018

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Authority

This report has been prepared and submitted to fulfill the requirements of Item 282 (O) of Chapter 2 of the 2018 Appropriation Act. This provision requires the Office of Children's Services (OCS) and the Virginia Department of Education (VDOE) to facilitate a work group comprised of private providers, including the Virginia Association of Independent Specialized Education Facilities, the Virginia Council for Private Education, the Virginia Association of Independent Schools, the Virginia Coalition of Private Provider Associations, and the Virginia Association of Community Services Boards, local school divisions, stakeholder groups, and parent representatives to identify and define outcome measures to assess students' progress in private day placements that may include assessment scores, attendance, graduation rates, transition statistics, and return to the students' home schools. The agencies shall ensure that the number of members from each group (i.e., representatives of private providers, parents, local governments, and other stakeholders are each considered their own group) are proportionally represented on the workgroup. The Office of Children's Services and Department of Education shall report recommendations to the Chairmen of the House Education and Appropriations Committees and the Senate Education and Health and Finance Committees by November 1, 2018.

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Executive Summary

The 2018 Appropriation Act (Chapter 2, Item 282. O.) requires the Office of Children’s Services (OCS) and the Virginia Department of Education (VDOE) to “facilitate a workgroup to identify and define outcome measures to assess students’ progress in private day placements.” The Appropriation Act specified the various stakeholders to participate,¹ as well as suggested several potential outcome measures.

In the summer and early fall of 2018, the workgroup met over four meetings. During these sessions, the workgroup received presentations on state data collection and reporting by the VDOE and outcome measures currently compiled in private educational settings by the Virginia Association of Independent Specialized Education Facilities (VASIF) and the Virginia Coalition of Private Provider Associations (VCOPPA). The workgroup examined Virginia’s Public Schools Special Education Performance Report², which is a compilation of indicators used to satisfy the public reporting requirements of the federal Individuals with Disabilities Education Act (IDEA), in an effort to assess which of the special education indicators, if any, would be viable outcome measures for students in private day school settings.

With considerable input from all stakeholders, the workgroup considered modifications to and outcomes beyond the existing VDOE Special Education Indicators and recommend ten outcome measures for private day schools, which address the following categories:

- Graduation Rates
- Attendance
- Individual Student Progress
- Standardized Test Scores
- Return to Public School Setting
- Post-Secondary Transition
- Suspension and Expulsion
- Restraint and Seclusion
- Parent Satisfaction
- Student Perspectives

Should the General Assembly endorse the collection of any or all of these outcome measures, the workgroup recommends to begin collection of these data in the 2019-2020 school year. There is still substantive work to complete before the collection of many of the proposed outcomes can be implemented. The VDOE currently compiles a vast array of data which will be beneficial in capturing outcomes recommended in this report. However, adjustments will need to be made. Many of the outcome measures will require modifications

¹ The full listing of participants in the stakeholder group is found in Appendix A

² Commonwealth of Virginia Public Schools FFY 2016 Special Education Performance Report found in Appendix B

or adaptations to current VDOE data reporting mechanisms.³ Additionally, a Memorandum of Understanding (MOU) for data sharing must be developed between the VDOE and OCS in order to link outcome data to specific children so that reporting at the level of the private day school placement can be accomplished.

³ An outcome reporting matrix can be found in Appendix C.

Background and Context

The Code of Virginia (§ 2.2-5211.B.1 and § 2.2-5211.B.2) establishes that: “Children and youth placed for purposes of special education in approved private school educational programs...” and “children and youth with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement...” are in the target population for the CSA state pool funds. § 2.2-5211. C. establishes that “The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education services and foster care services for children and youth identified in subdivisions B 1, B 2, and B 3 and (ii) meet relevant federal mandates for the provision of these services...”

Private day schools provide comprehensive special education services for students with disabilities. Many provide services to students within certain disability groups, for example, autism, emotional disabilities, intellectual disabilities, etc. For students, a private day school may provide a more structured environment and the opportunity to work on academic, behavioral, and social goals in a coordinated and integrated way that might not be possible in a public school setting. Some students display unsafe behaviors and learning challenges that cannot be addressed at the public school. The student’s IEP team (a team of professionals familiar with a particular student’s needs and progress) makes the recommendation to place a student at a private day school. This recommendation often follows a public school’s multiple unsuccessful attempts at interventions and least restrictive environment changes to address the student’s needs.

In 2016, the Appropriations Act directed the State Executive Council (SEC) for the Children’s Services Act to review and develop a robust set of options for increasing the number of children placed for special education private day school services who later return to their public school settings. This included efforts to involve local public school districts to track and monitor outcome data to assist in making decisions on the appropriate utilization of private day school services. The SEC commissioned a representative workgroup of stakeholders, which included many of those included in the current workgroup producing this report. The 2016 SEC report to the General Assembly (see RD429) included an option to *“identify and collect data on an array of measures to assess the efficacy of private special education day school placements.”* As part of ongoing consideration related to placement of students with educational disabilities in private day school programs, the 2018 General Assembly directed OCS, in coordination with VDOE, to facilitate a workgroup “to identify and define outcome measures to assess student’s progress in private day placements.”

The workgroup¹ met in four meetings in the summer and fall of 2018. There was considerable discussion regarding the wide variety and severity of disabilities among the

population of students who require private day school placement. Because of this, some in the workgroup were concerned regarding the relevance of global outcome measures of the educational services provided in the private day school setting. Other workgroup members felt that private day schools should be assessed on similar outcome standards as those for public school services for students with disabilities, since public schools face similar challenges in serving this population of students. In Appendix E, the major stakeholder groups outline their individual perspectives on this report and its recommendations.

Outcome Measure Recommendations

After consideration of data and the input of the stakeholder's workgroup, the OCS and the VDOE recommend the following outcome measures to assess students' progress in private day school placements:

Outcome Measure 1: Graduation Rates (VDOE Indicator 1)

- Percentage of eligible students who receive a GED, certificate of program completion, or a state recognized diploma in accordance with the student's Individualized Education Program (IEP). These outcomes should be reported in the following categories:
 - Standard Diploma
 - Advanced Studies Diploma
 - Modified Standard Diploma
 - Applied Studies Diploma
 - General Educational Development Certificate (GED)
 - Certificate of Program Completion

Identified Advantages/Opportunities

- Captures an assessment of a student's progress within the context of their individualized education goals.
- Assesses program completion.
- Applies to all students with disabilities in IEP-directed private day school placements across the Commonwealth.

Identified Challenges/Concerns

- Does not allow easy comparison to the VDOE Graduation data (Indicator 1) reported by VDOE for students with disabilities served in the public schools.

Outcome Measure 2: Attendance

- Use attendance data reported by Local Education Agencies (LEAs) to track student attendance:
 1. For students who are placed at a private day school and remain enrolled for longer than six months, percent whose attendance increased from prior placement;
 2. For students enrolled at the same private day school for one year or more, percent increase in days present until 80% or above;
 3. For students at a private day school for six months or longer, percent who attend 80% or more of the time.

