

**Policy 2419: Regulations for the Education of Students with Exceptionalities
 Comment Log
 April 10, 2017 to June 12, 2017**

Action Type
 N: No Response - Negative
 NA: Not Accepted + Positive
 A: Accepted o Neutral

Date	Individual/Organization	Comments	Action/ Type	Rationale
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Students First	N/o	
2017-05-04 21:48:02	E Nestor Graduate Student Marshall University Huntington WV	<p>With the revisions to 2419, I am pleased to see the alignment with the DSM-5 and the identification of Intellectual Disabilities. Our rates in WV are significantly higher than other areas. With this shift, students will be more accurately identified and I believe we will see a decline in the states numbers of ID.</p> <p>Also, as a future school psychologist, I am pleased to see the states recognition of practicing school psychologists having the ability to diagnose ADHD in the school setting.</p>	N/+ N/+	
2017-05-05 07:15:13	special education teacher hampshire county wv	This would be a good change if IF it would be enforced. There are special ed classes that are way over the amount listed in this proposed change. How can the limits be enforced!!	A/-	Response 1. As a result of the comments integrated general education classrooms and co-taught classrooms were defined. Integration occurs in general education when students

				<p>with exceptional needs are provided required accommodations (supplementary aids and services). When integrated classrooms are established in the four core academic subjects, i.e. English/language arts, science, social studies and math special education students requiring accommodations must not exceed 30% of the total class enrollment. In co-taught classes in which the general and special educators share instructional responsibilities special education students requiring specially designed instruction (special education) must not exceed 50% of the total classroom enrollment.</p>
2017-05-05 07:57:04	Linda Rockel Special Educator Lincoln County Board of Education Hamlin WV	In education, especially when it concerns special education, our government puts a one size fits all bandage on the students. I have been in education for the last 25 years, and not one student was the same, they are all different in their own way. We need to look closely at the students we teach, and teach to their strengths. Unfortunately, with the drug epidemic, we are going to see more students in the future who have an Individualized Education Plan,	A/-	See Response 1.

		who are in special education with most have more severe issues. Fifty percent allowed in the regular education classroom is totally ridiculous. These students, and all students are our future. Let your heart and brain work together, and lets give them what they deserve in education. All students deserve better than this, because this will affect all students in our education system!		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Concern for Special Ed students with a mental disability. I have served in this population of students for over seventeen years. As it is now, even in the Related Arts classrooms with the general population, our students have a very difficult time. They learn in the self contained classroom,more than you realize. This population of students do have special needs.	N/o	
2017-05-08 09:20:08	Susan Rogers SLP Monongah WV	REMOVE the Developmental Norms charts for articulation and phonological processes.	NA/-	Response 2. Appendices supplement the body of the manual and are not to be adopted as, or considered to be, policy.
2017-05-12 13:54:44	Martha Walker Reading Interventionist Kanawha County South Charleston WV	The student teacher ratio for resource room classrooms should not be increased.	A/- A/-	Response 3. The maximum number of students per instructional period for students with Level 1 Service Needs (resource) was redefined based on grade level K-2 1:6, 3-5 1:8 which ensures the youngest learners get the smallest groups and group numbers go up incrementally to the secondary level of 1:12.

		The percentage of students with IEPs should not be above 20%.		See Response 1.
2017-05-22 10:04:23	Bethany Brannon Special Education teacher Belle Elementary Belle West	It is ridiculous to think these proposed policy changes will be helpful to the school system. In my opinion it is to save money.	N/-	
2017-06-07 08:50:11	Travis Roton Teacher Wood County Schools Parkersburg WV	As an educator that has taught in a classroom with more than 50% Special Education students, I can say it is not fair to any child in the classroom to be in that setting. The struggling students don get the attention they need, the on level students don get pushed to get better, and the above level kids Do not get the challenge they need to stay above level. The teacher always get caught up with the students that are struggling.	A/-	See Response 1.
2017-06-07 09:27:49	Lee An Fragale parent Vienna WV	My family does not agree with this policy except for art, gym, library, and music. My son is 35 now, but we fought this when he was in school. He received the best education a child with disabilities could get!! His education taught him how to be an adult with disabilities. He was taught reading, basic math, writing, how to get along with others, training for a job, and many more daily skills. Brandon is successful as an adult because of his education! He worked independantly for 10 years at Taco Bell until his health required him to quit. He participates in community activites with minimal problems. He helps around the house with prompts, reads basic articles that interest him, signs his own documents which his handwriting still looks like a first grader, but he does it. He knows his address, phone number, and social security number.	A/-	See Response 1.

		<p>When he was in middle school, the BOE insisted he be integrated in algebra of all classes!! He could do basic math only. I told them no way!! Brandon would be a distraction to the teacher and students which was not fair to them! Brandon is very friendly and would want to talk to the regular ed students because the class would not make any sense to him at all! I won my case but without resistance.</p> <p>Brandon was included in music, gym, and library. He thrived in those classes because it did not require his intellectual thinking. He could have fun and socialize with regular ed students and not be a distraction. He even sang a duet in the talent show one year.</p> <p>In conclusion, my husband and I have always been against inclusion except for the classes list above. We wanted Brandon to have the best education for his abilities, and he got it!! We can not say enough about the education Brandon received in school!! He is a successful adult with disabilities because his needs were met. Not the needs of regular education which is totally not appropriate for children and adults with disabilities.</p> <p>Please think of the children with disabilities! They deserve the education they need!! Not the education of a regular ed student. Plus it is not fair to the teacher or students!!</p> <p>Thank you,</p> <p>Lee Ann Fragale</p>		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education	changes are appropriate	N/+	

	Parkersburg WV			
2017-06-07 12:34:13	Rebecca A Simmons Teacher Elkins WV	To increase inclusion classes to hold up to 50% of students with IEPs is insane! At the high school level, classes are already packed with 30+ students. If you take 50% and place IEP students in those spots, we are talking 15+ students on IEP in one class! What will this do to the already overworked teachers when trying to reach students of all abilities? This is ludicrous and should not even be an option.	A/-	See Response 1.
2017-06-07 13:33:17	Tina Hinebaugh Morgantown WV	Reducing staff in the general ed environment for special education students is a horrible thing to do. Inclusion when done properly is wonderful and helps kids tremendously with socialization and academics. Reducing trained special ed staff will hurt all children in the classroom. Safety policies as well as FAPE guidelines can be followed without adequately trained staff. When inclusion is not implemented by adequately trained staff the program receives a bad reputation. Typical children can learn with distraction from the special needs students and parents will complain. Special needs students need a trained staff member supervising them that is familiar with the student and their IEP and BIPs to manage them. If this law is implemented classroom management will become impossible for teachers. Special Ed teaches will become even more difficult to retain. This is a horrible bill. Staffing need to be evaluated based on safety and learning needs of students not just numbers.	A/-	See Response 1.
2017-06-08 13:24:22	STEPHANIE ARDEN FLATWOODS WV	AS THE PARENT OF A CHILD WITH SPECIAL NEEDS, I THINK IT IS IMPERITIVE THAT THE SCHOOL SYSTEM PROVIDE THESE CHILDREN WITH ALL NECESSARY	A/-	See Response 1.

		TEACHERS/THERAPISTS/LEARNING MATERIAL TO HELP THEM ACHIEVE THEIR HIGHEST POTENTIAL - FAILURE TO DO SO IS NOTHING BUT DISCRIMINATORY!!		
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	All students deserve a good education.	N/+	
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	The Mental disability of these students should not be placed in the regular classroom setting. I feel our students welfare is in their regular self contained setting. so they can learn.This population of students are very limited as to what their potentials realistically are. They need so much more time than regular students do to complete an assignment. Please consider these students well being.	NA/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	no changes proposed	N/+	
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Pamphlet in teachers lounge.	N/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Students are people, not numbers. Let us have some common sense.	N/-	
2017-05-05	Susan Basham	-I believe that having no more than 33% of the		See Response 1.

10:28:50	4th grade Teacher Hinton Area Elementary Hinton WV	<p>general education classroom is what is best for not only special education students but as well as regular education students.</p> <p>-As a general educator I notice issues with inclusion with only 33%. Often those students when they come back from a pullout situation have to get on a computer because they just missed an entire reading lesson. Not only for a reading class but for Science and Social Studies when students are not up to grade level reading and they are included in a lesson where there is a lot of reading, often these students feel lost and get frustrated. Having half the class be special education with or without assistance is not only hurting the special ed students it is also hurting the regular education students and the teachers. It is very frustrating having half the class on grade level and then having the rest of the class be at various levels below grade. Also, this is where frustration starts for students who are not getting what they need. This in turn will bring behavior problems so distractions will start and the entire class will be disrupted. This is a horrible idea to have 50% of the class be special ed.</p>	A/-	
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Special Education students especially with a mental disability need to be in a self contained classroom. They need to have their needs met in a way where they can achieve and learn to their ability. In Their classroom setting where they receive that curriculum.	NA/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools	Many students in rural areas do not have an opportunity to learn anywhere other than school. It is of the utmost importance that they receive all the	N/o	

	Birch River WV	attention we can give them, before it is too late.		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	The students with the mental disabilities would not comprehend the assignments therefore frustrating them to where they would shut down altogether and get farther behind. There would also be much distractions where the regular education population students would be harder to focus on their assignments.	NA/-	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	All students deserve free education.	N/o	
2017-05-03 19:50:43	Corinne Scurlock Para-Professional Raleigh Co. B.O.E. Beckley WV	ALL students are entitled to the best public possible. We will not be accomplishing this with these purported changes.	N/-	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-06-07 11:55:44	Shirley Goodfellow Early Childhood Classroom Assistant Teacher Tyler County Friendly WV	Students who are home schooled should NOT be added. Parents are opting out of Free Appropriate Public Education when they choose to reject that public education, even though they pay taxes. They are choosing to take on the responsibility of providing their childrens education, and they should also provide whatever resources their children require. They should not be allowed to become a burden on	N/+	

		the resources of the public education system that they oppose.		
2017-06-07 21:36:41	Leanna Watson Burton WV	Hard to meet the needs of all students with the amounts of special needs in the classroom	N/-	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	<p>Section 2. FAPE Considerations</p> <p>A. District Obligation “ HB2711, which abolished RESAs, passed during the recent legislative session. Should No. 3 be removed from the list of entities which may provide special education programs and services?</p> <p>Section 3. Exceptions to FAPE</p> <p>Please explain the exception which states “Students ages three through five who are eligible under developmental delay, but who receive early intervention services from the West Virginia Birth to Three program.” Chapter 4, Eligibility Criteria for Developmental Delay lists several considerations which indicate districts will provide special education and related services. Children transition from Birth to Three services at age three, and can begin receiving Part B services while two years of age if turning three in the fall of the school year.</p> <p>Please explain how the addition of “Students who are home schooled” to the exception to FAPE conforms with SB 630, which allows students in grades K-12 to participate in a virtual instruction program through a county school system rather than attend classes in a traditional school setting.</p>	<p>A/o</p> <p>A/+</p> <p>NA/o</p>	<p>Response 4.</p> <p>RESAs will cease to exist July 1, 2018, and may continue to provide special education programs and services during 2017-2018 academic year.</p> <p>It is the responsibility of the public agency to serve students when they turn 3 years old.</p> <p>Response 5.</p> <p>SB 630 requires students participating in a virtual instruction program to enroll in public school. Home schooled students are not enrolled in public school and not entitled to FAPE</p>

<p>2017-06-09 16:45:26</p>	<p>Wendy Radcliff Wendy Radcliff, Attorney- at-Law PLLC Charleston West</p>	<p>Section 3. Related to Exemption from FAPE: Home Schooled Children should not specifically be exempted from FAPE. In recent years, many parents have been compelled to remove children from school and hire behavior and education specialists to educate their children when the appropriate services are not provided by the public school. While FAPE may not have as broad of a responsibility to home schooled children, the wholesale exclusion of that category of education is unnecessary and inappropriate.</p>	<p>NA/-</p>	<p>See Response 5.</p>
<p>2017-06-10 10:43:15</p>	<p>Kathy elliott Morgantown Wv</p>	<p>Increasing the percentage of special educations students in the general education setting to 50% in the collaborative classroom will interfere with the learning of the general education students, since the pacing of material will need to be slowed. In addition to this, behavior problems tend to be higher, since students with behavior disorders are included in the class. This will also interfere with the learning of students with disabilities. It is already difficult to teach 8th grade classes which have no cap on the number of students per class. With the shortage of special educators in the building, in order to keep percentages in compliance, more general education students are added to a class that has a high population of students with IEPs causing a large class. I taught a class last year that had 40 students in a room. Much creativity was needed in order to fit the desks in the classroom. In addition to this, allowing 30% of a class to have IEPs in general Ed classes without a co teacher is problematic as well. Much teacher attention is required in order to meet modifications, control behaviors, and ensure that everyone is learning at</p>	<p>A/-</p>	<p>See Response 1.</p>

		<p>the same pacing with understanding.</p> <p>Increasing the number of students with disabilities in classes is not an appropriate educational step to take. The only reason I knew that I had an opportunity to comment on these proposed changes was because I read an article in my local newspaper. Perhaps a better method of asking for input should be considered if you are really interested in what those who are affected think. I respectfully invite you to come into the schools, meet with teachers, get their input, and ask students how they feel about what is happening in their learning environments before making decisions based on numbers instead of actual people.</p>		
2017-06-11 15:18:57	Andy Bird Hurricane WV	Great proposal changing the modified diploma to an alternative diploma and counting those for graduation rates instead of punishing schools who service students on an alternative curriculum.	N/+	
2017-06-12 12:11:11	Christy Black Milton WV	<p>Should RESAs be removed since they no longer exist after July?</p> <p>With the passage of SB 630, How is the virtual instruction program going to work for students with disabilities, in particular cognitive disabilities?</p>	<p>NA/o</p> <p>NA/o</p>	<p>See Response 4.</p> <p>See Response 5.</p>
2017-06-12 13:54:17	Tonya LaFaber Inwood WV	I have concerns about the purpose behind students earning an alternate diploma counting towards graduation rates of schools because under policy 2419, they can stay until the age of 21, meaning they can be in high school for up to seven years and how does that affect graduation rates of the schools when they do not graduate within the traditional four years, that students earning a standard diploma do? These students make up approximately one percent of the school population and should not be included in the graduation rates.	NA/-	<p>Response 6:</p> <p>The definitions of State-defined alternate diploma has been expanded in the glossary to include: be standards-based, be aligned with State requirements for regular diploma and be obtained during FAPE period. Students will be counted in the graduation rate in the</p>

				year in which they graduate.
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate	N/+	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 2 Section 3. Referrals C.5. The Council is pleased to see this addition, which allows parents to review recommendations made by the Student Assistance Team (SAT) and provide feedback.	N/+	
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	<p>â€¢ Section 3(C)(4) This is a positive addition to the responsibilities of the SAT team, as reviewing "individual student needs that have persisted despite being addressed through academic or behavioral supports provides another opportunity to discover workable solutions to address academic or behavioral issues and helps to ensure compliance with the provision of FAPE.</p> <p>â€¢ Section 3(D)(2)(c) Please include accommodations for parents who have difficulty writing. DRWV suggests adding the following language, "When a verbal request for an initial evaluation is made by the parent, they are to be informed that requests must be made in writing. A member of the SAT team shall provide written assistance to parents who may need additional help to complete their request in writing.â€ It would be in the best interest of the district to develop a template for such services.</p>	<p>N/+</p> <p>A/+</p>	<p>Response 7. A member of the SAT must provide written assistance to parents who may need additional help to complete their request in writing.</p>

