



COMMONWEALTH OF VIRGINIA  
*Virginia Board for People with Disabilities*

**Charles Meacham**  
*Chair*  
**Angela Sadsad**  
*Vice Chair*  
**Stephen Joseph**  
*Secretary*  
**Heidi L. Lawyer**  
*Executive Director*

*Washington Building, Capitol Square  
1100 Bank Street, 7th Floor  
Richmond, Virginia 23219*

804-786-0016 (TTY/Voice)  
1-800-846-4464 (TTY/ Voice)  
804-786-1118 (Fax)  
info@vbpd.virginia.gov  
www.vaboard.org

September 25, 2015

TO: Amy Atkinson, Executive Director  
Virginia Commission on Youth

FROM: Heidi L. Lawyer 

RE: Comment on *Study on the Use of Federal, State, and Local Funds for Private Educational Placements of Students with Disabilities: Year Two Draft Recommendations*

I am writing on behalf of the Virginia Board for People with Disabilities (the Board) to comment on the Draft Advisory Group Study Recommendations related to the above Study. The Board appreciates the opportunity to have served on this Advisory Council. We were not able to attend the final portion of the last Advisory Group meeting during which the recommendations were reviewed and approved. Therefore the Board would like to offer some additional comment in a few areas.

**Finding #1 and Associated Recommendation.** The Board supports this Finding and Recommendation.

**Finding #2 and Associated Recommendation.** "Request that VDOE include in its analysis of regional special education programs other states' funding formulas and policies identified during the course of their study that may be employed in the Commonwealth. VDOE shall also determine the efficacy of Virginia's regional special education programs and assess whether provisions are needed to revise these programs and if these programs should be expanded to other regions of the Commonwealth."

The Board agrees that an analysis of other states' funding formulas and policies would be useful. However, the second sentence of the recommendation is unclear. Furthermore, any consideration of expanding Virginia's regional special education programs must be guided both by student outcomes and by the Individuals with Disabilities Education Act's (IDEA's) mandate

that students with disabilities have the opportunity to receive an education in the least restrictive environment.

It is unclear what “efficacy of Virginia’s regional special education programs” means in the context of this recommendation. What specific outcomes are COY asking VDOE to assess? The Board recommends that any assessment of Virginia’s regional special education programs includes consideration of at least the following: 1) student academic success, 2) post-secondary academic success, 3) post-graduation employment success, and 4) consistency with the tenet of least restrictive environment.

It is also unclear what “provisions” the recommendation refers to that may be needed to “revise” regional special education programs, as well as what end such provisions should aim to achieve. Does this refer to statutory Provisions? Regulatory provisions? School policy provisions? All of the above? Any recommended modifications of these programs should be based on the goal of improving outcomes and conforming to the tenet of least restrictive environment. We recommend consideration of the following wording:

*Request that VDOE include in its analysis of regional special education programs other states’ funding formulas and policies that could be of benefit to the Commonwealth. VDOE shall evaluate the effectiveness of Virginia’s regional special education programs in meeting the educational needs of students with disabilities in the least restrictive environment. On the basis of that evaluation VDOE shall make recommendations as to whether these programs should be discontinued, modified, or expanded to other regions of the Commonwealth. Any modification or expansion of these programs shall be based on improving student outcomes and the tenets of least restrictive environment.*

**Finding # 3 and Associated Recommendations.** Minor grammatical issue. The Utilization and Costs of Private School Placements for Special Education Students has (should be *have*) increased significantly.

Recommendation 1. The Board has no position on this recommendation.

Recommendation 2. The Board supports this recommendation.

Recommendation 3. The Boards supports this recommendation but recommends re-writing to improve clarity.

Recommendation 4. The Board supports this recommendation but recommends rewriting to improve clarity.

**Finding #4 and Associated Recommendation.** The Board supports this recommendation and refers the Commission to its comments on the recommendation associated with Finding # 2.

**Finding #5 and Associated Recommendations.** The Board supports all three recommendations and further strongly recommends that to the maximum extent possible, effectiveness and outcome data mirror the data collected for students with disabilities receiving services under an Individualized Education Program (IEP) in the public school system. Only if data are consistently collected, reported, and analyzed can there be reliable comparison of student outcomes and achievement.

**Finding #6 and Associated Recommendation.** The Board strongly supports this recommendation.

Again, the Board appreciates being involved in this important study and we hope that we can continue to partner with the Commission in future efforts associated with implementing the recommendations go forth.