Identified Advantages/Opportunities

- Attendance data is already collected and tracked by private providers, LEAs, and VDOE data systems.
- Captures changes in attendance specific to private day placements.

Identified Challenges/Concerns

- Collection of attendance change data (over time) for individual students could prove difficult.

Outcome Measure 3: Individual Student Progress (Modified VDOE Indicator 7)

- Modify the existing VDOE Special Education Indicator 7 (Preschool Outcomes) to assess student progress over time in four key domains (communication skills and social functioning; acquisition of knowledge and skills; adaptive behavior; and daily living skills and self-reliance).⁴

Identified Advantages/Opportunities

- Students will be assessed at two points in time to gain data on individual student growth (criterion-referenced measurement).
- Specific assessment criteria can be identified for purposes of rating reliability.
- The current assessment tool is in the public domain.
- Various assessment tools already in use in private day school programs can inform ratings on this proposed outcome measure.
- The proposed measure can be customized to meet the needs specific to this population within Virginia.

Identified Challenges/Concerns

- The current assessment will require modification for this population of students.
- Research-based, criterion- and norm-referenced assessments must be identified and approved to be utilized as the basis for ratings.

Outcome Measure 4: Standardized Test Scores (VDOE Indicator 3)

- Utilize VDOE Indicator 3 (Participation and Performance on Statewide Assessments) data to assess statewide assessment outcomes in the following areas:
 1. Students with disabilities participation rate for English/reading
 2. Students with disabilities participation rate for math
 3. Students with disabilities proficiency rate for English/reading
 4. Students with disabilities proficiency rate for math
 5. Percent of parental opt-out of state standardized tests

⁴ An initial proposed modified Indicator 7 is found in Appendix D.

Identified Advantages/Opportunities

- Data is already collected by VDOE (Indicator 3)

Identified Challenges/Concerns

- Parents of children with disabilities in private day school settings may choose to “opt out” their child from state assessments.
- Private day school student scores may be negatively impacted by prior unsuccessful educational experiences at public school that contributed to the child’s placement.

Outcome Measure 5: Return to Public School Setting

- Student returns to the public school setting as directed by their IEP.
 1. Number and percent of students transitioned to public school setting as specified in the placement determination in the IEP.
 2. Number of transitions by program, locality, and age level (elementary, middle, high).

Identified Advantages/Opportunities

- Accounts for students return to the public school setting within the context of their IEP.
- Provides information on successful transitions to the public school setting which can be utilized to identify trends and potential areas of best practices.
- Reveals areas of need to achieve a successful transition.

Identified Challenges/Concerns

- Indicator will be limited to the variable resources and services offered and available in each jurisdiction.
- Limited resources available to assist public schools in transitioning students.

Outcome Measure 6: Post-Secondary Transition (VDOE Indicator 14)

- Percentage of students with disabilities no longer in secondary school with IEPs in effect at the time they left school who were:
 1. Enrolled in higher education within one year of leaving high school
 2. Enrolled in higher education or competitively employed within one year of leaving high school.
 3. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of exiting high school.

Identified Advantages/Opportunities

- Data is already collected by school divisions and VDOE (Indicator 14).
- Will provide information to stakeholders regarding students’ post-graduation outcomes.

Identified Challenges/Concerns

- Requires concerted outreach by local school personnel with a potential low response rate.

Outcome Measure 7: Suspension and Expulsion (VDOE Indicator 4)

- Percentage of students suspended or expelled greater than 10 days in a school year.

Identified Advantages/Opportunities

- Data is already collected by private day schools.

Identified Challenges/Concerns

- Students in private day school settings are not required to be included in the data already collected by VDOE

Outcome Measure 8: Restraint and Seclusion

- Annual number of incidents of 1) seclusion and 2) restraint as defined in the VDOE Regulations Governing the Operation of Private Schools for Students with Disabilities (8VAC20-671)

Identified Advantages/Opportunities

- Data is already collected and required by VDOE regulation.

Identified Challenges/Concerns

- State Board of Education currently considering modifications of the definitions for this outcome.

Outcome Measure 9: Parent Satisfaction (Modified VDOE Indicator 8)

- Survey parents of students in private day school settings to assess parent satisfaction.

Identified Advantages/Opportunities

- VDOE already issues a parent survey.
- The potential to capture parent voice on their satisfaction with their child's current placement.

Identified Challenges/Concerns

- Current VDOE parent survey will require modification as it is too generic and not specific to private day school programs.
- Current survey methodology does not allow "linking" parent surveys to specific private day school programs.
- Potential low response rate may impact interpretation.

Outcome Measure 10: Student Perspective

- Survey students in private day school settings to assess views on their educational programs.

Identified Advantages/Opportunities

- The potential to capture student voice in relation to their current school placement.

Identified Challenges/Concerns

- There is no current standardized survey to assess student perspective.
- Given the varying needs and individual abilities of students in private day placements, some may have difficulty completing a survey.
- Potential for low response rate may impact interpretation.

Next Steps and Additional Considerations

Depending on the action taken by the General Assembly, additional work will be required to implement the proposed outcome measures. These activities include (not listed in order of importance):

1. Complete a data sharing MOU between VDOE and OCS to allow linkage of specific student data to specific private day schools.
2. Necessary development and modification of several of the proposed outcome measures (graduation rates, individual student progress, assessment results, attendance, return to the public school setting, parent satisfaction, student perspectives).
3. Establishing data collection protocols and requirements (who, when, how).
4. Establish outcome reporting mechanisms (who, when, how).
5. Determination of a lead agency for outcome measure refinement/development, collection and reporting of the adopted outcome measures. It is recommended that VDOE should serve as the lead agency (with collaboration from identified members of Local Educational Agencies (LEA), VAISEF and VCOPPA).

The Department of Education indicates that while this report sets a proposed date for collecting the outcome data beginning with the 2019-2020 school year, there is a potential need for further legislation or state Board of Education policy before moving forward. Current regulations governing private special education schools (8VAC20-671) may need to be revised to mandate the submission of the proposed outcome data. There are no requirements in current regulation to match many of the proposed outcome measures. Without regulatory authority, the VDOE would have no enforcement mechanism.