2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney- at-Law PLLC Charleston West	SAT responsibilities and the inclusion and recognition of 4. Reviews individual students needs that have persisted despite being addressed through academic and/or behavioral supports; and 5. Allow parents to review recommendations made by team regarding the child's program and to provide feedback to the team about those recommendations; are both good additions to this program.	N/+	
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I am pleased with the addition of individual student needs being reviewed (4) and allowing parents to review recommendations made by team regarding the child's program and how to provide feedback to the team about those recommendations. (5)	N/+	
2017-06-12 12:11:11	Christy Black Milton WV	Glad to see that parents are being allowed to be active members in SAT meetings by reviewing recommendations and providing feedback.	N/+	
2017-04-23 16:27:00	Angela Sigmon Graduate Student Marshall University Hurricane WV	Policy 2419, prior to its revision, stated that "evaluations must be provided and administered in the student's native language and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally unless it is not feasible to do so. Attempts to provide a qualified examiner in the student's native language or mode of communication must be documented". However, nothing had been stated about a child who is deaf or hard of hearing. The newest revision of this policy added in this section requiring "a child who is deaf or hard of hearing a comprehensive language assessment in the child's language and communication mode". This would ensure that a child with a hearing impairment would be assessed in a way that would express their best outcomes for performance. This is crucial because the translation	NA/-	The Comprehensive Language Assessment has to be administered in the child's language and communication mode.

		of some questions may give the answer away. This not only invalidates the test, but does not provide an accurate representation of the child's performance.		
2017-04-24 14:00:00	Michael Powell School Psychologist Morgan County Schools Berkeley Springs WV	The Notice of Individual Evaluation/Reevaluation Request should include Mental Status Examination as an area to check and include a description along with the other descriptions. This does not directly involve a change to policy but it does impact the form and the definition of informed consent.	N/o	This is not a change in Policy as indicated by the comment. This may be addressed on the Form when revised.
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Evaluation needs to be done in a more appropriate time frame. Discovering a student has an IQ of 54 in the 4th grade is entirely too late.	N/-	
2017-05-09 09:39:02	Cheryl Bifano Audiologist Resa 7 Clarksburg WV	Functional Listening Evaluation was recently added to the evaluation/reevaluation request form. I have already had several questions regarding if this is the same as auditory processing testing. I am concerned that FLE is going to be marked when CAP is what is wanted. Perhaps under the heading Hearing: audiological evaluation, auditory processing evaluation and FLE should each be a bullet item.	A/+	
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	Although the 80 day timeline is mandated for evaluations, there should be some alternate timeline for evaluating gifted" referrals. It is not uncommon for larger counties to experience a great number of gifted referrals. Given the shortages of school psychologists this added group can easily distract from timelines for suspected SWD	NA/o	Response 8: West Virginia Code § 18-20-1. Establishment of special programs and teaching services for exceptional children and states "provisions shall be made for educating exceptional children (including the handicapped and the gifted)." Gifted students are to be served in grades one

				through eight and students who are exceptional gifted in grades nine through twelve. Each county board of education is mandated to provide gifted education to its students according to guidelines promulgated by the state board and consistent with the provisions of § 18-20-1.
2017-05-23 15:42:24	Allen Sexton Director of Special Education Raleigh County Schools Beckley WV	<p>Within chapter three there appears to be some discrepancy in the number of days and type of notice associated to evaluations.</p> <p>Section 3A discusses a written notice which is complemented in Section 3B by the expectation of a 5 day PWN</p> <p>Section 3C discusses a 10 day expectation and is again complemented in Section 3D with a 10 day PWN</p> <p>Any revisions here may also need reflected in Section 2D - outlining SAT timelines</p>	N/o A/+	<p>Five days is a reasonable time.</p> <p>Change timeline to reflect consistency in number of days. Timelines are aligning within Sections.</p>
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Thank you for adding "Comprehensive Language Assessment..." for child who is deaf or hard of hearing. This is critical for ensuring child's ongoing academic learning.	N/+	

2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate	N/+	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 3 Section 4. Evaluation Procedures A. Areas to Evaluate “ The Council is pleased to see the additional requirement of a comprehensive language assessment for children who are deaf or hard of hearing.	N/+	
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	<p>“ Section 2(A) Add the following language to ensure compliance with 34 CFR Â§ 300.301(e), "The previous district is responsible for providing existing data in a timely manner to the subsequent district, ensuring a written agreement between parent and subsequent district detailing the specific timeline for evaluation, and ensuring progress toward completing the evaluation is made."</p> <p>“ Section 4(A) There has been the following language added, "For a child who is deaf or hard of hearing, a comprehensive language assessment in the child's language and communication mode shall be included in his/her comprehensive evaluation." This language should be moved to Section 4(B)(e) for continuity purposes.</p>	A/+ A/o	Response 9: Written documentation of the agreed upon timeline between parent and district is to be developed. Moved language to section 4(B)(c).
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I am pleased that comprehensive language assessments are being added for children who are deaf or hard of hearing.	N/+	
2017-04-19 10:19:45	Resa 7 Special Education Directors Special Education Directors RESA 7 Clarksburg WV	Please remove gifted eligibility from Policy 2419. Gifted could be included in a multi-tiered support system rather than in special education. Additionally, remove gifted from having the rights to IEEs, as gifted is not federally supported.	NA/-	See Response 8.

2017-04-24 14:00:00	Michael Powell School Psychologist Morgan County Schools Berkeley Springs WV	Other Health Impairment - If there is an exception for a psychologist to diagnose ADHD, why not other mental disorders? We (school psychologists) are including diagnostic impressions in our reports now, so why could we not diagnose a depression or anxiety disorder? Depression and anxiety impact a child's alertness to the educational environment. Also, I fear that requiring physicians diagnosis is setting school systems up to fit the doctors bill.	NA/+	School Psychologist may diagnose Depression and Anxiety and consider other areas of exceptionality.
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	ALL students needing assistance and those who are eligible deserve the most help possible to succeed in life.	N/o	
2017-05-04 10:45:39	Amanda Barbee Ravenswood WV	IQ tests aren't always an accurate measure of intelligence. My son has high functioning autism and needs enrichment/acceleration, particularly in math (scored at 99th percentile in achievement test and 8th grade level at 10 years old.) However, the school system could not offer an IEP for him because his autism wasn't negatively affecting his education, and his IQ score barely missed their requirements for gifted. We tried SAT meetings, and the teachers always said they'd give him harder work, but they never did (several teachers/elementary and middle school). I have to homeschool him in order to meet his educational needs. There needs to be an option listed for those who are obviously gifted, but because of autism (or whatever reason) may not score HIGH enough on the IQ tests.	N/-	
2017-05-05 13:04:51	Lisa Lepsch School Psychologist Barbour County Schools Philippi WV	Remove Gifted from special education eligibility	NA/-	See Response 8.

2017-05-05 22:58:12	Matthew Mullins Student, School Psychology Marshall University Huntington WV	While allowing School Psychologists to diagnose individuals with Attention Deficit Hyperactivity Disorder is an important part of granting eligibility for low-income families who may not have access to psychiatric services, item (1) should be aligned to the DSM (currently DSM-5) criteria for ADHD in State Law as well as in guidelines for practicing School Psychologists through their associations (state and national).	NA/+	ADHD falls under OHI in Policy 2419. Diagnostic criteria is not listed for conditions fully under OHI.
2017-05-05 22:58:48	Matthew Mullins Student, School Psychology Marshall University Huntington WV	Under the eligibility category of Autism, the majority of the DSM-V diagnostic criteria is used (relatively verbatim). However, the section that reads "Note: Individuals with a well-established DSM-IV diagnosis" under section 5 should be placed under section 1 of eligibility criteria for Autism Spectrum Disorder, below (1)(e). This may help alleviate confusion about the diagnosis of autism when educational performance due to behavioral concerns are present.	NA/-	This note is considered to be in the appropriate location on the criteria.
2017-05-08 11:17:58	Stephanie Biafore Speech Language Pathologist Marion County Schools Fairmont WV	REMOVE the Developmental Norms charts for articulation and phonological processes to determine eligibility for Speech Therapy. These charts do not follow the developmental norms we use to determine eligibility.	NA/o	See Response 2.
2017-05-15 08:31:37	Robyn Addie Morgantown WV	With regard to "Replaced requirement of a 4 year plan to be completed for students who are gifted in grades 9-12 with the Personalized Education Plan (PEP)." These four year plans are critical for Gifted students to receive the additional support needed at high school. High school counselors who complete the PEP with 500 or more students are overloaded and can provide individual guidance to these gifted students. It is the responsibility of the person or persons completing the four year plan to discuss their	NA/-	Response 10: If a gifted student in grades nine through twelve is not eligible as exceptional gifted, the IEP Team must develop a plan. The Personalized Education Plan (PEP) and Four Year Education Plan serve the same purpose by appropriately addressing the

		<p>classes, college plans, and future goals. On many occasions, it is the person completing the 4 year plan that encourages students to take more Advanced and Honors classes, opens the students eyes to the possibility of secondary schools that they hand considered, and persuades them to reach for their goals. It is also this persons responsibility to notice and report any gifted student whose grades are dropping in order to call a SAT meeting to consider a 504 or Exceptional Gifted. An overwhelmed guidance counselor rarely notices that a student identified as "gifted" is no longer performing well relative to his/her intellectual ability. The four year plans are critical for gifted students to receive individual guidance with regard to their classes, college plans, and future goals. Please give these students the additional guidance they need to reach their full potential with the use of a four year plan.</p>		<p>student's needs and include courses through the senior year, which are agreed to by the school, parent and student. The implementation and annual review of this plan are required of the district.</p>
<p>2017-05-16 08:38:57</p>	<p>Heidi Patton Mountaineer Middle School Morgantown West</p>	<p>With regard to "Replaced requirement of a 4 year plan to be completed for students who are gifted in grades 9-12 with the Personalized Education Plan (PEP)." These four year plans are critical for Gifted students to receive the additional support needed at high school. High school counselors who complete the PEP with 500 or more students are overloaded and can provide individual guidance to these gifted students. It is the responsibility of the person or persons completing the four year plan to discuss their classes, college plans, and future goals. On many occasions, it is the person completing the 4 year plan that encourages students to take more Advanced and Honors classes, opens the students eyes to the possibility of secondary schools that they hand considered, and persuades them to reach for their</p>	<p>NA/-</p>	<p>Response 10:</p>

		goals. It is also this persons responsibility to notice and report any gifted student whose grades are dropping in order to call a SAT meeting to consider a 504 or Exceptional Gifted. An overwhelmed guidance counselor rarely notices that a student identified as "gifted" is no longer performing well relative to his/her intellectual ability. The four year plans are critical for gifted students to receive Individual guidance with regard to their classes, college plans, and future goals. Please give these students the additional guidance they need to reach their full potential with the use of a four year plan.		
2017-05-16 12:00:01	Kaylee Dillon Exceptional Educator Putnam County Schools Winfield West	I do not think that the school psychologist should be allowed to diagnose students with ADHD. I think that the student should be evaluated by a doctor.	NA/-	School Psychologists are trained to do so. Medicaid and surrounding states allow for this.
2017-05-19 08:58:21	Miranda Wilson School Psychologist Wood County Schools Parkersburg WV	As a school psychologist, I believe that we are more than trained to make the educational diagnosis of ADHD. We have such limited mental health resources. This will be extremely beneficial to our students to help them get the assistance they need. We need to make it clear that this can also work for a 504 Plan as well. Thank you for listening.	N/+	School Psychologists can make the educational diagnosis for ADHD when considering a 504 Plan.
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	WVDE may need to reconsider the placement of "gifted" population within the SE realm. Given the move to MTSS it appears that "gifted" may better be suited programming advisement in a curriculum policy	NA/-	See Response 8.
2017-06-01 09:30:07	Michelle Gorby Principal Braxton County Schools Sutton WV	I do not think that the school psychologist should diagnose ADHD. An ADHD diagnosis also makes a child eligible for SSI. We have too many parents that this is their only interest. The pay check. I fear that this will put the education system at odds with the medical providers and other agencies.	NA/-	School Psychologists are trained to do so. Medicaid and surrounding states allow for this.

2017-06-01 13:29:10	Jami Hefner Special Education Teacher Braxton County High School Sutton WV	I firmly believe allowing school psychologists to diagnose ADHD would be detrimental. I wholeheartedly believe an ADHD diagnosis needs to be made by a medical professional. I feel as though the liability of a school psychologist diagnosis may prove to be more harmful than beneficial for the child as well as the school district.	N/+	School Psychologists are trained to do so. Medicaid and surrounding states allow for this.
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate	N/+	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 4 Section 3. State Eligibility Criteria G. Gifted, Special Considerations #3. Please explain this addition, which states that a student who meets the eligibility criteria for both gifted or exceptional gifted and a disability shall have disability as the primary exceptionality. Parent Notice Requirements “ The definition of Multi-Tiered Systems of Supports (MTSS) given indicates it is for all students. Why then, does the Parent Notice Requirements begin with “œlf a student participates in the MTSS process?œ” Are all students included in the MTSS, or only those suspected of needing special education services?	N/o N/o	Response 11: For federal reporting purposes the disability is the primary exceptionality . This requirement accurately reflects the disabled population. Students who are twice exceptional will continue to receive gifted services addressed through the IEP.
2017-06-09 13:17:30	Lynn Bayle Director of Sp. Ed. Mercer County board of Ed. Princeton wv	I feel that a statement needs to be entered on number 7, Chapter 4, page 25, under eligibility criteria for Developmentally Delayed special considerations. Perhaps a statement about a student that reaches age six using the December 1 count as a cutoff for remaining in pre-k. For example, if a student is age five and will turn six in September, that child should be placed in a kindergarten setting prior	NA/-	Under special consideration #7 the explanation is adequate for the policy.

		to the school year beginning. This situation is left too vague in the policy. It states that a six year old can be identified as DD, but another exceptionality such as moderate is not acceptable by the federal government in Pre-k and will be red flagged.		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	â€¢ Section 3(G) For clarity, the following section should be added to the bottom of Section 3(G): Special Considerations, "Although, a student should still be identified as gifted or exceptional in the IEP as to ensure documentation of the impact of the giftedness on the students educational performance.	A/+	See Response 11.
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	"3. There are students who may have exceptional intellectual ability and be disabled. If a student meets the eligibility criteria for both gifted or exceptional gifted and a disability, the disability shall be the primary exceptionality" This provision is problematic and does not consider an individual education plan. There may be some children where the exceptionally gifted diagnosis or determination may relate and cause impairment in other areas. Courses classified as and may include Honors, Dual Credit, Advanced Placement (AP) and/or International Baccalaureate (IB) classes are to be indicated on the PEP. that must be provided for the student in grades 9-12. Removal of the requirement to provide advanced placement course and IB classes is a weakening of the gifted program. The change should be reversed and leave the requirement that it programs must be provided and available. That does not require a child to take advantage of it, but they must have the opportunity.	N/o	See Response 11. All courses are not required to be offered by all schools.

