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RICHMOND TIMES DISPATCH

Proposed special-ed changes opposed

Some fear a plan to revise state regulations would reduce input from parents

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Among proposed changes in special-education regulations:

- eliminating the requirement that short-term objectives be part of a student's individualized educational program
- requiring that only fully competent sign language interpreters are hired for hearing-impaired students
- setting statewide uniform criteria for definitions of several disabilities as opposed to the current practice of each school district setting its own. Education officials hope this will help when students transfer to other school districts.

By OLYMPIA MEOLA

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Parents and their advocates are mobilizing against proposed changes to the state's special-education regulations that they fear would rupture carefully forged working relationships and minimize parental input.

The state Board of Education is revising the state standards in order to comply with federal law. The proposals -- ranging from changing discipline procedures to redefining disabilities -- are aimed at streamlining the extensive special-education policies and aligning them with federal regulations, education officials say.

But it's changes to parental input that are causing the most consternation, including a proposal to allow school officials to determine that a student no longer has a disability and discontinue special-education services without parental consent.

Parents would be able to appeal the decision, starting with a request for re-evaluation and potentially working through layers of dispute resolution with the school.

Virginia's public schools provided special education services to 172,704 students as of December 2006, the most recent count available, according to state education officials.

The state Department of Education has already received about 3,000 comments from parents, teachers and others about the proposed changes.

They include Gov. Timothy M. Kaine, who wrote to the Board of Education that "I do not currently see any circumstances under which I would approve a final regulation reducing parental involvement in these ways."

As board members start a string of public hearings across the state, those who oppose the changes are preparing their arguments. The nearest public comment session to Richmond will take place on May 27 from 6:30 p.m. to 9:30 p.m. at Clover Hill High School, 13900 Hull Street Road in Chesterfield County.

In many cases, schools and parents work hand-in-hand through the often-sensitive process of designing the required individualized educational programs for children with special needs, said Sue Sargeant, a public school speech therapist and an officer with The Arc of Rappahannock, which helps people with intellectual and developmental disabilities.

"What we got was a karate chop right between those two hands holding onto each other," she said of proposed changes. "We want parents to help us out in our decisions as professionals. We want to maintain the current parent partnerships we've built so hard."

Not everyone opposes the changes. The Virginia Council of Administrators of Special Education, a nonprofit professional organization, has urged adoption of the new regulations.

"VCASE supports the federal requirement to 'minimize the number of rules, regulations and policies to which the local education agencies and schools located in the state are subject under the federal statute and regulations'" Susan Clark, VCASE president, wrote to the state board. "The proposed DOE revisions keep to the provisions of federal laws and in rare instances exceed them."

State education officials last amended Virginia's regulations about eight years ago and must now review them to comply with the Individuals with Disabilities Education Improvement Act of 2004. Aligning with the federal mandates secures the state's federal special-education funding, which will total \$273.1 million in 2007-08.

Per federal guidelines, special-education students must have individualized educational programs that spell out their unique needs and goals. Parents would still be part of the team designing those, Pyle said, even if services could be stopped without their consent.

He said Board of Education members will listen to concerns raised through public comment and will likely tweak the draft document before taking action. The regulations then head to Kaine, who can return them to the board if he would like something revisited, Pyle said.

Prince William County resident Matthew McDonald, father of an 8-year-old son with special needs, fears that the new proposals would allow schools to stop some special-education service every year, embroiling parents in potentially lengthy and costly appeals.

He understands, he said, how trimming interaction with parents could make administrators' work easier, but he wishes parents were more deeply involved.

"It's like they're giving the school systems an opportunity to kind of back out," he said.
"To say that you're not going to give us any say of what services you will provide or not,
I just don't think that's fair."

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