Appendix A

Special Education Private Day Outcome Workgroup Members

Name	Title	Representing
Sean Campbell	Parent	Parents of Students with Disabilities
Jocelynn Helmbrecht	Parent	Parents of Students with Disabilities
Karen Islik	Parent	Parents of Students with Disabilities
Sarah Ratner	Parent	Parents of Students with Disabilities
Todd Ratner	Parent	Parents of Students with Disabilities
Ilinka Robinson	Parent	Parents of Students with Disabilities
Monica Yullari	Parent	Parents of Students with Disabilities
Suzanne Bowers	Executive Director	Parent Educational Advocacy Training Center
Heidi Lawyer	Executive Director	Virginia Board for People with Disabilities
Phyllis Haynes	Co-Director, VDOE's Training and Technical Assistance Center	The Partnership for People with Disabilities
Chuck Longerbeam	Head of School, Elk Hill-Charlottesville School	Virginia Association of Independent Specialized Education Facilities
Brian McCann	President/CEO, Faison Center for Autism	Virginia Association of Independent Specialized Education Facilities
Rose Ann Renteria	Director, Research and Evaluation, Phillips Programs	Virginia Association of Independent Specialized Education Facilities
Michael Triggs	CEO/Managing Director, Hughes Center	Virginia Association of Independent Specialized Education Facilities
Courtney Gaskins	Director, Program Services, Youth for Tomorrow	Virginia Coalition of Private Provider Associations
Claiborne Mason	President, Virginia Home for Boys and Girls	Virginia Coalition of Private Provider Associations
Scott Zeiter	COO, Grafton Integrated Health Network	Virginia Coalition of Private Provider Associations
Christina Giuliano	Executive Director, Blue Ridge Autism and Achievement Center	Private Providers
Laura Goodwin	Assistant Director, Accreditation/Statistical Analysis	Virginia Association of Independent Schools
Leila Grinnan	Director of Accreditation	Virginia Association of Independent Schools
Nyah Hamlett	Assistant Superintendent, Henrico County Schools	Virginia Association of School Superintendents
Jeremy Raley	Superintendent, Goochland County Public Schools	Virginia Association of School Superintendents
Michael Asip	Past President, VCASE	Virginia Council of Administrators of Special Education
Susan Aylor	Director of Special Education, Orange County Schools	Virginia Council of Administrators of Special Education
Angela Neely	President, VCASE; Executive Director of Special Education, Culpepper County Schools	Virginia Council of Administrators of Special Education
Stacia Barreau	Director of Special Education, Williamsburg/James City County Schools	Local School Divisions
Adam Cahuantzi	Program Manager, Multi-Agency Services, Fairfax County Public Schools	Local School Divisions
Norletta Edmond	Coordinator of Exceptional Education, Franklin City Public Schools	Local School Divisions
Elizabeth Heath	Director of Special Education, Alleghany County Schools	Local School Divisions
Sherica Johnson	School Social Worker, Prince George County Schools	Local School Divisions

Sara Staton	Director of Special Services, Bedford County Schools	Local School Divisions
Sandi Thorpe	Executive Director of Special Programs, Harrisonburg City Schools	Local School Divisions
Jennifer Waggener	Director of Exceptional Education, Goochland County Schools	Local School Divisions
Rita Williams	Director of Pupil Personnel, Greenville County Schools	Local School Divisions
Danielle Basham	Monitoring Specialist	Virginia Department of Education
Daniel Irwin	Autism Specialist	Virginia Department of Education
Tara McDaniel	Technology/ Data Manager	Virginia Department of Education
Christina Owens	Monitoring Specialist	Virginia Department of Education
Jeff Phenicie	Director, Special Education Program Improvement	Virginia Department of Education
Karen Schonauer	Monitoring Specialist	Virginia Department of Education
John Eisenberg	Assistant Superintendent, Division of Special Education and Student Services	Virginia Department of Education
Hank Milward	Director, Office of Specialized Education Facilities and Family Engagement	Virginia Department of Education
Jennifer Faison	Executive Director	Virginia Association of Community Services Boards
Christian Goodwin	County Administrator, Louisa County	Virginia Association of Counties
Karen Reilly-Jones	CSA Coordinator, Chesterfield/Colonial Heights CSA	Virginia Municipal League
Janet Bessmer	Program Manager, Children's Services Act, Fairfax	Local CSA
Julie Payne	CSA Coordinator, Roanoke City Department of Social Services	Local CSA
Erika Visnevskia	CSA Administrator, Faquier County Department of Social Services	Local CSA
Scott Reiner	Executive Director	Office of Children's Services
Kristi Schabo	Program Consultant	Office of Children's Services

Appendix B

Commonwealth of Virginia Public Schools FFY 2016 SPECIAL EDUCATION PERFORMANCE REPORT

The *Individuals with Disabilities Education Act* (IDEA) requires each state to report to the public on state-level data and to report on whether the state and the divisions met state targets described in the state’s special education State Performance Plan/Annual Performance Report.

Indicator 1: Graduation

Indicator Description	2016-2017 Division Performance (based on data from 2015-2016)	2016-2017 State Target	State Target Met
Percent of youth with IEPs graduation from high school with a regular diploma	53.86%	≥52.00%	Yes

Indicator 2: Dropouts

Indicator Description	2016-2017 Division Performance (based on data from 2015-2016)	2016-2017 State Target	State Target Met
Students with disabilities grades 7-12 who dropped out	1.65%	≤1.60%	No

Indicator 3: Participation and Performance on Statewide Assessments

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
3b. Students with disabilities participation rate for English/reading	99.35%	≥95.0%	Yes
3b. Students with disabilities participation rate for math	99.03%	≥95.0%	Yes
3c. Students with disabilities proficiency rate for English/reading	49.91%	≥66.0%	No
3c. Students with disabilities proficiency rate for math	49.88%	≥65.0%	No

Indicator 4: Suspension/Expulsion

Indicator Description	2016-2017 State Performance	2016-2017 State Target	State Target Met
4a. Percent of divisions identified with significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs	46.34%	0%	No
Percent of divisions identified with significant discrepancy in rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs and policies, procedures or practices that contributed to the significant discrepancy; and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	1.22%	0%	No
4b. Percent of divisions identified with significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs	9.85%	0%	No
Percent of divisions identified with significant discrepancy, by race or ethnicity, in rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs and policies, procedures or practices that contributed to the significant discrepancy; and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	0.76%	0%	No

Indicator 5: School Age Least Restrictive Environment (LRE)

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
5a. Students included in regular classroom 80% or more of the day	64.01%	≥69.0%	No
5b. Students included in regular classroom less than 40% of the day	10.87%	≤10.0%	No
5c. Students served in separate public or private school, residential, home-based or hospital facility	4.26%	≤3.0%	No

Indicator 6: Preschool Least Restrictive Environment (LRE)

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
6a. Children aged 3 through 5 with IEPs attend a regular early childhood program and receive the majority of special education and related services in the regular early childhood program	32.14%	≥33.0%	No
6b. Children aged 3 through 5 with IEPs attend a separate special education class, separate school, or residential facility	26.93%	≤21.0%	No

Indicator 7: Preschool Outcomes

Indicator Description	Outcome	2016-2017 Division Performance	2016-2017 State Target	State Target Met
7a. Positive social-emotional skills (including social relationships)	A1. % entered below age expectations	92.39%	≥89.9%	Yes
	A2. % functioning within age expectations	54.92%	≥57.7%	No
7b. Acquisition and use of knowledge and skills (including early language/communication and early literacy)	B1. % entered below age expectations	94.65%	≥93.8%	Yes
	B2. % functioning within age expectations	46.71%	≥46.8%	No
7c. Use of appropriate behavior to meet their needs	C1. % entered below age expectations	92.25%	≥90.8%	Yes
	C2. % functioning within age expectations	61.26%	≥65.1%	No