		<p>the district already. We additionally believe this will provide more access to services for certain students whose parents/districts are currently unable to access medical care. The one drawback noted here is that a medical visit does provide an important point of contact for families for psychopharmacological intervention, which are found effective for a subgroup of students with ADHD. Schools will have to continue to encourage collaboration and consultation with medical providers.</p> <p>C) For the gifted category, we have had school psychologists request the matrix (described in the historically underrepresented category) be included in the appendix of 2419, as it was in prior years.</p> <p>D) Preschool Developmental Delay - We would like WVDE to begin considering expanding the age range for developmental delay from 3-5 to 3-8 years 11 months. Expansion of the PS Development Delay category could provide a more seamless transition for children whose special education services are discontinued immediately before age 5 but later requalify in grades Kindergarten or first under the SLD or OHI category. The age expansion could additionally expand services to the group of children who are increasingly experiencing executive functioning and behavioral difficulties in preK and early elementary. While we understand certification is involved and this would be a complex move, children could benefit greatly from such an expansion.</p>	<p>NA/-</p> <p>NA/-</p>	<p>Criteria for historically underrepresented gifted students is in the gifted eligibility. LEAs can determine a matrix at their discretion.</p> <p>Based on Federal Legislation LEAs have the decision to implement the expanded definition. WV has chosen not to do so because it would allow for fragmented service and WV would need to develop a certification for DD up to age 8.</p>
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2017-06-12 15:49:12	Bev Nichols Director of Special Education Clay County Schools Clay WV	1. We need a State definition of “students with the most significant cognitive disabilities.” 2. We need State requirements for a modified/alternate diploma and the wording that will appear on the diploma.	A/+ A/+	See Response 12. See Response 6.
2017-04-23 16:27:00	Angela Sigmon Graduate Student Marshall University Hurricane WV	The revision of policy 2419 takes into account the needs of students with hearing impairments, and addresses the issues appropriately. Under chapter five, the revision added “if the student who is deaf or hard of hearing does not demonstrate progress in expressive or receptive language skills as measured through an appropriate assessment tool, the IEP Team must explain the reasons for the lack of progress in meeting the language milestones or progressing towards them and recommend specific strategies, services and programs that will track the child’s success towards English literacy”. This revision really takes into consideration the possibility of a severe impact on literacy to those children who are hearing impaired. Furthermore, the revision specifically states that the IEP Team must explain the reason for lack of progress as well as recommending specific strategies that track the individual’s success, holding them more accountable for the student’s progression. Since the population of students with hearing impairments is so low, their needs can often be unintentionally overlooked. This revision is great in providing essential reminders to educators about these children.	N/+	
2017-04-24 11:25:19	Linda McCallister Teacher of Gifted Putnam Co. Schools Winfield WV	Gifted iep’s do not need to be written yearly. Every three years would be sufficient. Our programs are, for the most part, project and research driven, and while each year brings new curriculum topics, goals written for projects and research cover our	NA/-	See Response 8.

		curriculum very well. In addition, our students generally excel at these goals. Progress reports should be given each semester rather than each quarter. Because teachers develop the curriculum, teacher time would be better spent utilizing the time now spent writing iep's and doing progress reports on the development of curriculum.		
2017-05-03 07:42:32	Bethany Brannon Special Education teacher Belle Elementary Belle West	Proposed policies would be taking the I out of IEP, individualized. You are setting up students both special ed and gen. to fail. The goals of the special ed student would not be able to be met and the gen. ed students would be held back by the lack of enrichment.	A/-	See Response 1.
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	For those students who need an IEP, it is of the utmost importance to receive it in the early years of their educational and emotional development.	N/o	
2017-05-03 09:49:58	Karen Breeden Our Little Jewels in the Rough Moorefield WV	There needs to be a more defining regulations for the One on One Aides/Personal Assistants. School districts should not be able to remove these personnel simply because the child is changing from Elementary to Intermediate school, budget, or staffing requirements. A good number of our Special Needs kids are having their Aides removed and are being placed with a person who will be supervising multiple(sometime 3 or 4) Special Needs Children. They are not considering the childs needs when making these decisions. The childrens needs and IEPs are being ignored for what the school wants. This opens up the possibility for a child to be placed in an unsafe environment, and not a situation suited to learning. Therefore I think there needs to be a defining	NA/-	Personnel decisions are made at the local level.

		<p>explanation/policy that will enable the Aides to remain with the child in their care until such time as a)the child no longer needs said Aide, b)the child moves from the district or is removed from the school system, or c)the Aide decides to remove themselves. There are many children who can not handle the change of a new school along with the change of a new/removal of an Aide all at the same time. If the person who is supervising has other Special Needs children at the same time, then who is going to be left behind. Who will decide which child suffers. Which child/children will not get the education that is their right. This sets the child up for failure. That is against Federal policy and should never be allowed.</p> <p>As these persons are hired as Service Personnel, the school districts move them around according to what they feel their needs are not the needs of the child. I am asking that you please help our children and add/amend any policies dealing with One on One supervision/Personal Aides so that there is smooth transitions from year to year/school to school.</p>		
2017-05-03 19:50:43	Corinne Scurlock Para-Professional Raleigh Co. B.O.E. Beckley WV	When you put to many children with IEP requirements in any classroom no one is able to be educated, we do our students an injustice and deprive them of the oppertunity to be educated properly.	A/-	See Response 1.
2017-05-05 10:58:35	Karen Bollinger Teacher Hinton Area Elementary School Hinton WV	I am concerned about the number of special education students allowed to be placed in a regular education classroom. These students require much more individual attention, one on one instruction, closer monitoring and paperwork. I believe the % of special education students in a special education	A/-	See Response 1.

		<p>room should remain the same. It should not be increased to 50%. That is way too many.</p> <p>Also, I believe the number of students in a resource room should remain at 6. Again, these students require individual attention from the teacher. That can be done more efficiently with a lower number.</p>	A/-	See Response 3.
2017-05-08 09:29:41	Erin M Robinson Teacher and Parent Parkersburg West	Increasing the number of students in a pull out room is a horrible idea. Special Education teachers already have enough students with the cap being 6. We are talking about students that have an increased need for instruction that individualized and need as much one-on-one attention as possible. By increasing the number of students to 8, we will be decreasing the amount of attention the teacher will be able to provide for these students!	A/-	See Response 3.
2017-05-16 12:00:01	Kaylee Dillon Exceptional Educator Putnam County Schools Winfield West	Level 1 should not be increased to 8 students. If we want to give our students an INDIVIDUAL EDUCATION, then we need smaller classroom numbers! With the rising number of students who qualify under OHI because of ADHD, it is very hard to services students with an INDIVIDUAL education, adapted to them! Students are in these environments because they NEED HELP. More students will result in less help and more busy work.	A/-	See Response 3.
2017-05-31 14:11:11	Andrea Henderson Special Education Teacher Mason County Schools Point Pleasant WV	Student levels are optional for counties to use. However, leveling a student determines class size and ultimately determines students individualized instruction. For instance, I have a classroom of moderate level students. In my program, I have 5 who are more capable of reading and learning math. However, at times, their education suffers because there are 3 other students who often require 2 adults	NA/o	

		to keep them and the other children safe. Student intellectual and functional severity should be taken into account when determining class size. It is easy to educate 12 students who are able to sit and listen or follow directions without physical prompting. However it is impossible to educate 12 students well when several need constant physical prompting to complete all tasks.		
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Thank you for including: If student does not demonstrate "language progresstowards English literacy". Essential for ensuring child's academic learning.	N/+	
2017-06-06 19:19:09	Courtney Dolin Teacher PCS Hurricane WV	Something has to be done to ease the burden of these special ed teachers. These are too tedious and time consuming the way they are written currently and we need to retain our great teachers instead of losing them to positions that don't require so much paper work.	N/-	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate	N+	
2017-06-07 11:41:36	Robert G. Bartlett Director of Special Education RESA 1 Beckley WV	In chapter 5, Section F.- Transition Services, current language states that : "Beginning with the first IEP to be in effect when a student is sixteen years old....." I would propose that this age be lowered to fourteen years old. If a target or focus for college or career is established at the younger age, proper planning with involvement of all applicable players can take place and a student mindset of looking toward the future can be nurtured.	A/+	Response 13: Policy was revised to include transition services on IEP of fifteen year old students by July 1, 2018, and on IEP of fourteen year old students by July 1, 2019.

<p>2017-06-07 20:34:17</p>	<p>Charles & Dana Sine Capon Bridge WV</p>	<p>Supplementary Aids, Services/Program Modifications (accommodations) in the Special Education Environment should be documented on the IEP for accountability purposes.</p> <p>When consensus regarding an IEP decision can be reached, the district should have to cite specific cause and reason for refusal on the PWN.</p> <p>When the IEP team determines that a specific program is needed, this should be documented in the Special Education Services section of the IEP.</p> <p>Annual IEP reviews should be done twice a year.</p> <p>Districts should not have the right to deny a parents request to schedule an IEP meeting for their child under any circumstance.</p> <p>The IEP case manager should monitor the students IEP goals and objectives and schedule an IEP team meeting when the student is not making sufficient progress.</p> <p>Parents should be able to have one IEE per year paid at public expense in order to ensure their childs evaluation results are objective and satisfactory.</p>	<p>N/o</p> <p>N/o</p> <p>N/o</p> <p>N/o</p> <p>N/o</p> <p>N/o</p> <p>N?o</p>	<p>Supplementary Aids, Services/Programs are provided in general education environments.</p> <p>The PWN is designed to include reason for refusal.</p> <p>Specific instructional methodology is determined by the local educational education.</p> <p>Annual IEP Reviews are conducted annually.</p> <p>Districts have the right to refuse to schedule an IEP meeting if they follow PWN procedures.</p> <p>Anyone can request an IEP Team meeting to discuss students progress.</p> <p>Parents may request an IEE if the parents disagree with the districts evaluation.</p>
<p>2017-06-09 13:14:58</p>	<p>Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV</p>	<p>Chapter 5 F. Invitation to IEP Team Meetings 3.c. addresses transition of students from Part C to Part B services, and preparation for transition from high school to post-secondary goals are addressed in 4, and later in F. The Council believes transitions from elementary school to middle school, and middle</p>	<p>A/+</p>	<p>See Response 13.</p>

		<p>school to high school are also major transition periods for students that require more attention. The Council also believes that the idea of employment or other post-secondary education should be the first option for students, and such expectations should begin much earlier than age 16. For instance, the transition from elementary to middle school would be a good time to begin the discussion about post-secondary goals for students. This would assist greatly in planting the idea in the minds of students, parents, and school personnel that work or post-secondary education are important considerations, are possible, and are the expectation. Post-secondary goals are more apt to be successful if they begin to be addressed earlier in a student’s school career. The Workforce Innovation and Opportunities Act (WIOA) allows for post-secondary goals to begin to be addressed at age 14. While this may not be feasible for all students, it should be an option for many, and will be more likely to be feasible if considerations of post-secondary goals begin at an earlier age.</p> <p>Section 2. IEP Development</p> <p>E. Goals and/or Objectives – The Council is pleased to see the addition of stronger language related to language development for students who are deaf or hard of hearing.</p> <p>F. Transition Services - While the Council is pleased to see the addition of WIOA language in this section, it is greatly disheartened to see the old language related to guardianship still contained here. The Council has actively promoted alternatives to guardianship for many years now, and has regularly heard from parents that they only applied for guardianship of</p>	<p>N/+</p> <p>NA/o</p>	
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2017-06-09 13:17:30	Lynn Bayle Director of Sp. Ed. Mercer County board of Ed. Princeton WV	Part C, page 44, all days referenced should state school days. For example, an IEP meeting was held the last week of school and now a parent wants a meeting. I have 21 days to convene an IEP meeting with no staff on duty during the summer.	NA/-	In some instances school days may delay services; therefore, calendar days are necessary.
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	<p>â€¢ Section 1(C)(4) Please include language about providing accommodations for parents who have difficulty with writing. DRWV suggests adding the following language, "When a verbal request for an initial evaluation is made by the parent, they are to be informed that requests must be made in writing. A member of the SAT team shall provide assistance to parents who may need additional help to complete their request in writing."</p> <p>â€¢ Section 1(D) Please consider adding following bullet to Section 1(D), "For a student who is eligible, appropriate personnel from the West Virginia Department of Rehabilitation Services (DRS) should be invited to assist with the transition of services."</p> <p>â€¢ Sections 1(E) and 2(F) The Workforce Innovation and Opportunity Act (WIOA) provides employment and training services for in-school youth between the ages of 14 and 21. Please change the age listed in Sections 1(E) and 2(F) from 16 (or younger if determined appropriate by the IEP team) to 14, as this is the age services are available under WIOA and should be considered throughout the process of developing post-secondary goals and transition services.</p> <p>â€¢ Section 2(J) The removal of this note is a positive change and its inclusion is particularly important in</p>	<p>A/+</p> <p>N/o</p> <p>A/+</p> <p>N/+</p>	<p>See Response 1.</p> <p>Agencies are not named separately.</p> <p>See Response 13.</p>

