

REPORT TO THE OFFICE OF CHILDREN'S SERVICES



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BACKGROUND

During the 2023 and 2024 General Assembly Special Session I, the Virginia Budget Bill was revised to allocate \$100,000 for the Office of Children’s Services to contract with the Virginia Department of Education Department of Special Populations and Board Operations to include a review of private day placement decisions in localities with higher-than-average placements of students and to provide recommendations to local education agencies (LEAs). This summary report presents the findings and recommendations based on the activities conducted as a part of this review.

REVIEW ACTIVITIES

The VDOE, in collaboration with the Virginia Commonwealth University’s Rehabilitation Research and Training Center (VCU-RRTC), conducted a comprehensive review of private day placement data and decision-making processes. This involved secondary data analysis and twelve information-gathering sessions across the Commonwealth. The sessions were conducted separately for each group, involving staff from LEAs that were both above and below the statewide average of private day placements.

KEY FINDINGS

1. Student Populations:

- a. Although private day placement data shows a stable trend over the past six years for all disability categories, placement for students identified with Autism, Other Health Impairment, and Emotional Disability have increased by 28%. These three disability categories comprise the highest percentage of students served in a private day setting (59%).
- b. The LEAs reported that students who require private day placement have intensive support needs that have exhausted school and division resources, including behaviors that pose safety risks to themselves or others.
- c. The LEAs strive to serve these students within public schools by increasing staffing, providing special education and related services, and collaborating with outside agencies.

2. Challenges for LEAs:

- a. The LEAs reported that high staff turnover rates, lack of personnel to support the intensification of student services, and insufficient continuum placement options are challenges they continue to face in their efforts to serve students within public schools.

- b. The LEAs identified that current funding is available for providing instructional services to students with intensive support needs, but parameters around the use of funds can restrict LEAs in establishing and maintaining necessary services.

3. Facilitators:

- a. **Established division-level continuum options.** The LEAs who reported established continuum options are able to intensify services for students with intensive support needs within comprehensive public schools for varying amounts of time, which is successful in keeping students in public schools and serves as a continuum option for students awaiting a private placement.
- b. **Positive relationships with private day placements.** During information-gathering sessions, LEAs indicated that positive working relationships with private day agencies are critical in ensuring that students with intensive support needs and their families receive high-quality instructional experiences to support the transition back into comprehensive public schools and the school community.
- c. **Strong family-school partnerships.** The LEAs recounted that positive family-school relationships allow creative, individualized planning and scheduling to support the student's best interests to increase inclusive opportunities within comprehensive public schools.

4. Barriers:

- a. **Complexity in accessing funding.** The LEAs described varying access for use of funding for Students with Intensive Support Needs, given the extensive application process and the formula calculation mechanism. In some cases, small divisions with above-average private day placement percentages are not completing applications to access funding for Students with Intensive Support Needs due to composite index constraints, despite participation in regional mutual agreements with neighboring LEAs. Further, some larger divisions are using local funds to establish separate public programming as a preventative continuum option; however, the expansion of these continuum options is cost-prohibitive. Additionally, some students who require intensive support are accessing specialized in-division continuum options but do not meet the established criteria to be eligible to receive these funds. The LEAs consistently indicated the need for flexibility with funding resources, given the complexity of serving students with intensive support needs.
- b. **Insufficient continuum options.** The LEAs identified the need for more financial resources to establish new continuum options and the barriers to accessing neighboring division options already at capacity. The LEAs indicated that preventative use of funding provided through the *Children's Services Act* (CSA) funds could assist with extending their continuum of placement options and assist

divisions when attempts are made to work with other state and local agencies (e.g., Community Service Board, Department of Social Services, and foster care agencies) to support students with intensive support needs and their families.

- c. **Need for increased collaboration between agencies prior to and during private day placement.** The LEAs communicated the need for additional accountability measures for private day placements to ensure high-leverage instructional practices and to provide evidence of intensification of services. It was reported that students in private day placements often could not successfully transition back into the general education curriculum and credit-bearing coursework due to learning gaps that developed while receiving more intensive behavioral support services.

RECOMMENDATIONS FOR LEAS

Based on the analysis of private day placement data and insights gathered through information-gathering sessions, the following activities are recommended to assist LEAs in making informed and effective decisions regarding the placement of students in private day schools.

General Recommendations

In addition to the above recommendations for training and technical assistance to support LEAs, the findings of this year-one review support consideration of the following activities:

1. **Development of Resource Documents:** Create resources to assist Individualized Education Program (IEP) Teams in making data-informed placement decisions and to support collaboration between public and private day schools to monitor student progress.
2. **Administrator and Director Surveys:** Conduct a survey to identify training needs for those supporting students with intensive needs.
3. **Review of Funding for Students with Intensive Support Needs:** Refine the funding formula to enhance flexibility and accessibility for LEAs to access funding reimbursement to support the provision of instructional and direct services to Students with Intensive Support Needs.
4. **Review of CSA Funding:** Refine the CSA funding formula to enhance flexibility and accessibility for LEAs (i.e., expand specialized LEA programming to support the growing needs of students with intensive support needs and utilize CSA funds to preventatively support at-risk students to remain in their home school communities).
5. **Staffing Guidelines Review:** Review special education staffing guidelines and Standards of Quality (SOQ) position requirements to ensure high-quality education and support are being provided to students with intensive needs.
6. **Reassess Above-Average Metric:** Reconsider using various metrics that consider population and context rather than an above-average metric as a sole indicator of private day placement decision making. The current metric can be misleading as it does not

account for natural variation within the data and may be influenced by potential outliers. Consequently, conclusions drawn from this metric may not accurately reflect actual decision-making practices by the LEA.

CONCLUSION

The findings and recommendations from the review indicate a need for improved processes, specialized training, and additional accountability to support LEAs in making informed private day placement decisions. By addressing these areas, LEAs can more effectively serve students with intensive support needs, ensuring they receive the appropriate services within the most supportive environments. These findings and recommendations also highlight the importance of state-level policy, funding, training, and technical assistance considerations to assist LEAs in addressing barriers and implementing recommendations that will better support students with intensive support needs across the Commonwealth.

NEXT STEPS

Based on the findings and recommendations from the review, the VDOE will collaborate with state partners to engage in the following activities to support LEAs' private day placement decision-making:

- **Administrator and Director Surveys:** Develop, disseminate, and manage a survey for administrators, directors of special education, and private day leaders to identify potential training needs.
- **Funding and Resource Development:** Establish a workgroup of state partners, private day leaders, and regional leaders from LEAs to explore funding considerations and draft aligned resources and processes to support decision-making for student placement and return to comprehensive public schools.
- **Support Collaboration:** Outline a how-to partnership video series modeling collaboration and best practices for successfully supporting students while receiving educational services in the private placement setting and successfully transitioning students back into comprehensive public schools.
- **Resource Development:** Draft a considerations document to assist IEP Teams when considering a change in educational placement.