Indicator 8: Parent Involvement

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
Parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	80.28%	≥72.0%	Yes

Indicator 9: Districts with Disproportionate Representation in Special Education and Related Services

Indicator Description	2016-2017 Disproportionate Representation	2016-2017 State Target	State Target Met
Percent of divisions identified with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	0%	0%	Yes

Indicator 10: Districts with Disproportionate Representation in Specific Disability Categories

Indicator Description	2016-2017 Disproportionate Representation	2016-2017 State Target	State Target Met
Percent of divisions identified with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	1.72%	0%	No

Indicator 11: Timeline for Eligibility

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
Children with parental consent for initial evaluation, who were evaluated and eligibility determined within 65 business days	99.36%	100%	No

Indicator 12: Part C to Part B Transition

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
Children determined eligible and IEPs developed and implemented by their third birthdays	99.53%	100%	No

Indicator 13: Secondary IEP Goals and Transition Services

Indicator Description	2016-2017 Division Performance	2016-2017 State Target	State Target Met
Percent of youth aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service's needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.	99.37%	100%	No

Indicator 14: Postsecondary Outcomes

Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school were:	2016-2017 Division Performance	2016-2017 State Target	State Target Met
14a. Enrolled in higher education within one year of leaving high school	32.85%	≥35.0%	No
14b. Enrolled in higher education or competitively employed within one year of leaving high school	63.10%	≥62.75%	Yes
14c. Enrolled in higher education or in some other postsecondary education or training	71.98%	≥71.5%	Yes

Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school were:	2016-2017 Division Performance	2016-2017 State Target	State Target Met
program; or competitively employed or in some other employment within one year of leaving high school			

Appendix C Outcome Reporting Matrix

Outcome Measure	Measure	Source
Graduation Rates	Percent of eligible students who receive a GED, certificate of program completion or state recognized diploma in accordance with the student's IEP.	VDOE Special Education Performance Report Indicator 1
Attendance	a) For students who are placed at a private day school enrolled for longer than 6 months, percent whose attendance increased from their prior placement; b) For students enrolled at the same private day school for a year or more, percent increase in days present until 80% or above; c) For students at a private day school for 6 months or longer, percent who attend 80% or more of the time.	Attendance data reported by private providers to the Local Educational Agency (LEA)
Individual Student Progress	Modify the existing VDOE Special Education Indicator 7 (Preschool Outcomes) to assess student progress over time in four key domains (communication skills and social functioning; acquisition of knowledge and skills; adaptive behavior; daily living skills and self-reliance)	Modified VDOE Special Education Performance Report Indicator 7
Standardized Test Scores	Statewide assessment outcomes in the following areas: 1. Participation rate for English/reading; 2. Participation rate for math; 3. Proficient rate for English/reading; 4. Proficiency rate for math. 5. Percent of parental "opt-out" for standardized tests	VDOE Special Education Performance Report Indicator 3 with the addition of the parental "opt-out" rate

Return to Public School Setting	Return to the public school setting as directed by the student’s IEP. a) Number and percent of students transitioned to public school setting as determined by their IEP. b) Transitions by program, locality and age level (elementary, middle, high).	Private providers report number of students out of total population who transition to a less restrictive setting with requested data points
Post-Secondary Transition	Percentage of students with disabilities no longer in secondary school with IEPs in effect at the time they left school who were: 1. Enrolled in higher education within one year of leaving high school 2. Enrolled in higher education or competitively employed within one year of leaving high school. 3. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of exiting high school.	VDOE Special Education Performance Report Indicator 14
Suspension and Expulsion	Percentage of students expelled or suspended greater than 10 days in a school year.	VDOE Special Education Performance Report Indicator 4
Restraint and Seclusion	Annual number of incidents of 1) seclusion and 2) restraint	Data reported to VDOE by private providers in accordance with the Regulations Governing the Operation of Private Schools for Students with Disabilities (8VAC20-671)
Parent Satisfaction	Survey parents of students in private day school settings to assess parent satisfaction.	Modified VDOE Special Education Performance Report Indicator 8 – to be developed
Student Perspective	Survey parents of students in private day school settings to assess their views on their educational programs.	To be developed

Appendix D Draft Revised Indicator 7

Annual Student Improvement Measures and Summary: Private Day Schools Placements

These measures and summary are used to report student progress made annually and at the time exit from private day school placement. An initial measure is to be completed within 60 days of enrollment, after which ratings will be applied annually thereafter at a time determined appropriate for the student (e.g., near to the time of the annual IEP or during assessment cycles performed at the private day school). A rating and supporting evidence are documented on the following four pages. Ratings are then transferred to this front page.

Student Full Name _____	ID Number _____
State Testing ID _____	Date of Birth _____
Age at Entry _____ years, _____ months	Age at Exit _____ years, _____ months
Date of Entry _____	Date of Exit _____
Primary Disability at Entry _____	Primary Disability at Exit _____

SUMMARIZED ANNUAL RATINGS

<u>Rating Period (date)</u>	<u>Outcome 1</u>	<u>Outcome 2</u>	<u>Outcome 3</u>	<u>Outcome 4</u>	<u>Life Event Code</u>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

OUTCOME AREAS

- Outcome 1:** Development of communication skills, social relations, and overall social function.
- Outcome 2:** Acquisition and use of knowledge and skills (including literacy).
- Outcome 3:** Use of appropriate, adaptive behavior (including behavior that interferes with educational services and developing coping skills).
- Outcome 4:** Development of daily living and skills of self-reliance and self-determination.

RATING SCALE

- 0** = Student exhibited regression in this area since initial enrollment (for first) or since last rating.
- 1** = Student maintained at the same level of functioning and/or performance since initial enrollment (for first) or since last rating.
- 2** = Student made progress in this area since initial enrollment (for first) or since last rating.
- 3** = Student made significant progress in this area since initial enrollment (for first) or since last rating.

LIFE EVENT CODE (LEC): Using guardian input, a LEC will be recorded to contextualize any significant events during that recording period.

- N** = No significant or noteworthy life events occurred in the last year.
- M** = A mild or moderate life event occurred in the last year that impacted improvement or growth.
- S** = A significant life event occurred in the last year that impacted improvement or growth.

**OUTCOME 1:
DEVELOPMENT OF COMMUNICATION SKILLS, SOCIAL RELATIONS,
AND OVERALL SOCIAL FUNCTION**

To what extent has the child acquired new communication skills (for use with peers and adults), and further developed social relations and overall social function? (Circle one number. Transfer the rating to Outcome 1, on page 1.)