		<p>light of the suggest change to caps for total class enrollment in integrated classrooms as it will help districts assure that the student can be moved to a placement tailored to individualized need.</p> <p>â€¢ Section 2(K) DRWV finds that the addition of one word would help explain to parents and educators the full impact a written revocation has. The word change has been included in bold, "Within five days of the receipt of the written revocation of consent, the district must provide prior written notice to the parent, and to the adult student, if applicable, that special education and all related services will cease.</p> <p>â€¢ Section 2(M) The addition at the bottom of this page regarding the modifications allowed should be clarified to ensure compliance under the IDEA. DRWV suggests adding the following language, â€œTeachers in whose class or program a student with exceptional needs is enrolled shall participate in the meeting to develop the studentâ€™s IEP, or read and sign a copy of the studentâ€™s individualized education program acknowledging that he or she has read and understands it and make classroom modifications for the student, if needed or identifies, to help the student succeed in the class or program as specified in WV Code Â§ 18-20-c.â€</p>	<p>A/+</p> <p>N/o</p>	<p>See Response 14.</p>
<p>2017-06-09 16:45:26</p>	<p>Wendy Radcliff Wendy Radcliff, Attorney- at-Law PLLC Charleston West</p>	<p>Withdrawal of consent for one service should not mean withdrawal of all programs. There may be a specific problem or circumstance that makes one program not workable for a child. That should not mean that there is a wholesale withdrawal of consent. For instance, if a child does not utilize the OT program but wants to continue to get speech</p>	<p>NA/-</p>	<p>See Response 14.</p>

		<p>services. The two are not dependent on each other and so consent may be withdrawn for one but not a complete withdrawal of services. Requiring entire withdrawal challenges and removes the ability of a program for individual education planning.</p> <p>The requirement or lessening of the requirement of percentages for services to be provided by each teacher in a classroom. 50% is too large of a number before triggering assistance or additional instructional resources. If all or a majority of the children with IEPs or disabilities are placed in a single classroom and there is a 50:50 split that is not meeting the least restrictive environment for any of the students. The result is segregating children into classes without aides or assistance for many of the safety and personal care concerns that many students need and require. The least restrictive environment and FAPE go hand in hand to offer every child the opportunity to learn at their greatest potential. Barriers do not help any children, in fact fewer teachers and specialized aides harm the typical learning child as well because the skills and attention of teachers are focused on those needing specialized services versus the generalized education in the classroom.</p>	A/-	See Response 1.
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Regarding Transition services, the sooner you can address transition the better, preferably before age 17. Also, emphasis on high expectations of all students, regardless of level of need is important to give the benefit of Pre-ETS to all students with IEPs equally. Including appropriate community organizational staff such as DRS counselors in the IEP meeting should be encouraged and initiated as soon	A/+	See Response 13.

		<p>as possible to ensure successful transition and increased independence.</p> <p>Section K regarding revocation of related services is unclear. The I in IEP would seem to be reason enough to consider revocation of specific services. If a child with an IEP does not need all related services, why would you not want the team to discuss and allow for revocation of a specific service such as PT? Why would you cease all services if there is evidence that the child does not need one particular related service?</p>	NA/-	See Response 14.
2017-06-12 11:08:31	Robert G. Bartlett Director of Special Education RESA 1 Beckley WV	Please consider a clear definition of Alternate Diploma (State-Defined), and the requirements for said diploma. Please consider addressing/adding this in the glossary, also. It may be beneficial to include a definition of Alternate Standards and Alternate Assessment, including eligibility requirements, in the glossary, with reference/connection to Alternate Diploma.	A/+	See Response 6.
2017-06-12 12:11:11	Christy Black Milton WV	Moore needs to done to assist students transitioning to middle school, and middle school to high school. Employment should be beginning to be discussed when students are entering middle school, and a plan should be starting to be developed for employment at 14 which would be aligned with WIOA. Alternatives to Guardianship should be promoted, or options should be given to educate families. I hear often that school officials have told parents that if they want to attend their childs IEP meeting when their child is 18, then they must seek guardianship. This is simply not true, and changes in policy need to be made so that school employees are educated on this matter. There needs to be stronger statements and better explanations of the diploma types, and the	A/+	See Response 13.

		implications of alternate testing versus general testing. There needs to be clarification on revoking consent. The document reads as if a parent refuses something such as a therapy that they revoke the entire IEP.		
2017-04-19 10:19:45	Resa 7 Special Education Directors Special Education Directors RESA 7 Clarksburg WV	Current executive summary states "Changed Level 1 Caseloads for Early Learning Programs Grades K-5 to 1-8 students with special education teacher!" The Caseloads are not changing from 30 to 1-8. The word Caseloads should be class size. Please further clarify "the percentage of students with disabilities shall not exceed 50% of the total class enrollment". In the policy revision it states, excluding those with speech/language impairments. This should be removed because in addition to those students with speech/language impairments, students with other disabilities may be in the class but not receiving specially designed instruction. For example, an LD student in math may be in a co-taught Language Arts class and not receiving specially designed instruction in Language Arts.	A/-	See Response 3. See Response 1.
2017-04-19 19:44:26	PAT BUSH RETIRED TEACHER RETIRED TEACHERS WESTON WV	I am upset and very concerned with the change of the number of students to be changed from 6 students to 8 students!!! As a parent, a teacher for more than 30 years, working with students of all levels and volunteering in the schools, I have many opportunities to observe classrooms of all levels. My observation of students in K-5 with disabilities is that these early years require MUCH help from the special teacher when placed in the inclusive classroom. I have seen how difficult it is to be able to assist every student on the special teachers caseload when they have 6 students assigned to them! I do not see how it would be humanly possible to adequately assist two	A/-	See Response 3.

		<p>more added to their already difficult case load! I think a change such as this (adding 2 more students to a case load) is going to have a highly negative impact on keeping special education teachers in our state!!! I understand it would allow for a savings in salary costs, but at what cost? These special students need to learn the basics in grades K-5 if they are going to be able to survive in the adult world. Are you really thinking of the negative impact it will have in the future; will these students continue to get individual help in the future to catch up? I am asking you to reconsider this change in numbers being served from 6 to 8. If you think teachers are burned out now what will they consider doing when their numbers for these special students increase? Some of these students require much more assistance than just instruction, and even with an aide the increase would be inconsiderate of teachers who are trying to help these special students! Please RECONSIDER THIS CHANGE IN NUMBERS!!!</p>		
2017-04-24 09:54:49	<p>JoAnn Thomas Special Education Aide Mason Co Board of Education Point Pleasant WV</p>	<p>I work in a self contained special education classroom. The maximum student amounts need to be lowered due to behaviors and needs in classrooms. Also I believe that level 3 should not be optional. This would help lower the number of students in classrooms that have students that need more intensive care and supervision. This would benefit students academic success because they would have better access to teacher instruction.</p>	<p>NA/- A/+</p>	<p>No revision was proposed for Level II Services. Response 15: Removed optional for students with Level III Service Needs.</p>
2017-05-03 08:22:08	<p>Rotha Young Academic Interventionist Nicholas County Schools Birch River WV</p>	<p>Students needing assistance should receive from all who can intervene in the building, Title 1, Special Ed. Academic Intervention, etc.</p>	<p>N/+</p>	

2017-05-03 19:15:22	Catherine WV	Younger Special Ed students need more intensive instruction which requires more time and effort by individuals. Why do you want to assign more students to one teacher ? I know firsthand that even six students can be very taxing depending on their disabilities. Six special students at one time is enough !	A/-	See Response 3.
2017-05-08 14:32:07	Heather Ballard teacher AFT Charleston WV	This is unfair to students and teachers.	A/-	See Response 3.
2017-05-10 13:40:14	Stephanie Agee Teacher Parkersburg WV	Teachers are already overwhelmed with behaviours in their classroom from the general population in their classrooms due to the changing society. Increasing the percentage of IEP students will increase the pressure on teachers already stretch thin do to the behaviours they already have. In addition, adding addition students in a special education classroom students will get less 1:1 attention to those who really need the intensive instruction from the special education teachers. Most of the time the students only see this teach for 30 or so minutes and adding more students to their room only decreases their intensive instruction time.	A/-	See Response 1.
2017-05-11 14:42:27	Renee Marchese special education teacher Ohio County Schools Wheeling WV	The number of students in a self-contained AU room should NOT be 8 students to 1 teacher and 1 aide. The previous limit of 4 students with 1 teacher and 1 aide was more beneficial to the students. These students require an abundant amount of one on one attention to make progress. Higher numbers of students in the classroom will limit their progress.	NA/o	No revision was proposed for Level III Services.
2017-05-12 13:10:12	Leah Hager Science 6th and 7th Grade Hamlin PK-8	Policy 2419 increasing the cap of IEPs in the general classroom to 50% is detrimental to the education of all students in my opinion. The percentage of	A/-	See Response 1.

	Hamlin WV	<p>students with IEPs is already so high in my general science class that I find it difficult to meet the needs of the on grade level and advanced students. In one of my classes I have 27% students with IEPs and that class has a very hard time keeping up with my other 6th grade classes. There are a couple advanced students in that class but they are kept at a slower pace than my other two 6th grade classes that don't have so many IEPs. When I give a test, I have to disturb the entire class to read the test to the children that need help.</p> <p>A class that is as much as 50% IEP students would not be conducive to learning for any of the students involved. There would not be enough help for struggling students and the time spent encouraging them takes away from on grade level and advanced students.</p>		
2017-05-15 09:58:34	Rachel Parks Teacher Washington High School Charles Town WV	<p>As a teacher of English Co-taught classes, I feel it is a disservice to the students to increase the percentage of students with disabilities in the classroom. The goal is to give them a least restrictive environment in which the teacher can provide assistance tailored to their needs. If the number of students who need this tailored assistance increases it will be nearly impossible for two teachers to meet the needs of all of the students. It would serve the students more to be in a class where they can receive more one-on-one assistance. The ability of the teacher to give one-on-one assistance to students with disabilities decreases with every additional student added to the roster. I ask that you reconsider this policy change so the students can be properly assisted in the classroom.</p>	A/-	See Response 1.

2017-05-20 08:12:55	Margaret Logan Teacher Confidence Elementary Liberty wv	A child would not have been referred and identified for special education services if they were able to be successful in a regular classroom with the normal modifications that teachers do every day, even without an IEP. When you place too many children with special needs in a regular classroom it takes away from the attention that the teacher can give to everyone.	A/-	See Response 1.
2017-05-20 22:02:54	Linda Bennett Resource Teacher Charleston West	If the percentage of the special education student increases general education teachers are concerned with the effectiveness of instruction with rigor to meet the special education student needs. It shall not exceed more than 30% of the total class enrollment in general education to avoid compounding the already existing challenges for teaches to meet the various academic needs and skill levels of all students. Multi-categorical Resource rooms have a variety of students with different exceptionalities, different academic needs, and different learning styles. Trying to bridge the learning gap of each student at a faster rate is already difficult. Many of the students are one to three years behind their present grade level. Each student needs specially designed instruction in a small group setting. If the class size is increased to eight you are jeopardizing the future of these children's chances at an age where they might have a chance to catch up or gain academic growth before reaching middle school.	A/-	See Response 1.
2017-05-23 16:20:50	Allen Sexton Director of Special Education Raleigh County Schools Beckley WV	The 34CFR 76.731 reference in Chapter 6 is insufficient to explain to what extent each district is required to maintain documentation. The federal register indicates both the "state and sub-grantee shall keep records to show its compliance with	N/-	The Federal Education Department General Accounting Rules require maintenance of records.

		<p>program requirements. It is the opinion of this district that the SEA is attempting to set a new standard of documentation maintenance beyond the IEP and its supporting documents. If the state intends to increase the standard of documentation and documentation maintenance, it should be better defined.</p>		
<p>2017-05-31 16:05:51</p>	<p>Erin Sullivan Elk Elementary Center Charleston West</p>	<p>Having up to fifty percent of students in an integrated classroom is high, since the Special Education teacher may be assigned to two classes during an instructional block. In that case, the general education teacher would be on his or her own during the times the special education teacher is assisting in the other classes. This puts a big burden on general education teachers who are trying to meet the needs of all the students in their classrooms.</p> <p>The move to increase the number of students receiving Level I services is not in the best interest of students. Students in these instructional blocks need to have specialized instruction based on individual needs. It is very difficult to provide specialized instruction as the group size increases. It is recommended that students receiving Tier 3 services in MTSS be taught in small groups of 1-3 students or individually. It doesn't make sense that the students needing the most intensive instruction should be taught in groups of 8 students.</p>	<p>A/-</p> <p>A/-</p>	<p>See Response 1.</p> <p>See Response 3.</p>
<p>2017-06-06 12:55:50</p>	<p>Emily McGuire Special Educator Wetzel County Schools New Martinsville WEST</p>	<p>I am speaking against the change from 1:6 to 1:8 ratios for Level 1 Elementary Special Education students. I have been teaching students with special needs for the past 12 years. I have taught under the 1:8 ratio with Multi-categorical identifications, and it is more effective to teach a smaller group of students. For example: When a child with an</p>	<p>A/-</p>	<p>See Response 3.</p>

		Emotional Behavior Disorder is placed in a classroom with 7 other students with mild Specific Learning Disabilities, it's nearly impossible to address the academic needs of the students with SLD because your time is spent on managing behaviors. If the policy specifically stated that students would not be grouped in a multi-categorical classroom, then the number of students being larger would not be as big of an issue. I am a firm believer targeted early intervention based on individual learning and behavioral needs. I am not a proponent of maxing out special education classrooms just to meet scheduling demands. It takes the "individual" out of IEP!		
2017-06-06 19:19:09	Courtney Dolin Teacher PCS Hurricane WV	Please do not split an inclusion teacher. Again- ridiculous to ask of the special educator. We need these teachers to be treated like professionals- this is hard to do when they are only in a class half the time. Especially at the high school level.	A/-	Response 16: For co-taught classrooms where instructional responsibilities are shared between the special and general educator the special educator should not be assigned to more than one co-teaching classroom during one instruction block.
2017-06-06 20:20:05	Amy Varney Math Teacher Hurricane High School Hurricane West	In math, we work bell to bell on a daily basis. The kids need support the entire class period. We move quickly and are constantly learning new concepts. Having a support teacher only half a block is confusing to the kids and the teachers. Upon entering half way through, the support teacher has to get caught up with what was missed so he/she can then support the children in need. By the time everyone is on the same page, we've moved on to something else and now everyone is confused. It is disrupting to the	A/-	See Response 16.

		entire class, especially those who may already be confused or experiencing anxiety over the assignments at hand. If the support teacher leaves half way through the block, the kids are left feeling alone and often do not know what to do to get the extended help they need.		
2017-06-06 20:21:50	Kelly Allen Teacher Putnam County Schools Hurricane WV	Currently, inclusion does not meet the educational needs for all. Split teacher inclusion is currently being used as a "patch" to fulfill the shortage of highly qualified special educators. None of models of inclusion (parallel, lead, or alternative) can be fully implemented when you have one integral of the equation missing half of the time. Students are NOT receiving modifications to its full extent. Special educators are overwhelmed with keeping up two curriculum(lesson plans) going on at the same time. They are either entering the classroom late or leaving early which deny the teacher and students of vital help. Furthermore, the special educators are responsible for monitoring approximately 20 students in two classrooms. The bulk of the work is left on the regular educator. Split inclusion leaves classroom teachers without the resources, training, and other supports necessary to teach students with disabilities in their classrooms. Special education students are being shortchanged of quality education. Split inclusion puts every stakeholder at a disadvantage and not fully benefiting from what IDEA was originally set up to do--provide quality education to those with disabilities.	A/-	See Response 16.
2017-06-06 21:18:23	Stefan L Smolski Fairmont WV	The maximum allowable percentage of students with disabilities of 50% is too high. I have taught in a science classroom where the number with IEPs reached 50% and I had a collaborative special	A/-	See Response 1.

		education teacher in the classroom. Even with our combined experience, the challenges of meeting the needs of all of the students was daunting. A more reasonable maximum is 30%. My mix ranged from a student with TBI to a student who could not functionally read above the 1st grade level. 12 of my students had IEPs!		
2017-06-07 08:40:37	Linda Bunce Mrs. Raleigh County schools Daniels WV	Increasing the allowed percentage of children with special needs per classroom not a good idea. There are so many needs present already in the general education population, it becomes more and more difficult to provide education. Co teaching is a good model everywhere however.	A/-	See Response 1.
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Some of the changes are appropriate and others are not reasonable within some school settings. An average classroom in the school in which I teach has 40% to 70% of students with IEPs. If the maximum number of students must not exceed 50%, then classroom aides would have to be provided in a majority of the classrooms. There is no way to divide the students amongst the classrooms and not be above this level in some grade levels. I teach in a high poverty school and there is a high number of students with mild disabilities. We also have students transported to our school with autism and behavior disorders. What happens when there is a limited number of service personnel and these positions are unable to be filled? While the numbers sound good, I don believe they are feasible. Additional funding would also need to be provided to school systems to help cover these additional costs.	A/-	See Response 1.

