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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.

*Virginia's Developmental Disabilities Council*

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 by 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.