<u>Rating Period</u> (Date)	<u>Source</u> (Assessment Name, Data Used, etc.)	<u>Summary of Relevant Results</u>	<u>Rating</u> (Circle One)
1.			0 1 2 3
2.			0 1 2 3
3.			0 1 2 3
4.			0 1 2 3
5.			0 1 2 3
6.			0 1 2 3
7.			0 1 2 3
8.			0 1 2 3
9.			0 1 2 3
10.			0 1 2 3
11.			0 1 2 3
12.			0 1 2 3
13.			0 1 2 3
14.			0 1 2 3

- 0** = Student exhibited regression in this area since initial enrollment (for first) or since last rating.
- 1** = Student maintained at the same level of functioning and/or performance since initial enrollment (for first) or since last rating.
- 2** = Student made progress in this area since initial enrollment (for first) or since last rating.
- 3** = Student made significant progress in this area since initial enrollment (for first) or since last rating.

OUTCOME 2:

ACQUISITION AND USE OF KNOWLEDGE AND SKILLS (INCLUDING LITERACY)

To what extent has this student acquired key knowledge and skills appropriate to both their developmental and grade level, such as activities related to visual-spatial, problem-solving, number, and literacy skills? (Circle one number. Transfer the rating to Outcome 2, on page 1.)

<u>Rating Period</u> (Date)	<u>Source</u> (Assessment Name, Data Used, etc.)	<u>Summary of Relevant Results</u>	<u>Rating</u> (Circle One)
1.			0 1 2 3
2.			0 1 2 3
3.			0 1 2 3
4.			0 1 2 3
5.			0 1 2 3
6.			0 1 2 3
7.			0 1 2 3
8.			0 1 2 3
9.			0 1 2 3
10.			0 1 2 3
11.			0 1 2 3
12.			0 1 2 3
13.			0 1 2 3
14.			0 1 2 3

0 = Student exhibited regression in this area since initial enrollment (for first) or since last rating.

1 = Student maintained at the same level of functioning and/or performance since initial enrollment (for first) or since last rating.

2 = Student made progress in this area since initial enrollment (for first) or since last rating.

3 = Student made significant progress in this area since initial enrollment (for first) or since last rating.

OUTCOME 3:

USE OF APPROPRIATE, ADAPTIVE BEHAVIOR (INCLUDING BEHAVIOR THAT INTERFERES WITH EDUCATIONAL SERVICES AND DEVELOPMENT OF COPING SKILLS)

To what extent does this student self-regulate, self-manage, and use coping strategies to allow them to participate in educational services without interfering behavior? (Circle one number. Transfer the rating to Outcome 3, on page 1.)

<u>Rating Period</u> (Date)	<u>Source</u> (Assessment Name, Data Used, etc.)	<u>Summary of Relevant Results</u>	<u>Rating</u> (Circle One)
1.			0 1 2 3
2.			0 1 2 3
3.			0 1 2 3
4.			0 1 2 3
5.			0 1 2 3
6.			0 1 2 3
7.			0 1 2 3
8.			0 1 2 3
9.			0 1 2 3
10.			0 1 2 3
11.			0 1 2 3
12.			0 1 2 3
13.			0 1 2 3
14.			0 1 2 3

- 0 = Student exhibited regression in this area since initial enrollment (for first) or since last rating.
- 1 = Student maintained at the same level of functioning and/or performance since initial enrollment (for first) or since last rating.
- 2 = Student made progress in this area since initial enrollment (for first) or since last rating.
- 3 = Student made significant progress in this area since initial enrollment (for first) or since last rating.

OUTCOME 4:

**DEVELOPMENT OF DAILY LIVING AND SKILLS OF SELF-RELIANCE
AND SELF-DETERMINATION**

To what extent has the student acquired new skills related to a life of greater independence, such as activities of daily living, developing additional capacity for self-reliance, and building self-advocacy skills? (Circle one number. Transfer the rating to Outcome 4, on page 1.)

<u>Rating Period</u> (Date)	<u>Source</u> (Assessment Name, Data Used, etc.)	<u>Summary of Relevant Results</u>	<u>Rating</u> (Circle One)
1.			0 1 2 3
2.			0 1 2 3
3.			0 1 2 3
4.			0 1 2 3
5.			0 1 2 3
6.			0 1 2 3
7.			0 1 2 3
8.			0 1 2 3
9.			0 1 2 3
10.			0 1 2 3
11.			0 1 2 3
12.			0 1 2 3
13.			0 1 2 3
14.			0 1 2 3

- 0** = Student exhibited regression in this area since initial enrollment (for first) or since last rating.
- 1** = Student maintained at the same level of functioning and/or performance since initial enrollment (for first) or since last rating.
- 2** = Student made progress in this area since initial enrollment (for first) or since last rating.
- 3** = Student made significant progress in this area since initial enrollment (for first) or since last rating.

Appendix E

Comments from Workgroup Stakeholders

Comments have been received and provided from the following:

- Local Education Agencies and the Virginia Council of Administrators of Special Education
- Virginia Association of Independent Specialized Education Facilities and the Virginia Coalition of Private Provider Associations
- Virginia Board for People with Disabilities and the Parent Educational Advocacy Training Center
- Virginia Association of Counties and the Virginia Municipal League
- Virginia Association of Independent Schools
- Four of the five parent representatives on the workgroup
- One parent on the workgroup

Position of Local Education Agencies (LEA)

The Virginia Council of Administrators of Special Education (VCASE) and division LEAs support the planned implementation of student outcome measures for students placed in private schools through the IEP process as described in this report of the CSA/DOE Private Schools Educational Outcomes Workgroup. We also advocate for future consideration of additional outcome measures to be developed as described below. We also appreciated the inclusive manner of deliberations, with multiple stakeholder groups, including parent, student, advocate, private school, VDOE, superintendent, division, and special education administrator representation.

Private day schools provide a required service on the continuum of special education placement options. Private day schools are funded with public dollars and must be held accountable for their outcomes in a similar manner as public schools. While there are challenges to identifying, collecting, reporting, and analyzing meaningful and objective data to be used for outcome measures, there are viable solutions to this challenge. Students with disabilities deserve high quality services and outcomes, and taxpayers funding these schools deserve the same. In order to make informed and responsible decisions about private day schools for students with disabilities who require that level of service, there must be a greater level of transparency.

During the timespan of the workgroup meetings, LEA representatives worked collaboratively with private school representatives to develop the list of outcome measures recommended by the workgroup, to include graduation rates, individual student assessment results (using a modified version of Indicator 7), attendance, return to public school setting, suspension/expulsion, parent satisfaction, standardized test scores, and post-secondary transition.

Although not included in the list of recommended outcomes as of October 3, 2018, LEAs advocate for including restraint and seclusion data and some form of student input as additional outcome measures. Public schools and private day schools are already collecting and reporting restraint and seclusion data. Giving students the opportunity to provide input supports the goal of self-determination for students with disabilities and is consistent with the requirements that already exist for transition planning.