		<p>The change in the maximum number of students in a special education environment is also inappropriate. Following IEPs and providing individualized instruction is almost impossible with having 6 students in the classroom with level I services needs at an elementary age. These students need direct educational instruction and most have behavioral or communication needs. Many need individualized attention and are learning to work even in a group of 3-4 students. What type of intensive, individualized instruction is being provided when you put 8 elementary students with various disabilities in a classroom together with one teacher and no aide? This would be a disservice to the children and the teacher trying to meet these individualized needs. Most schools have difficulty with filling and maintaining special education teachers. What type of incentives will be offered at the state level to assist with maintaining these teaching positions? Would the state consider allowing and providing money for an aide in these classrooms to help meet the students needs? While the increase in the numbers would help with meeting IEP minutes, the students would be limited in the instruction they really need. These students are already behind academically, as well as sometimes behaviorally and socially, so passing this would only be a disservice to these children with special needs. These proposed changes need to be reviewed and further discussion needs to be held to address the questions presented.</p>	A/-	See Response 3.
2017-06-07 11:55:44	Shirley Goodfellow Early Childhood Classroom Assistant Teacher Tyler County	<p>The proposed maximum number of students with disabilities of 50% of total class enrollment in a general education setting with one teacher MUST be lowered! This is entirely too high for a teacher to</p>	A/-	See Response 1.

	Friendly WV	manage while providing adequate teaching instruction that meets the needs of ALL students. One must realize that there are students in our classrooms today with behavior and other issues that do not qualify as part of the special education population. This, on top of a 50% special needs classroom population, is an unreasonable teaching environment to put on our teachers as well as the average students with which we are expecting to excel! Please amend the policy to a students with disabilities maximum of 20% of total class enrollment. This appears to be a money saving measure that will do more than send our great teachers to other states or even professions.		
2017-06-07 12:24:43	Kate Porter Assistant Superintendent of Special Education and Kanawha County Schools Charleston WV	Regarding section 4.B on changing level 1 minimum staffing ratios, I propose that grades K-2 have a 1:6 ratio and grades 3-5 have a 1:8 ratio. This will ensure the youngest learners get the smallest groups and the group numbers will go up incrementally to the secondary level of 1:12.	A/+	See Response 3.
2017-06-08 10:47:29	Linda Bennett Multi-Categorical Resource Teacher Charleston West	I am recommending Level 1 Service Needs for Early Learning Programs Grades K - 5 consider K to 3 with a 1:6 ratio since these years are critical to the developmental period of early intervention of childrens healthy cognitive, emotional, and physical growth. Then the ratio 1:8 for 4th and 5th graders. At least that would be a better compromise to the proposal being recommended.	A/+	See Response 3.
2017-06-08 13:24:22	STEPHANIE ARDEN FLATWOODS WV	AS THE PARENT OF A CHILD WITH SPECIAL NEEDS, I THINK IT IS IMPERITIVE THAT THE SCHOOL SYSTEM PROVIDE THESE CHILDREN WITH ALL NECESSARY TEACHERS/THERAPISTS/LEARNING MATERIALS TO HELP THEM ACHIEVE THEIR HIGHEST POTENTIAL - FAILURE TO DO SO IS NOTHING BUT	A/-	See Response 1.

		DISCRIMINATORY!!		
2017-06-08 14:31:37	Emily Karnes Assistant Director of Special Education Mercer Co. Schools Princeton WV	The number of special education students per instructional period should be limited to 8 students. Research does not define the number of students needed to maximize effective instruction. Research does state that classroom size needs to be smaller and 8 students per instructional period is a low number of students to effectively improve students academic performance.	A/+	See Response 3.
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 6 Section 4, Integrated classrooms “ The Council advocates for the inclusion of all students with the appropriate supports needed to meet their educational needs. The Council also agrees that classrooms should approximate the natural proportions of disability in the general population of the State. An integrated classroom in which students who receive special education services comprise 50% of the total class enrollment does not conform to the natural proportions of disability. This may also place an impossible burden upon the classroom teacher. The Council in no way advocates students being placed in less inclusive classrooms because of a cap on integrated classroom ratios.	A/-	See Response 1.
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	“ Section 4(B) Including WV Division of Rehabilitation Services (DRS) under Section 4(B) would help provide a more comprehensive list of coordination and linkages to be made when considering transition services. “ Section 4(B) This section includes several changes to State standard for the provision of staff, including, increasing the cap for total class enrollment when integrated classrooms are established and increasing	A/+ A/-	Added suggestions See Response 1. See Response 3.

		<p>the number of "Level I Service Needs" students assigned to a single teacher. These changes will undoubtedly cause further strain on staff members and potentially lead to violations of FAPE where students do not receive the services they need in the least restrictive environment to meet academic and behavioral goals. Additionally, DRWV suggests adding that when the 30% threshold is met, districts should evaluate the classroom to make sure student's needs are met.</p>	A/-	
<p>2017-06-09 16:45:26</p>	<p>Wendy Radcliff Wendy Radcliff, Attorney- at-Law PLLC Charleston West</p>	<p>The removal of the language associated with "highly qualified personnel" is troublesome. I understand that the language is a term of art associated with the NCLB program. However, it also provides for teachers that are not qualified to teach math, or trained in math, can still teach math under this description. Teachers placed on "certificate" meaning they can be working toward certification is not the same as having highly qualified services. Educators that have received the certification have earned that status and prepared to teach children in the specialized area. A teacher that may be a good chemistry teacher would not be a good special education teacher or english teacher. The same can be said for aides in the classroom. Special education, particularly working with children with autism spectrum disorders, requires a lot of specialization. By removing the highly qualified language it leaves it even more open to the bidding and seniority process without cause or credit for particular training or specialization.</p> <p>Also, it just looks bad. Removing language about a highly qualified and leaving the word personnel looks like a lessening of standards of education and</p>	N/o	<p>ESSA does not require special education teachers to be highly qualified.</p>

		<p>programmatic function.</p> <p>Again the integrated classroom numbers and percentages is too high. It takes away from the teachers ability to focus on the children in the classroom and limits the ability of a school system to make determinations based on the least restrictive environment and FAPE.</p> <p>There should be no waiver to the maximum service needs limits. Those numbers are already based upon averages and there is opportunity to manipulate class sizes and ratios. The criteria for evaluating a waiver request is not fully explained or understood and could be abused.</p>	<p>A/-</p> <p>N/-</p>	<p>See Response 1.</p> <p>Response 17: Waivers are submitted only when student numbers exceed staffing ratios. Waivers to staffing ratios may be requested in writing through OSE. Waivers may require an on-site visit, will be considered on a case-by-case basis and remain valid for the current school year.</p>
<p>2017-06-11 15:18:57</p>	<p>Andy Bird Hurricane WV</p>	<p>Level III on page 67 & 68 indicate that it is optional which is incorrect. Optional needs to be removed about servicing level III students.</p> <p>Increasing the number of students during a class period for level 1 is troublesome. Elementary special education teachers often service students with multiple grade levels at the same time. Increasing the number of students from 6 to 8 will not be beneficial to the education of each student required to receive instruction in a special education setting.</p> <p>Co-teachers should not be permitted to split time between multiple classrooms during an instructional block. Co-teaching is ineffective if support is only provided part of the time. If classrooms will have up</p>	<p>A/-</p> <p>A/-</p> <p>A/-</p>	<p>See Response 15.</p> <p>See Response 3.</p> <p>See Response 16.</p>

		to 50% of students with an IEP, a co-teacher should be required.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I am unclear about the addition of 50% cap for integrated classrooms. To the highest extent possible, children of all abilities should be included in general education environments/classrooms. Studies show the numerous benefits of having children with disabilities included as well as the benefits for children without disabilities.	A/-	See Response 1.
2017-06-12 08:16:40	Tina Braden Teacher Jackson County Ripley WV	Having taught in the elementary school setting for six year prior to working in Jackson County I truly believe a ratio of 1:8 is too much. I taught under the ratio of 1:6 in the six years I taught in the multi-categorical setting and at times that was difficult due to the needs of the students. Students who receive services in the age group targeted to go to the 1:8 ratio need the smaller group setting to bridge some of their gaps. Changing the ratio would be frustrating to many of these students and to the teachers who are trying to teach them the skills they need to develop.	A/-	See Response 3.
2017-06-12 11:43:47	Dale Lee President of WVEA WVEA Princeton WV	<p>1. The increase in special education class sizes -- from a 1-to-6 staffing ratio to a 1-to-8 ratio for kindergarten through fifth-grade Level I services -- is something WVEA opposes. Higher class sizes impact a teacher's working conditions, which impact a student's learning conditions. Teaching is tough, and teachers can barely keep up now with the current staffing ratios. Research shows that to improve student achievement we should be lowering and not increasing class sizes.</p> <p>2. Language had been proposed that the percentage of students with disabilities must not exceed 50 percent of the total class enrollment in general</p>	<p>A/-</p> <p>A/-</p>	<p>See Response 3.</p> <p>See Response 1.</p>

		<p>education settings. Classes are diverse with students of multiple levels. Ceilings should be set but 50 percent is too high.</p> <p>The appropriate limit in these general education settings should be more representative of the overall percentage of the special education student population in our schools.</p>		
2017-06-12 12:11:11	Christy Black Milton WV	<p>I believe that all students should be included in general education with appropriate supports that are needed. An integrated classroom with 50% of students receiving special education services does not conform to the natural proportions of disability. This number should not be greater than 30%. Highly qualified personnel needs to be changed to appropriately trained personnel.</p>	A/-	See Response 1.
2017-06-12 13:54:17	Tonya LaFaber Inwood WV	<p>It is not appropriate to make the maximum of a class with special education students and general education students 50%, these classes are already maxed out and students need to receive individualized services not a class where the curriculum is brought down to a level that is focusing on the 50% with IEPs. With a smaller percentage the students needing extra assistance or extra special instruction, the additional teachers in the class can work with them in small groups, there will be no small groups when the percentage is increased to 50%.</p>	A/-	See Response 1.
2017-06-12 15:13:53	Jennifer Bowman-Lusk Teacher McDowell County Schools Bluefield WV	<p>I would like to comment on the section that increases the percent of students with special needs in a regular education classroom. This should not be increased to 50%. This will only serve to help the costs of education, and not our students. This drastic increase will severely limit the educators ability to cater to all of his/her students by placing more</p>	A/-	See Response 1.

		students with special needs in a classroom. This will also greatly hinder those students who do not have special needs. I also do not wish to see the number of students who will be in a special education classroom increased from 6 to 8 for the same reasons. I believe that we, as a state, should focus more on helping our students, all students. This increase in both the regular classroom setting as well as the special education classroom will not, in any way, help our students. I believe this increase is based solely on funding, which will only hinder our future, which is our students.	A/-	See Response 3.
2017-06-12 15:22:34	Doug Lusk Bluefield WV	I do not wish for the increases in special services to change. It is unimaginable that others feel that it is alright for 50% of a classroom to consist of students with special needs. That would be too much for all involved, including students who do not have special needs. It is also a bad idea to increase the number of students in a special education classroom from 6 to 8. This will not serve our students, thus hurting our future.	A/- A/-	See Response 1. See Response 3.
2017-06-12 15:24:39	Dustin Lusk	Do not change the percent of students in a classroom to 50%. This would not be good for classrooms, teachers, and other students. Also do not increase the number of students from 6 to 8. That is not a good thing for our students who have special needs.	A/- A/-	See Response 1. See Response 3.
2017-06-12 15:28:10	Theresa Bowman Princeton WV	Do not increase the percentage of students with special needs in a classroom to 50%. That will only hurt our schools. Students with learning disabilities need more individualized education. Increasing this percent will only hurt the children of our state. Also, do not increase the number from 6 to 8. Do not try to hurt the children of our state who have different learning needs.	A/- A/-	See Response 1. See Response 3.

2017-06-12 15:33:07	Mary C. Knapp Special Education Director Boone County Schools Madison WV	Level I Service needs for Grades K-5 has been increased to 1:8 instead of 1:6. This is helpful for scheduling, especially at the 3-5 grade levels.	A/+	See Response 3.
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Children should be disciplined in a nurturing and caring way only.	N/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 7 Section 2. District Actions When Considering a Disciplinary Change of Placement “ Deleted Section 2. D and new Section 3. A “ It appears that the IEP Team can now remove a student from an educational setting and place him/her in an Interim Alternative Educational Setting (IAES), rather than the placement being determined by a hearing officer in an expedited due process hearing. The time frames for a hearing to be held within 20 school days of the date the hearing is requested, and a decision within 10 school days after the hearing occurs, means a student could potentially spend 30 days of a 45-day period in an alternative setting. Is this the intention of the change?	N/o	Removed Section 2D. and replaced with language from the federal regulations in Section 3.A.
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	“ Section 3(A)(5) Please change the wording to, “The child shall return to their original placement after the expiration of the time period provided in the disciplinary notice (no more than forty-five days), unless the parent/adult student and school personnel agree otherwise in writing.”	N/o	Federal Regulations do not reflect this suggestion.