LEAs look forward to involvement with other stakeholders in further refining these outcome measures and ensuring that data collection and reporting of outcomes is a balanced, shared responsibility among private schools, LEA staff, and VDOE.



Virginia Association of Independent Specialized Education Facilities

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Gary L. Jones, Ph.D.

President

William P. Elwood

Executive Director

Matthew P. Stanley Associate

Executive Director

October 12, 2018

Reaction to the CSA/DOE Draft Report on Private Day Educational Outcomes

To whom it may concern:

The Virginia Association of Independent Specialized Education Facilities (VAISEF), along with the Virginia Coalition of Private Provider Associations (VCOPPA), welcomes this chance to offer our thoughts on the draft report of the CSA/DOE Private Day Educational Outcomes Workgroup. We appreciate the opportunity to have had seven representatives sit on the Workgroup, the invitation that was given us to make a presentation on our own outcomes efforts and the ability to collaborate with a diverse and committed group of state agency, local government and parent representatives.

While there still remains more detailed work to be done, in general we agree with the consensus that was reached with regards to the eight measurements recommended in the draft report. For this effort to be successful, quality driven and evidence-based data must be collected and effectively evaluated, using statistically valid measurements. The measurements must be relevant to the progress of the individual student's educational and behavioral goals. It is important to remember that Federal Law, under the Individuals with Disabilities Education Act, entitles a child to a free and appropriate education. The Supreme Court of the United States recently held that a child receiving specialized education must make progress that is "appropriately ambitious" in light of the child's circumstances.

Private day schools provide federally-mandated education to children that are unable to make appropriate educational progress in public school settings. The decision on whether a child attends a private day school, whose services are funded through the Children's Services Act and the local match, *is made by the child's IEP team, and parental consent is necessary* before such a placement is made. Therefore, parents whose children attend our schools have requested the placement. Without question, parents know better than anyone else what is best for their children. Many of them will confirm that getting their child placed in one of our schools is extremely difficult and challenging. We are proud to meet the needs of parents and their children. We are proud that the children who attend our schools are engaged in the community and receive the education for which they are entitled under the law.

We do have several specific comments related to the outcome measure recommendations, as stated in the report:

- **Outcome Measure #3 – Attendance.** While this measure may seem pretty straightforward, it must be understood that there are many factors beyond a private school's control regarding this measurement. Our schools do not provide transportation and rely on multiple local placing public school divisions to deliver children to our schools. There is also no standard definition of what constitutes an excused or unexcused absence in a private day school. This can vary from one school division to another and is generally part of each individual contract our schools have with the placing public school division. Moving forward, this will need to be a uniform measurement that is applicable to private day schools and public schools.
- **Outcome Measure #7 – Standardized Test Scores.** Items #3 and #4 in the report for this measure point to “proficiency” rates. The acuity of the emotional, behavioral and intellectual disabilities of those served in our schools must be recognized when using this measurement as an indicator of student progress. There are inherent challenges in applying any one set of metrics to the entire population of students with disabilities. There are many categories of disabilities served in private day schools and disability type can dramatically affect a child's potential to score well on certain measurements. Again, the measurement focus should be on a child's “progress.”
- **General Observations –** One of the more important details to work out will be to determine who actually will be using the outcome data and how will it be used. There needs to be clear understanding of what agency (or agencies) will be responsible for collecting the data, the method by which it will be evaluated effectively and how will it ultimately be used and disseminated. It must also be understood that quality data collection and evaluation takes time and resources, both human and financial. While some schools may be well equipped to handle this responsibility, others will need assistance to get up to speed.

The report also mentions additional items that could merit future consideration at some point, but were not recommended at this current time. One of those mentioned was “seclusion and restraint.” We support the workgroup's recommendation to delay acquiring measurements regarding safety procedures while such a determination is currently pending with the Virginia Department of Education. This issue is currently being addressed by VDOE and will apply equally and fairly to both private day schools and all public schools at the appropriate time.

Thank you for this opportunity to respond to this report and for the chance for our members to serve on the Workgroup. We stand ready to move forward with you as we work on filling in the important details on this subject. We look forward to continuing this process and pledge to always work to do what's best for our children.



COMMONWEALTH
OF VIRGINIA
*Virginia Board for People
with Disabilities*

Mary McAdam
Chair
Rachel Loughlin
Vice Chair
Jamie Snead
Secretary
Heidi L. Lawyer
Executive Director

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October 11, 2018

MEMORANDUM

TO: Scott Reiner, Executive Director, Office of Children's Services (OCS)
John Eisenberg, Assistant Superintendent, Virginia Department of Education (VDOE)

FROM: Heidi Lawyer, Executive Director 
Virginia Board for People with Disabilities (VBPD)

Suzanne Bowers, Executive Director 
Parent Educational Advocacy Training Center (PEATC)

RE: Private Day Educational Outcomes-Report

On October 3, the CSA/VDOE Private Educational Outcomes workgroup met to review the draft report to the House Education and Appropriations Committees and the Senate Education and Health and Finance Committees. VBPD and PEATC have been a part of this workgroup and have participated in the dialogue regarding the importance of establishing outcome measures that private day schools funded through the Children's Services Act (CSA) could report to the General Assembly and the public. During this meeting, participating entities were asked to divide into like groups (private schools, public schools, parents –as feasible, and advocacy groups) to submit final comment on the outcome measures that were discussed over a series of four meetings. PEATC and VBPD are the two advocacy organizations included on this workgroup and provide our response below.

VBPD and PEATC recognize that this issue brings forth divergent opinions and passions among the parties involved in this discussion. There was strong disagreement on a number of recommended outcome measures even at the final meeting. VBPD and PEATC believe that the measures, as amended, at the final meeting represent reasonable agreement among the parties. We appreciate the work that was completed outside of the regular workgroup meetings by VCASE, VCOPPA, and VAISEF to develop indicators that could serve as the foundation for additional discussion.

What is clear, is that private schools should be required to report outcome measures that assess student progress just as public schools report these measures. Outcome measures will provide a level of accountability and transparency that does not currently exist in any standardized manner. At present, it is impossible for parents to evaluate private schools by looking at test scores, diploma options, graduation or drop-out rates, or other measures reported by our public schools, because such reporting is not required. While it is admirable that some private schools do a good job at collecting data, comparison between schools is not possible. In this scenario, parents don't know what they are "buying" regardless of what entity is paying for the placement; nor does the General Assembly know whether the money being expended to support children in these private day programs is resulting in positive student outcomes.

It is critical that high expectations be set for students with disabilities, including those with the challenges that have resulted in their placement into a private day school. VBPD and PEATC are both gratified that the OCS/DOE agreed to change the first outcome measure recommended – graduation rates. The original outcome measure simply required reporting the percentage of students who receive a GED or state recognized diploma in accordance with the IEP. It was agreed following discussion, that the measure be changed to require that schools report the percentage of students who receive each diploma type (Standard, Advanced, Applied Studies, and GED) as well as certificates. This change is critical to ensuring that parents know if their child is being sent to a school that does not have a curriculum that would enable the student to obtain a Standard or Advanced Studies diploma versus an Applied Studies Diploma or Certificate. This is not a value judgment on any private school, simply an important information point for families to know in advance of enrollment. It was surprising to learn during one of the workgroup presentations, about the high percentage of students leaving private day programs with an Applied Studies Diploma vs. a Standard or Advanced Studies diploma, based on data provided voluntarily from some private schools. While it may be reasonable that some students with significant intellectual or other cognitive disabilities may not be on a standard diploma track, private day schools serve significant numbers of students with emotional or other disabilities that would not preclude their achieving a Standard Diploma if the private schools have the capacity to deliver coursework required for a Standard or Advanced Diploma. Students in private day schools should have equal opportunity to earn a high school diploma if that is the decision of the IEP team.

VBPD and PEATC support the remaining 7 outcome measures as written. Discussion over Outcome Measure 3, attendance, was clarified by VDOE, which indicated that the state accreditation system related to attendance must be used. This followed a question on what constituted attendance and that it may be different in different schools. VBPD and PEATC support the standard that “in attendance” means you are in school receiving instruction. Mitigated absences are still absences.

VBPD and PEATC support the additional outcome measure proposed to obtain not only parent satisfaction but also student satisfaction. This recommendation was made by a student during public comment. It is acknowledged that this may be more challenging with some students but it was confirmed by VDOE that it can be done and we appreciate the support of the private schools to adding this outcome measure.

With respect to Outcome Measure 8, VBPD and PEATC reaffirm that this measure should be divided as to type of post-secondary transition activity, consistent with Indicator 14 a, b, and c for the public schools. Office of Children’s Service staff indicated during the meeting that this would be done.

VBPD and PEATC agree with a number of workgroup members that an outcome measure on seclusion and restraint should be added. Although the public school regulations governing seclusion and restraint have not been finalized, there are already regulations governing seclusion and restraint in the private schools. Parents and sending public schools should have the opportunity to determine whether a private school utilizes seclusion and restraint in its program and to what extent vs. utilizing other strategies such as positive behavioral supports.

VBPD and PEATC hope that the General Assembly will act on these recommendations and require the implementation of these and/or other measures that they deem appropriate. If implemented, we believe that a mechanism should be put into place for an ongoing analysis of the data being reported to ensure that it is accurate and consistent and available to the public.

As a final note, VBPD and PEATC were both surprised to learn through this workgroup that there are numerous private schools receiving CSA dollars that are not accredited- the figure provided was over 70. We believe that programs receiving state dollars should not only be licensed, but should also be accredited as are the Commonwealth’s public schools. Non-accredited public schools must work towards full accreditation and in some instances submit corrective action plans to remediate deficiencies. This information is reported to the public. We believe that the same standard should be in place for other school settings that accept public dollars and recommend further review of this issue.

Thank you for the opportunity to participate in this important workgroup.



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October 12, 2018

Ms. Kristi Schabo, M.Ed.
Program Consultant
Office of Children's Services
1604 Santa Rosa Road, Suite 137
Richmond, VA 23229

Dear Ms. Schabo:

Thank you for the opportunity to provide comments on the draft report on outcome measures for students' progress in private day educational placements. We appreciate the chance to participate in the workgroup considering this issue, and we are supportive of the measures recommended in the report as potentially useful metrics of student progress.

We support the development of outcome measures as an important element of transparency in the use of public dollars. Private day placements funded through the Children's Services Act require a significant investment of local funds, and we believe it is important to demonstrate our stewardship of taxpayer dollars by documenting the return on these investments. We recognize that private day schools play an important role in serving children with high-level needs, and we expect that the outcome measures will enable IEP teams and parents to make informed choices about placements that suit the individual needs of students, a view that was also voiced by many parents who made public comments during the course of the workgroup.

We generally support the particular metrics that are included in the report, and would offer a few suggestions for your consideration for possible refinements of the recommended measures. With respect to the attendance measures, it would be beneficial to differentiate between excused and unexcused absences; attendance policies (which are sometimes set by local school divisions) may have significant financial repercussions to a local CSA budget if a child is out for an extended period but the CSA office must continue to make payments in order to maintain the child's "slot" at the school. Reporting absences in accordance with a uniform definition provided by the Department of Education would provide consistency in this metric.

Secondly, we would encourage you to maintain the report's overall orientation toward use of data that are already collected in some fashion, so as to minimize the costs of data collection to providers and to local school divisions. Lastly, the CSA coordinators participating on the workgroup would like to register their support for the implementation of requirements to report

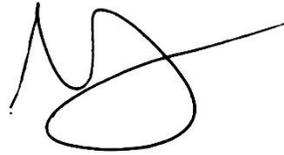
uses of seclusion and restraint once state regulations for similar reporting by public schools take effect.

We appreciate your consideration of our views and look forward to continuing to work with you and your colleagues on these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Lynch". The letters are cursive and somewhat stylized.

Dean Lynch
VACo Executive Director

A handwritten signature in black ink, appearing to read "Michelle Gowdy". The signature is very stylized, with a large loop and a long horizontal stroke extending to the right.

Michelle Gowdy
VML Executive Director

Virginia Association of Independent Schools (VAIS) Response to the
Private Day Education Outcomes Report

The Virginia Association of Independent School is a nonprofit membership association that provides services to 95 independent private schools across Virginia. VAIS is the leader in advancing and advocating for independent school education in Virginia. VAIS was invited by the Virginia Department of Education to be a part of the Private Day Education Outcomes Workgroup, and we are appreciative of the opportunity to represent our schools that would be affected by the workgroup's report.

One of the services that VAIS provides is a rigorous accreditation process that is recognized and approved by the Virginia State Board of Education and the International Council Advancing Independent School Accreditation (ICAISA). The VAIS accreditation process is deliberative, reflective, and continuous. The process of accreditation is based on regular, professional peer assessment of the degree to which the school supports its stated mission in a thoughtful, sustainable, and responsible manner.

As an accrediting body, VAIS sees the importance of tracking outcomes, as we see continuous school and student improvement as beneficial to our member schools. Outcome measures ensure progress is being made in many areas, and we applaud the thoughtful work of the group in identifying 8 possible outcome measures.

While we are supportive of tracking outcomes, we want to ensure that the outcome measures are fair to all schools and students. We were pleased to support the requirement that so many of the outcomes would be based on the individual needs of the student as outlined in their IEP. Our schools already track individual student success through IEP goals and ensure that the IEP is continuously reviewed, as required by regulations, to encourage the most appropriate outcomes for the student. For the VAIS schools affected by this work, some of the outcome measures may not be a fair representation of the work happening in each of these schools. The population of students that would be tracked is so small that it would be statistically insignificant, and there is a risk of skewed data. For example, one of our schools only has 4 students who have been identified with a disability through the eligibility process and placed at the school by the LEA's IEP team. For outcome measure 6, Parent Satisfaction, that school could see a 25% dissatisfaction rate if one parent was unhappy with the school. That is an unfair representation of the school as they actually serve over 150 students.