2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	The thought of private schools make me cringe unless the parents are wealthy enough to pay for it themselves.	N/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I need clarification why you would eliminate an entire section on Complicance (D) given the recent Supreme Court of the United States Decision on Endrew F. vs. Douglas Co. Im sure these proposed changes were made prior to that court ruling. IF that is the case, will WV DOE be revising the section on Compliance rather than eliminating it?	N/o	Removed Section D and replaced with language from the federal regulations Section I.
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Teacher-Principal Self Monitoring	N/o	
2017-05-05 22:58:12	Matthew Mullins Student, School Psychology Marshall University Huntington WV	Regarding Special Education Teachers: The outlining of state requirements for teachers is an excellent step toward ensuring students receive quality, trained educators.	N/+	
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Even with the supervision and accountability for performance and compliance still would not be a reality for the expectations that would be placed upon the mentally disability of our students.	N/o	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	

<p>2017-06-07 20:34:17</p>	<p>Charles & Dana Sine Capon Bridge WV</p>	<p>The district should provide in writing to all IEP team members, including parents, all Special Education Services that they offer to Special Education students.</p> <p>The State should monitor and enforce the availability of Special Education Services for all core subjects (collaborative) and ensure that districts have adequate, as well as highly qualified personnel.</p> <p>Personnel should be highly qualified in order to ensure that students receive a high quality education.</p>	<p>N/o</p> <p>A/-</p> <p>N/o</p>	<p>Policy 2419 Chapter 5 provides a description of all the special education and related services.</p> <p>See Response 1. See Response 3.</p> <p>ESSA no longer requires special education personnel to be highly qualified.</p>
<p>2017-06-09 13:14:58</p>	<p>Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV</p>	<p>Chapter 9 Section 1. B. Responsibilities of the West Virginia Department of Education, No. 31 “ We realize this statement is the statement from Policy 2419.11 that is being incorporated into Policy 2419. The Council is interested, and knows that many other people will want to know as well, the circumstances under which exceptions are requested and granted.</p>	<p>NA/-</p>	<p>See Response 17.</p>
<p>2017-06-09 14:04:12</p>	<p>Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV</p>	<p>“ Section (1)(B)(31) This provision should absolutely not be added to the changes to 2419 in order to assure compliance with the IDEA. The addition will ultimately give rise to several violations as it is broad and overbroad. There are detailed circumstances where a local school district can receive an exception to their obligations under the IDEA and this section does not detail these exceptions, leading the reader to believe that an exception may be requested for any part of Policy 2419. Additionally, there is no process detailed on how such an exception would be reviewed, granted, or how the public would be notified if such exceptions were allowed.</p>	<p>NA/-</p>	<p>See Response 17.</p>

<p>2017-06-09 16:45:26</p>	<p>Wendy Radcliff Wendy Radcliff, Attorney- at-Law PLLC Charleston West</p>	<p>There should be no ability for a school superintendent to get a waiver of the accountability and performance and compliance standards. Remove the language, "31. A local school district superintendent may request an exception to Policy 2419: Regulations for the Education of Exceptional Students for extenuating circumstances by submitting a waiver request." This is a terrible policy idea. Who determines the extenuating circumstances? Could it be a budget issue? How can a waiver of safeguards and FAPE for a child be waived. Laws to protect students and student rights are put in place for a reason. There are no laws that allow for waiver of prosecution or compliance because of a nefarious "extenuating circumstances" standard.</p>	<p>NA/-</p>	<p>See Response 17.</p>
<p>2017-06-11 23:37:19</p>	<p>Michelle Norweck Parent Barboursville WV</p>	<p>I am very concerned with the reasoning behind adding such a carte blanche statement as was added in the duties of the state Dept. of Ed, specifically the addition of #31 that allows a local Superintendent to make an exception to Policy 2419. Can you please give me an example of what such an exception would be? As a parent, that gives us absolutely no way to hold school boards responsible for the policy that is supposedly in place to protect students with exceptionalities. Also, I understand the need to revise the policy to more accurately reflect ESSA and take away language associated with NCLB, however, removing words such as "Highly Qualified" to describe personnel that are responsible for our most vulnerable student population makes absolutely no sense at all. Why would we not want to increase the credentials of all personnel that are intimately involved in the teaching of children with disabilities? This should include aides, substitutes, contracted</p>	<p>N/-</p>	<p>See Response 17.</p>

		staff, temps, etc.		
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Better cameras, doors, and window monitoring.	N/o	
2017-05-05 07:15:13	special education teacher hampshire county wv	There needs to be safeguards for teachers and schools as well as students and parents.	N/o	
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	For the welfare of our students with mentally disabilities, they should continue to learn in an environment where they can learn, achieve and grow without added stress and frustration. At their rate and mentality of learning.	N/o	
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	The right to an IEE should not be extended to gifted referrals since we are not seeking to illuminate a disability. Unfortunately, gifted remains a category in WV. Many of the directors throughout the state find this category troublesome to balance in light of the many responsibilities aligned with students with disabilities. Given the lack of funding for gifted, paying for IEEs presents a unique challenge and could easily be exploited.	N/-	See Response 8.
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate	N/+	
2017-06-07 20:34:17	Charles & Dana Sine Capon Bridge WV	A request to remove a hearing officer should be submitted in writing to the Office of Federal Programs attorney, not the assigned hearing officer. A resolution meeting should be held regardless of	N/o N/o	Policy 2419 reflects IDEA requirements. Policy 2419 reflects IDEA

		who files the due process complaint, prior to a due process hearing being scheduled.		requirements.
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 11 Section 1.B. Responsibilities of the West Virginia Department of Education “ A statement has been added, stating when a facilitated IEP Team Meeting occurs as the result of a state complaint, mediation or a due process hearing, the procedures stated in this section may be altered. No explanation is provided to explain in what ways the procedures may be altered. This should be explained. Section 4. Due Process Complaints “ The statement that explains parents/adult students can ensure their rights under IDEA are protected by filing a due process complaint has been removed. This seems like a statement that is beneficial in helping families understand the process. The Council suggests that it remain in the policy.	A/+ NA/o	Clarified how it could be altered. Simplified language to reflect IDEA.
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	“ Section 4(D) Although, this policy is generally not targeted towards parents, many refer to the entirety of 2419 for guidance on filing due process complaints. Complaints are still required to be sufficient and as such, guidance on what makes a complaint sufficient should be included.	NA/o	This is included in Chapter 11 Section 4 Parts B and C.
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Facilitated IEPs are a relatively new facet of the Special Ed system in WV. With fewer than 26 counties having a PERC, there needs to be better information available to parents about these policy changes. If parents in counties without a PERC, or now even possibly without a RESA (per HB2711) more information is needed and more clearly stated about parent rights and procedures. The statement revision about procedures being "altered" in Section B is just	NA/o	This information is provided annually in the Procedural Safeguards brochure for parents of students with IEPs, on the WVDE website and as requested through calls.

		<p>one example of this. An even more brazen example of the states lack of concern for parents of children with IEPs is to remove the statement in Section 4 under Due Process Complaints that says "Parents/adult students can ensure their rights under IDEA are protected by filing a due process complaint that will be presented before an impartial hearing officer."</p>		
2017-06-12 15:19:48	<p>Mary C. Knapp Special Education Director Boone County Schools Madison WV</p>	<p>Glossary- Please define "students with the most significant cognitive disabilities". This would be helpful to IEP teams as they consider students for alternate assessment.</p>	A/+	See Response 12.
2017-04-27 09:53:35	<p>Bonita Hadox SLP Marion County Schools Fairmont West</p>	<p>I suggest removing the Articulation and phonological development norm charts from the Appendix. I understand they are "optional", but some sped directors are under the impression if it is in Policy, that is what we use. Neither chart is in line with the norms we have been using for 30 years in our county. They are just confusing everyone.</p>	N/-	See Response 2.
2017-05-03 07:30:56	<p>Stephanie Cotterill teacher Shenandoah Junction WV</p>	<p>To increase the number of exceptional students in a regular ed classroom without additional support is a move in the wrong direction. Currently, exceptional students struggle in these classrooms when they only make up about 25% of the overall dynamics and have a resource (special ed teacher) available in the room. I do believe that it is important to incorporate this population into the mainstream classrooms but not to overwhelm the regular educator and set up the entire classroom for failure. How is this fair for the general population? They are always the students that seem to be forgotten about. How does this help or improve their education when the regular educator is now expected to spend and much greater amount of time devoted to differentiating and</p>	A/-	See Response 1.

		modifying instruction and assessment for half of the class? Please think not only of the exceptional students but also of the general population.		
2017-05-03 08:33:36	David Parsons John Marshall High School Glen Dale WV	Ridiculous proposition! There are already too many students in each classroom with IEPs. If anything the percentage should be reduced. This will be ANOTHER cause (bad policy) and effect (loss of Great Teachers in WV)!	A/-	See Response 1.
2017-05-03 09:02:53	Amanda Fluty Teacher Wayne County BOE Crum WV	It is not reasonable to ask a teacher to modify for 50% of her classroom. Teachers already spent so much of their personal time preparing classroom materials. Asking teachers to do this should require all teachers that have that percentage of IEPs be paid an overage.	A/-	See Response 1.
2017-05-03 09:49:23	Lori Terango English Teacher Cabell County Schools/CMHS Ona WV	Allowing 50% of a classroom to be IEP students, whether with or without a special education teacher, is not a reasonable expectation. Many IEPs come with numerous modifications. Both the IEP students and the students without IEPs will be at a disadvantage as the teacher(s) are juggling all of the modifications and regular education expectations. Either all modifications will not be met or regular education students will not receive the education that they deserve. The goal of education is to meet the needs of all students. This can be done, even with inclusion of special education students in a regular education classroom, but it will not be possible with 50% of the classrooms being IEP students. I do not feel that teachers not parents of the special education students would want this.	A/-	See Response 1.
2017-05-05 11:09:54	Anonymous Assistant Principal WV	West Virginia Public Education is lowering their standards to meet those of society. Are we really here to prepare our students to be "College and Career Ready," or are we more concerned about a	A/-	See Response 1.

		budget? This policy SCREAMS budget issues. A regular educator is not a special educator. If we are going to require our teachers to become special educators, then we must pay and educate them accordingly. There is absolutely NO WAY that a regular educator can meet the needs of their students with 50% of their classroom requiring an IEP. What about the other 50% of students who require less attention? I guess they will just fall through the cracks. We are in a huge drug epidemic. Lets focus on what we are going to support these kids AND our educators.		
2017-05-08 09:29:41	Erin M Robinson Teacher and Parent Parkersburg West	While in theory not having more than 50% of a regular ed classroom be special ed. is a great idea, that is not the reality for some schools. If this is to become a reality, what are we going to do if schools cannot make that happen. Is extra funding going to be allotted to hire another grade level teacher? Are students going to be provided with transportation to travel to another school that doesn't have as many special ed. students? There are so many issues that will have to be addressed if this change becomes a reality!	A/-	See Response 1.
2017-05-09 10:45:50	Ben Nester Teacher Summers County Schools Hinton Wv	Yes we should repeal this policy. Some special education students need special attention that they will not receive in the regular education classroom. In doing so then we hinder the learning of the students that need this attention as well as regular students. More classroom behaviors will occur if this policy stands.	A/-	See Response 1.
2017-05-09 11:15:12	Ramona Justice Teacher Kimball Elementary Kimball WV	It is already very difficult for teachers to meet the needs of students with IEPs with a 30% cap in addition to the needs of general education students. Increasing the cap to 50% stands to only drive teacher frustration levels higher and decrease the	A/-	See Response 1.

		learning of all students in those classrooms. As a parent of a child with an IEP, I recognize how stressful it can be for a teacher to meet just the extra needs of my child much less having as many as 50% of the students who have special modifications.		
2017-05-12 18:11:45	Vanessa Legg Teacher Kanawha County Schools Charleston WV	I have been a teacher for 6 years and have had students with IEPs. Having just 1-4 students with IEPs in your general ed. classroom is very challenging. If I had up to 50% of students with IEPs in my classroom without additional help it would hurt everyone in that classroom including those with and without IEPs and teachers. We need more help in the classroom as it is now, and now theres a possibility that this could happen which could leave to so many negative things and is NOT what is best for all our students.	A/-	See Response 1.
2017-05-18 12:04:54	Deanna	To repeal and change Policy 2419.11 to allow any student with an IEP placed in the general education classroom without supports would set the child up for failure thus crushing their self esteem and confidence. Once these children have been placed in an environment that sets them up for failure, they will begin to have low self-esteem and low self-confidence. This will hinder these children as adults. Many of them will no longer see themselves as capable and productive members of society and stay home to "collect a check". ALL of these students need supports not only to become active members of society, but also feel as if their lives have meaning and a purpose. Exceptional children need these supports to know that they are cared about and cared for in the world. Raising the cap on the percentage, will hinder these children as well. Many of them need the smaller settings in order to focus and to feel like any other child. They have the human	A/-	See Response 1.

		right to be given the opportunity to succeed.		
2017-05-20 08:12:55	Margaret Logan Teacher Confidence Elementary Liberty wv	A child would not have been referred and identified for special education services if they were able to be successful in a regular classroom with the normal modifications that teachers do every day, even without an IEP. When you place too many children with special needs in a regular classroom it takes away from the attention that the teacher can give to everyone.	A/-	See Response 1.
2017-05-22 13:03:22	Julee Strahler teacher KCS Charleston WV	The policy should read "shall not exceed 30%" rather than an increase to 50%. If the percentage is increased to 50% classroom teachers will become overwhelmed with the necessary paperwork and tasks of individualized instructional design that accompany students with IEPs. As a result, classroom teachers will be unable to meet the needs of any of their students regular or special education.	A/-	See Response 1.
2017-05-24 13:48:41	Richard Wolf Special Educator WVEA / Pendleton County Schools Franklin WV	To put a cap on the percentage of students with IEPs in a regular classroom core academics with or without special educator support would seem to circumvent or undermine student rights to appropriate education. Increasing maximum students served by K-5 Resource Rooms will weaken teachers abilities to modify instruction and individualize.	A/-	See Response 1.
2017-06-05 11:17:01	Lea Ann Barnes Teacher Bridgeport High School Bridgeport WV	I am a high school science teacher and am concerned that this policy change could place up to 50% of students with IEPs in my core classroom. In a class of 28, which I have had classes that big, that would mean 14 could have IEPs, without support. That is entirely too many students needing extra help for one teacher to do justice to. And what about the other 14 students? They would likely get little help from me because I would constantly be helping the	A/-	See Response 1.

		others. That is a no-win situation for all involved. I had a class of 28 once with 10 students with IEPs with no support and that was bad enough. At the end of the period, I was exhausted but still didn't feel like I gave everyone enough of my time. Please reconsider this policy change.		
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Glossary should say: Functional listening Evaluation: A FLE is conducted....are affected BY (not to) noise. Just a minor grammatical correction.	A/+	Correction made.
2017-06-06 21:05:12	Carolyn Thomas Science Teacher Wildwood Middle Shenandoah Junction WV	Increasingly IEPs are written for "adult support" with no mention of specialized training (either teacher or aide) to support exceptional students. There is a significant shortage of special education teachers - the proposed change is not in the best interests of students or teachers.	N/-	
2017-06-07 11:08:54	Kristin O'Neal MOM WVDDC Beckley WV	Why doesn't the Dept. of Ed. try something different, like peer supports, requiring if not already regular ed. educators to have at least 12-15 CE credits on working with kids who have a disability. You're actually offering more isolation and segregation. When children with disabilities enter kindergarten their peers may ask questions about their using a wheelchair to get around, but they don't know discrimination. The old outdated system is making inclusion more difficult for students and families. The alternative diploma does not give these students an opportunity for higher ed. or Tech. school. What a shame, let's move ahead and be the change, changing minds and attitudes!	N/+	
2017-06-07	Cassie Stroud	As a parent and a Speech/Language Pathologist, it is		See Response 1.