There is also concern that adding extra data collection will cause an undue burden on the small staffs of these schools. Our schools are already tracking meaningful data, and while the work group identified outcome measures, it's still unclear who will be responsible for collecting and sharing this data. We do not want data collection to detract from the important, mission-oriented work of educating students.

As was brought up at different meetings, school accreditation is an important litmus test for the work schools are doing. The purpose of accreditation is to ensure schools are living out their mission as they serve their students and families. VAIS schools meet eleven standards that cover a range of topics including community of the school, instruction and program, and health and safety. These standards and the work of accreditation and self-study allows schools to be reviewed on a regular basis to ensure students are being well served.

We encourage the committees to see that while outcome measures are important, there is not one set of measures that will successfully capture the work that is being accomplished in these schools. Students who are placed at an independent school, either by parents or by LEAs, are given the tools they will need to be successful not only at school, but also after graduation as they become contributing members of the community.

Below is a statement from 4 of the 5 parents who participated in the workgroup. The 5th parent, Mr. Campbell preferred to submit his own statement.

As parents of students with disabilities who attend private day schools, we appreciate the opportunity to participate in the workgroup. We believe the draft report represents a compromise between all of the constituencies represented on the workgroup. Our key objective in looking at school outcomes is that they demonstrate student progress and growth over time at a level appropriate for the individual student. It is important to us that any outcomes be measured against a student's IEP, rather than some other arbitrary benchmark. Our support of the proposed outcome measures is predicated upon the repeated statements from state and local officials serving on the workgroup that the outcomes are intended to promote transparency rather than to support changes to the current CSA/FAPT funding methodology.

Sarah Ratner
Todd Ratner
Monica Yullari
Jocelynn Helmbrecht

3433 Cabra Rd.
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(804) 598-9737

October 12th, 2018

VIA Electronic Mail

Scott Reiner
Director, Office of Children's Services
1604 Santa Rosa Road, Suite 137
Richmond, VA 23229

Re: Response to Private Day Educational Outcomes

Mr. Reiner,

During the workgroup meeting on October 3rd, 2018, you indicated a desire to receive parental feedback regarding the proposed educational outcomes that should be reported by private day placements. I was recently contacted by one of the other parents who indicated that I should provide my own feedback, given that we have highly differing views and expectations for our children. Therefore, I would like to provide the following feedback by each Outcome Measure.

Outcome Measure 1: Graduation Rates

I agree that this measure is important and should be included. This measure should be measured as percentages for each school. They should include the same diploma/certificate types as outlined by the Virginia Department of Education's (VDOE) Federal Graduation Indicator (FGI) Detail Report and is generated on an individual school basis. This report includes the following:

- A. Advanced Studies Diploma
- B. IB Diploma
- C. Standard Diploma
- D. Modified Standard Diploma
- E. Special Diploma
- F. General Achievement Diploma
- G. GED
- H. Individual Student Alternative Education Plan
- I. Certificate of Completion

This report is generated in the Cohort Graduation Application found in VDOE's SSWS portal.

Outcome Measure 2: Individual Student Assessment Results

I agree with this measure as written.

Outcome Measure 3: Attendance

I agree with this measure; however, I would align the definition of chronic absenteeism to the definition defined by the Virginia Administrative Code. According to 8VAC20-131-380(F)(1)(h):

Chronically absent students are defined as those who are enrolled in a given school who miss 10% or more of the school year, regardless of reason.

Although the absentee may be higher (due to doctor visits, etc.), the public would still have one common definition of absence.

Outcome Measure 4: Return to Public School Setting

I agree with this measure as written.

Outcome Measure 5: Suspension/Expulsion

I agree with this measure; however, I would align reporting suspensions and expulsions as defined by the Code of Virginia (CoV). According to 22.1-279.3:1, certain incidents must be reported. Rather than focus on suspensions greater than 10 days, I would report the number of incidents as required by the CoV by the number of incidents, not the number of suspensions/expulsions greater than 10 days.

Outcome Measure 6: Parent Satisfaction

I agree that this measure should include parent satisfaction results. This outcome should also contain the results of the Student School Climate Survey. The Virginia Board of Education directed the VDOE to develop a climate survey for students in grades 4 through 12 (see <http://www.doe.virginia.gov/support/school-climate/index.shtml>). Where appropriate, students in private day settings should also be surveyed and these results should be included with this particular outcome measure. Student voice was mentioned by State-level advocacy organizations and it is vital for the success of any educational program.

Outcome Measure 7: Standardized Test Scores

I agree that the participation and proficiency rates for math and reading should be reported. Additionally, science participation and proficiency rates should be included as well. According to 8VAC20-131-380(F)(1)(c):

Academic achievement indicator for all students for science: the academic indicator shall be calculated based on the rate of students who passed board-approved assessments.

Science performance is required by the Every Student Succeeds Act (ESSA) and should also be included in this outcome to establish reporting consistency.

Outcome Measure 8: Post-Secondary Transition

I agree with this measure as written.

Other Indicators to Include

1. Restraint and Seclusion

It is imperative to include an outcome measure that reports the number of incidents involving the use of restraint and seclusion. As mentioned by other parents and in the written comments from the Arc of Virginia, this data point is important for all parents. I believe this data point is the most important data point over all of the others.

As a parent, whenever my family toured a private day school, one of the very first questions we always asked regarded the school's policies for the use of restraint and seclusion. Given that my son was subjected to numerous counts of restraint and seclusion without our knowledge, I would want to know the frequency of use by the school. Also, Virginia Administrative Code, 8VAC20-671-660(B)(11), requires private day schools to report incidents involving the use of restraint and seclusion. 8VAC20-671-660(B)(11) states:

Schools shall collect and annually report to the department the number of times restraint and seclusion were used during the school year. The data shall be disaggregated by students and number of occurrences

Public schools are also required to report these incidents for the Civil Rights Data Collection as mandated by 20 U.S.C. 3413(c)(1). Therefore, these incidents should be made publicly available.

2. Per Pupil Cost

As a tax payer, I would like to know the average yearly cost to taxpayers for a student placed in a private day setting and paid for with fund from the Children's Services Act. This would be another outcome measure to help the public understand the costs and benefits for utilizing private day placements. Public schools must report per pupil expenditures on an annual basis per ESSA. See:

http://www.doe.virginia.gov/administrators/superintendents_memos/2018/086-18.shtml

This requirement is an effort to increase fiscal transparency. Schools receiving State/public funding should also have to report their per pupil expenditures as well.

Thank you for allowing the opportunity to participate in the workgroup. Please let me know when this report is being publicly reported to the Chairman of the House Education and Appropriations Committees and the Senate Educational and Health and Finance Committees.



M. Sean Campbell