12:58:57	Speech/Language Pathologist Cabell County Schools Barboursville WV	my opinion that a higher percentage of students receiving services is not fair to the teachers or kids needing extra help. As a speech therapist, I have many CD students that receive services needing accommodations and modifications due to Language Delays. I think any student receiving accommodations and modifications should be considered in the ratio count, regardless of their primary qualification for service, particularly in core subjects.	A/-	
2017-06-09 06:10:40	Tamela Jack Title 1 Teacher Barbour County Schools Philippi WV	The changes to policy 2419.11 will be a disservice to all students. The students with IEPs struggle without the additional support from the teachers, behavior issues surface, and classroom instruction is interrupted for all.	N/o	
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	The Council is interested, and knows that many other people will want to know as well, the circumstances under which exceptions are requested and granted.	N/o	See Response 17.
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Overall, I would have had no idea that the state was making these changes had it not been pointed out to me during a discussion at a WVACEEC meeting. The state DOE must make better strides in attempting to actively engage parents in the education of their children, especially those with exceptionalities. Furthermore, it would be in the states best interest to include families/parents as valued stakeholders in the process of policy revision.	N/o	
2017-06-12 12:11:11	Christy Black Milton WV	I understand that 2419.11 has been in code, and is now being added to policy 2419. Please explain when a waiver may be granted to not enforce or provide what is in IDEA and Policy 2419?	N/o	See Response 17.

Action		Type	
N	No Response	-	Negative
NA	Not Accepted	+	Positive
A	Accepted	o	Neutral

DATE	INDIVIDUAL ORGANIZATION	COMMENTS	ACTION/TYPE	RATIONALE
§126-16-1 General				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Students First		
2017-05-04 21:48:02	E Nestor Graduate Student Marshall University Huntington WV	With the revisions to 2419, I am pleased to see the alignment with the DSM-5 and the identification of Intellectual Disabilities. Our rates in WV are significantly higher than other areas. With this shift, students will be more accurately identified and I believe we will see a decline in the states numbers of ID. Also, as a future school psychologist, I am pleased to see the states recognition of practicing school psychologists having the ability to diagnose ADHD in the school setting.		
2017-05-05 07:15:13	special education teacher hampshire county wv	This would be a good change if IF it would be enforced. There are special ed classes that are way over the amount listed in this proposed change. How can the limits be enforced!!		
2017-05-05 07:57:04	Linda Rockel Special Educator Lincoln County Board of Education Hamlin WV	In education, especially when it concerns special education, our government puts a one size fits all bandage on the students. I have been in education for the last 25 years, and not one student was the same, they are all different in their own way. We need to look closely at the students we teach, and teach to their strengths. Unfortunately, with the drug epidemic, we are going to see more students in the future who have an Individualized Education Plan, who are in special education with most have more severe issues. Fifty percent allowed in the regular education classroom is totally ridiculous. These students, and all students are our future. Let your heart and brain work together, and lets give them		

		what they deserve in education. All students deserve better than this, because this will affect all students in our education system!		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Concern for Special Ed students with a mental disability. I have served in this population of students for over seventeen years. As it is now, even in the Related Arts classrooms with the general population, our students have a very difficult time. They learn in the self contained classroom, more than you realize. This population of students do have special needs.		
2017-05-08 09:20:08	Susan Rogers SLP Monongah WV	REMOVE the Developmental Norms charts for articulation and phonological processes.		
2017-05-12 13:54:44	Martha Walker Reading Interventionist Kanawha County South Charleston WV	The student teacher ratio for resource room classrooms should not be increased. The percentage of students with IEPs should not be above 20%.		
2017-05-22 10:04:23	Bethany Brannon Special Education teacher Belle Elementary Belle West	It is ridiculous to think these proposed policy changes will be helpful to the school system. In my opinion it is to save money.		
2017-06-07 08:50:11	Travis Roton Teacher Wood County Schools Parkersburg WV	As an educator that has taught in a classroom with more than 50% Special Education students, I can say it is not fair to any child in the classroom to be in that setting. The struggling students don't get the attention they need, the on level students don't get pushed to get better, and the above level kids do not get the challenge they need to stay above level. The teacher always gets caught up with the students that are struggling.		
2017-06-07 09:27:49	Lee An Fragale parent Vienna WV	My family does not agree with this policy except for art, gym, library, and music. My son is 35 now, but we fought this when he was in school. He received the best education a child with disabilities could get!! His education taught him how to be an adult with disabilities. He was taught reading, basic math, writing, how to get along with others, training for a job, and many more daily skills. Brandon is successful as an adult because of his education! He worked independently for 10 years at Taco Bell until his health required him to quit. He participates in community activities with minimal problems. He helps around the house with prompts, reads basic articles that interest him, signs his own documents which his handwriting still looks like a first grader, but he does it. He knows his address, phone number, and social security number. When he was in middle school, the BOE insisted he be integrated in algebra of all		

		<p>classes!! He could do basic math only. I told them no way!! Brandon would be a distraction to the teacher and students which was not fair to them! Brandon is very friendly and would want to talk to the regular ed students because the class would not make any sense to him at all! I won my case but without resistance.</p> <p>Brandon was included in music, gym, and library. He thrived in those classes because it did not require his intellectual thinking. He could have fun and socialize with regular ed students and not be a distraction. He even sang a duet in the talent show one year.</p> <p>In conclusion, my husband and I have always been against inclusion except for the classes list above. We wanted Brandon to have the best education for his abilities, and he got it!! We can not say enough about the education Brandon received in school!! He is a successful adult with disabilities because his needs were met. Not the needs of regular education which is totally not appropriate for children and adults with disabilities.</p> <p>Please think of the children with disabilities! They deserve the education they need!! Not the education of a regular ed student. Plus it is not fair to the teacher or students!!</p> <p>Thank you,</p> <p>Lee Ann Fragale</p>		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
2017-06-07 12:34:13	Rebecca A Simmons Teacher Elkins WV	To increase inclusion classes to hold up to 50% of students with IEPs is insane! At the high school level, classes are already packed with 30+ students. If you take 50% and place IEP students in those spots, we are talking 15+ students on IEP in one class! What will this do to the already overworked teachers when trying to reach students of all abilities? This is ludicrous and should not even be an option.		
2017-06-07 13:33:17	Tina Hinebaugh Morgantown WV	Reducing staff in the general ed environment for special education students is a horrible thing to do. Inclusion when done properly is wonderful and helps kids tremendously with socialization and academics. Reducing trained special ed staff will hurt all children in the classroom. Safety policies as well as FAPE guidelines can be followed without adequately trained staff. When inclusion is not implemented by adequately trained staff the program receives a bad reputation. Typical children can learn with distraction from the special needs students and parents will complain. Special needs students need a trained staff member supervising them that is familiar with the student and their IEP and BIPs to manage them. If this law is implemented classroom management will become impossible for teachers. Special Ed teaches will become even more difficult to retain.		

		This is a horrible bill. Staffing need to be evaluated based on safety and learning needs of students not just numbers.		
2017-06-08 13:24:22	STEPHANIE ARDEN FLATWOODS WV	AS THE PARENT OF A CHILD WITH SPECIAL NEEDS, I THINK IT IS IMPERATIVE THAT THE SCHOOL SYSTEM PROVIDE THESE CHILDREN WITH ALL NECESSARY TEACHERS/THERAPISTS/LEARNING MATERIAL TO HELP THEM ACHIEVE THEIR HIGHEST POTENTIAL - FAILURE TO DO SO IS NOTHING BUT DISCRIMINATORY!!		
§126-16-2 Purpose				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	All students deserve a good education.		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	The Mental disability of these students should not be placed in the regular classroom setting. I feel our students welfare is in their regular self contained setting. so they can learn. This population of students are very limited as to what their potentials realistically are. They need so much more time than regular students do to complete an assignment. Please consider these students well being.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	no changes proposed		
§126-16-3 Incorporation by Reference				
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Pamphlet in teachers lounge.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		

§126-16-4 Summary

2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Students are people, not numbers. Let us have some common sense.		
2017-05-05 10:28:50	Susan Basham 4th grade Teacher Hinton Area Elementary Hinton WV	<p>-I believe that having no more than 33% of the general education classroom is what is best for not only special education students but as well as regular education students.</p> <p>-As a general educator I notice issues with inclusion with only 33%. Often those students when they come back from a pullout situation have to get on a computer because they just missed an entire reading lesson. Not only for a reading class but for Science and Social Studies when students are not up to grade level reading and they are included in a lesson where there is a lot of reading, often these students feel lost and get frustrated. Having half the class be special education with or without assistance is not only hurting the special ed students it is also hurting the regular education students and the teachers. It is very frustrating having half the class on grade level and then having the rest of the class be at various levels below grade. Also, this is where frustration starts for students who are not getting what they need. This is turn will bring behavior problems so distractions will start and the entire class will be disrupted. This is a horrible idea to have 50% of the class be special ed.</p>		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Special Education students especially with a mental disability need to be in a self contained classroom. They need to have their needs met in a way where they can achieve and learn to their ability. In Their classroom setting where they receive that curriculum.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		

§126-16-5 Severability

2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County	Many students in rural areas do not have an opportunity to learn anywhere other than school. It is of the utmost importance that they receive all the attention we can give them, before it is too late.		
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	Schools Birch River WV			
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	The students with the mental disabilities would not comprehend the assignments therefore frustrating them to where they would shut down altogether and get farther behind. There would also be much distractions where the regular education population students would be harder to focus on their assignments.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
§Chapter 1 Free Appropriate Public Education				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	All students deserve free education.		
2017-05-03 19:50:43	Corinne Scurlock Para-Professional Raleigh Co. B.O.E. Beckley WV	ALL students are entitled to the best public possible. We will not be accomplishing this with these purported changes.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
2017-06-07 11:55:44	Shirley Goodfellow Early Childhood Classroom Assistant Teacher Tyler County Friendly WV	Students who are home schooled should NOT be added. Parents are opting out of Free Appropriate Public Education when they choose to reject that public education, even though they pay taxes. They are choosing to take on the responsibility of providing their childrens education, and they should also provide whatever resources their children require. They should not be allowed to become a burden on the resources of the public education system that they oppose.		
2017-06-07 21:36:41	Leanna Watson Burton WV	Hard to meet the needs of all students with the amounts of special needs in the classroom		

2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	<p>Section 2. FAPE Considerations</p> <p>A. District Obligation – HB2711, which abolished RESAs, passed during the recent legislative session. Should No. 3 be removed from the list of entities which may provide special education programs and services?</p> <p>Section 3. Exceptions to FAPE</p> <p>Please explain the exception which states – “Students ages three through five who are eligible under developmental delay, but who receive early intervention services from the West Virginia Birth to Three program.” Chapter 4, Eligibility Criteria for Developmental Delay lists several considerations which indicate districts will provide special education and related services. Children transition from Birth to Three services at age three, and can begin receiving Part B services while two years of age if turning three in the fall of the school year.</p> <p>Please explain how the addition of – “Students who are home schooled” to the exception to FAPE conforms with SB 630, which allows students in grades K-12 to participate in a virtual instruction program through a county school system rather than attend classes in a traditional school setting.</p>		
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	<p>Section 3. Related to Exemption from FAPE:</p> <p>Home Schooled Children should not specifically be exempted from FAPE. In recent years, many parents have been compelled to remove children from school and hire behavior and education specialists to educate their children when the appropriate services are not provided by the public school. While FAPE may not have as broad of a responsibility to home schooled children, the wholesale exclusion of that category of education is unnecessary and inappropriate.</p>		
2017-06-10 10:43:15	Kathy Elliott Morgantown Wv	<p>Increasing the percentage of special education students in the general education setting to 50% in the collaborative classroom will interfere with the learning of the general education students, since the pacing of material will need to be slowed. In addition to this, behavior problems tend to be higher, since students with behavior disorders are included in the class. This will also interfere with the learning of students with disabilities. It is already difficult to teach 8th grade classes which have no cap on the number of students per class. With the shortage of special educators in the building, in order to keep percentages in compliance, more general education students are added to a class that has a high population of students with IEPs causing a large class. I taught a class last year that had 40 students in a room. Much creativity was needed in order to fit the desks in the classroom.</p> <p>In addition to this, allowing 30% of a class to have IEPs in general Ed classes without a co teacher is problematic as well. Much teacher attention is required in order to meet modifications, control behaviors, and ensure that everyone is learning at the same pacing with understanding.</p>		

		Increasing the number of students with disabilities in classes is not an appropriate educational step to take. The only reason I knew that I had an opportunity to comment on these proposed changes was because I read an article in my local newspaper. Perhaps a better method of asking for input should be considered if you are really interested in what those who are affected think. I respectfully invite you to come into the schools, meet with teachers, get their input, and ask students how they feel about what is happening in their learning environments before making decisions based on numbers instead of actual people.		
2017-06-11 15:18:57	Andy Bird Hurricane WV	Great proposal changing the modified diploma to an alternative diploma and counting those for graduation rates instead of punishing schools who service students on an alternative curriculum.		
2017-06-12 12:11:11	Christy Black Milton WV	Should RESAs be removed since they no longer exist after July? With the passage of SB 630, How is the virtual instruction program going to work for students with disabilities, in particular cognitive disabilities?		
2017-06-12 13:54:17	Tonya LaFaber Inwood WV	I have concerns about the purpose behind students earning an alternate diploma counting towards graduation rates of schools because under policy 2419, they can stay until the age of 21, meaning they can be in high school for up to seven years and how does that affect graduation rates of the schools when they do not graduate within the traditional four years, that students earning a standard diploma do? These students make up approximately one percent of the school population and should not be included in the graduation rates.		
§Chapter 2 Child Find				
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 2 Section 3. Referrals C.5. The Council is pleased to see this addition, which allows parents to review recommendations made by the Student Assistance Team (SAT) and provide feedback.		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	œ Section 3(C)(4) This is a positive addition to the responsibilities of the SAT team, as reviewing "individual student needs that have persisted despite being addressed through academic or behavioral supports provides another opportunity to discover workable solutions to address academic or behavioral issues and helps to ensure compliance with the provision of FAPE.		

		<p>â€¢ Section 3(D)(2)(c) Please include accommodations for parents who have difficulty writing. DRWV suggests adding the following language, "When a verbal request for an initial evaluation is made by the parent, they are to be informed that requests must be made in writing. A member of the SAT team shall provide written assistance to parents who may need additional help to complete their request in writing.â€ It would be in the best interest of the district to develop a template for such services.</p>		
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	SAT responsibilities and the inclusion and recognition of 4. Reviews individual students needs that have persisted despite being addressed through academic and/or behavioral supports; and 5. Allow parents to review recommendations made by team regarding the childâ€™s program and to provide feedback to the team about those recommendations; are both good additions to this program.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I am pleased with the addition of individual student needs being reviewed (4) and allowing parents to review recommendations made by team regarding the child's program and how to provide feedback to the team about those recommendations. (5)		
2017-06-12 12:11:11	Christy Black Milton WV	Glad to see that parents are being allowed to be active members in SAT meetings by reviewing recommendations and providing feedback.		
§Chapter 3 Evaluation/Reevaluation				
2017-04-23 16:27:00	Angela Sigmon Graduate Student Marshall University Hurricane WV	Policy 2419, prior to its revision, stated that "evaluations must be provided and administered in the studentâ€™s native language and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally unless it is not feasible to do so. Attempts to provide a qualified examiner in the studentâ€™s native language or mode of communication must be documentedâ€. However, nothing had been stated about a child who is deaf or hard of hearing. The newest revision of this policy added in this section requiring "a child who is deaf or hard of hearing a comprehensive language assessment in the childâ€™s language and communication modeâ€. This would ensure that a child with a hearing impairment would be assessed in a way that would express their best outcomes for performance. This is crucial because the translation of some questions may give the answer away. This not only invalidates the test, but does not provide an accurate representation of the childâ€™s performance.		
2017-04-24 14:00:00	Michael Powell School Psychologist Morgan County Schools	The Notice of Individual Evaluation/Reevaluation Request should include Mental Status Examination as an area to check and include a description along with the other descriptions. This does not directly involve a change to policy but it does impact the form and the definition of informed consent.		

	Berkeley Springs WV			
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Evaluation needs to be done in a more appropriate time frame. Discovering a student has an IQ of 54 in the 4th grade is entirely too late.		
2017-05-09 09:39:02	Cheryl Bifano Audiologist Resa 7 Clarksburg WV	Functional Listening Evaluation was recently added to the evaluation/reevaluation request form. I have already had several questions regarding if this is the same as auditory processing testing. I am concerned that FLE is going to be marked when CAP is what is wanted. Perhaps under the heading Hearing: audiological evaluation, auditory processing evaluation and FLE should each be a bullet item.		
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	Although the 80 day timeline is mandated for evaluations, there should be some alternate timeline for evaluating gifted" referrals. It is not uncommon for larger counties to experience a great number of gifted referrals. Given the shortages of school psychologists this added group can easily distract from timelines for suspected SWD		
2017-05-23 15:42:24	Allen Sexton Director of Special Education Raleigh County Schools Beckley WV	<p>Within chapter three there appears to be some discrepancy in the number of days and type of notice associated to evaluations.</p> <p>Section 3A discusses a written notice which is complemented in Section 3B by the expectation of a 5 day PWN</p> <p>Section 3C discusses a 10 day expectation and is again complemented in Section 3D with a 10 day PWN</p> <p>Any revisions here may also need reflected in Section 2D - outlining SAT timelines</p>		
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Thank you for adding "Comprehensive Language Assessment...." for child who is deaf or hard of hearing. This is critical for ensuring childs ongoing academic learning.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher	Changes are appropriate		

	Education Parkersburg WV			
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 3 Section 4. Evaluation Procedures A. Areas to Evaluate – The Council is pleased to see the additional requirement of a comprehensive language assessment for children who are deaf or hard of hearing.		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	– Section 2(A) Add the following language to ensure compliance with 34 CFR Â§ 300.301(e), "The previous district is responsible for providing existing data in a timely manner to the subsequent district, ensuring a written agreement between parent and subsequent district detailing the specific timeline for evaluation, and ensuring progress toward completing the evaluation is made." – Section 4(A) There has been the following language added, "For a child who is deaf or hard of hearing, a comprehensive language assessment in the child's language and communication mode shall be included in his/her comprehensive evaluation." This language should be moved to Section 4(B)(e) for continuity purposes.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I am pleased that comprehensive language assessments are being added for children who are deaf or hard of hearing.		
§Chapter 4 Eligibility				
2017-04-19 10:19:45	Resa 7 Special Education Directors Special Education Directors RESA 7 Clarksburg WV	Please remove gifted eligibility from Policy 2419. Gifted could be included in a multi-tiered support system rather than in special education. Additionally, remove gifted from having the rights to IEEs, as gifted is not federally supported.		
2017-04-24 14:00:00	Michael Powell School Psychologist Morgan County Schools Berkeley Springs WV	Other Health Impairment - If there is an exception for a psychologist to diagnose ADHD, why not other mental disorders? We (school psychologists) are including diagnostic impressions in our reports now, so why could we not diagnose a depression or anxiety disorder? Depression and anxiety impact a child's alertness to the educational environment. Also, I fear that requiring physicians diagnosis is setting school systems up to fit the doctors bill.		
2017-05-03	Rotha Young Academic	ALL students needing assistance and those who are eligible deserve the most help possible to succeed in life.		

08:22:08	Interventionist Nicholas County Schools Birch River WV			
2017-05-04 10:45:39	Amanda Barbee Ravenswood WV	IQ tests aren't always an accurate measure of intelligence. My son has high functioning autism and needs enrichment/acceleration, particularly in math (scored at 99th percentile in achievement test and 8th grade level at 10 years old.) However, the school system could not offer an IEP for him because his autism wasn't negatively affecting his education, and his IQ score barely missed their requirements for gifted. We tried SAT meetings, and the teachers always said they'd give him harder work, but they never did (several teachers/elementary and middle school). I have to homeschool him in order to meet his educational needs. There needs to be an option listed for those who are obviously gifted, but because of autism (or whatever reason) may not score HIGH enough on the IQ tests.		
2017-05-05 13:04:51	Lisa Lepsch School Psychologist Barbour County Schools Philippi WV	Remove Gifted from special education eligibility		
2017-05-05 22:58:12	Matthew Mullins Student, School Psychology Marshall University Huntington WV	While allowing School Psychologists to diagnose individuals with Attention Deficit Hyperactivity Disorder is an important part of granting eligibility for low-income families who may not have access to psychiatric services, item (1) should be aligned to the DSM (currently DSM-5) criteria for ADHD in State Law as well as in guidelines for practicing School Psychologists through their associations (state and national).		
2017-05-05 22:58:48	Matthew Mullins Student, School Psychology Marshall University Huntington WV	Under the eligibility category of Autism, the majority of the DSM-V diagnostic criteria is used (relatively verbatim). However, the section that reads "Note: Individuals with a well-established DSM-IV diagnosis" under section 5 should be placed under section 1 of eligibility criteria for Autism Spectrum Disorder, below (1)(e). This may help alleviate confusion about the diagnosis of autism when educational performance due to behavioral concerns are present.		
2017-05-08 11:17:58	Stephanie Biafore Speech Language Pathologist Marion County Schools Fairmont WV	REMOVE the Developmental Norms charts for articulation and phonological processes to determine eligibility for Speech Therapy. These charts do not follow the developmental norms we use to determine eligibility.		
		With regard to "Replaced requirement of a 4 year plan to be completed for students who		

2017-05-15 08:31:37	Robyn Addie Morgantown WV	are gifted in grades 9-12 with the Personalized Education Plan (PEP)." These four year plans are critical for Gifted students to receive the additional support needed at high school. High school counselors who complete the PEP with 500 or more students are overloaded and can provide individual guidance to these gifted students. It is the responsibility of the person or persons completing the four year plan to discuss their classes, college plans, and future goals. On many occasions, it is the person completing the 4 year plan that encourages students to take more Advanced and Honors classes, opens the students eyes to the possibility of secondary schools that they hand considered, and persuades them to reach for their goals. It is also this persons responsibility to notice and report any gifted student whose grades are dropping in order to call a SAT meeting to consider a 504 or Exceptional Gifted. An overwhelmed guidance counselor rarely notices that a student identified as "gifted" is no longer performing well relative to his/her intellectual ability. The four year plans are critical for gifted students to receive individual guidance with regard to their classes, college plans, and future goals. Please give these students the additional guidance they need to reach their full potential with the use of a four year plan.		
2017-05-16 08:38:57	Heidi Patton Mountaineer Middle School Morgantown West	With regard to "Replaced requirement of a 4 year plan to be completed for students who are gifted in grades 9-12 with the Personalized Education Plan (PEP)." These four year plans are critical for Gifted students to receive the additional support needed at high school. High school counselors who complete the PEP with 500 or more students are overloaded and can provide individual guidance to these gifted students. It is the responsibility of the person or persons completing the four year plan to discuss their classes, college plans, and future goals. On many occasions, it is the person completing the 4 year plan that encourages students to take more Advanced and Honors classes, opens the students eyes to the possibility of secondary schools that they hand considered, and persuades them to reach for their goals. It is also this persons responsibility to notice and report any gifted student whose grades are dropping in order to call a SAT meeting to consider a 504 or Exceptional Gifted. An overwhelmed guidance counselor rarely notices that a student identified as "gifted" is no longer performing well relative to his/her intellectual ability. The four year plans are critical for gifted students to receive Individual guidance with regard to their classes, college plans, and future goals. Please give these students the additional guidance they need to reach their full potential with the use of a four year plan.		
2017-05-16 12:00:01	Kaylee Dillon Exceptional Educator Putnam County Schools Winfield West	I do not think that the school psychologist should be allowed to diagnose students with ADHD. I think that the student should he evaluated by a doctor.		
	Miranda Wilson			

2017-05-19 08:58:21	School Psychologist Wood County Schools Parkersburg WV	As a school psychologist, I believe that we are more than trained to make the educational diagnosis of ADHD. We have such limited mental health resources. This will be extremely beneficial to our students to help them get the assistance they need. We need to make it clear that this can also work for a 504 Plan as well. Thank you for listening.		
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	WVDE may need to reconsider the placement of "gifted" population within the SE realm. Given the move to MTSS it appears that "gifted" may better be suited programming advisement in a curriculum policy		
2017-06-01 09:30:07	Michelle Gorby Principal Braxton County Schools Sutton WV	I do not think that the school psychologist should diagnose ADHD. An ADHD diagnosis also makes a child eligible for SSI. We have too many parents that this is their only interest. The pay check. I fear that this will put the education system at odds with the medical providers and other agencies.		
2017-06-01 13:29:10	Jami Hefner Special Education Teacher Braxton County High School Sutton WV	I firmly believe allowing school psychologists to diagnose ADHD would be detrimental. I wholeheartedly believe an ADHD diagnosis needs to be made by a medical professional. I feel as though the liability of a school psychologist diagnosis may prove to be more harmful than beneficial for the child as well as the school district.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 4 Section 3. State Eligibility Criteria G. Gifted, Special Considerations #3. Please explain this addition, which states that a student who meets the eligibility criteria for both gifted or exceptional gifted and a disability shall have disability as the primary exceptionality. Parent Notice Requirements “ The definition of Multi-Tiered Systems of Supports (MTSS) given indicates it is for all students. Why then, does the Parent Notice Requirements begin with “œIf a student participates in the MTSS process?œ” Are all students included in the MTSS, or only those suspected of needing special education services?		

2017-06-09 13:17:30	Lynn Bayle Director of Sp. Ed. Mercer County board of Ed. Princeton wv	I feel that a statement needs to be entered on number 7, Chapter 4, page 25, under eligibility criteria for Developmentally Delayed special considerations. Perhaps a statement about a student that reaches age six using the December 1 count as a cutoff for remaining in pre-k. For example, if a student is age five and will turn six in September, that child should be placed in a kindergarten setting prior to the school year beginning. This situation is left too vague in the policy. It states that a six year old can be identified as DD, but another exceptionality such as moderate is not acceptable by the federal government in Pre-k and will be red flagged.		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	â€¢ Section 3(G) For clarity, the following section should be added to the bottom of Section 3(G): Special Considerations, "Although, a student should still be identified as gifted or exceptional in the IEP as to ensure documentation of the impact of the giftedness on the students educational performance.		
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	"3. There are students who may have exceptional intellectual ability and be disabled. If a student meets the eligibility criteria for both gifted or exceptional gifted and a disability, the disability shall be the primary exceptionality" This provision is problematic and does not consider an individual education plan. There may be some children where the exceptionally gifted diagnosis or determination may relate and cause impairment in other areas. Courses classified as and may include Honors, Dual Credit, Advanced Placement (AP) and/or International Baccalaureate (IB) classes are to be indicated on the PEP. that must be provided for the student in grades 9-12. Removal of the requirement to provide advanced placement course and IB classes is a weakening of the gifted program. The change should be reversed and leave the requirement that it programs must be provided and available. That does not require a child to take advantage of it, but they must have the opportunity.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Regarding gifted students. It is my understanding that much of the documentation required in IEPs for children with disabilities is not necessary for a child who is gifted. I would encourage you to survey Gifted (TAG) teachers/staff as to what documentation on the IEP could be eliminated if decided it is not necessary or doesn't apply to a child who is gifted without a disability.		
2017-06-12 11:08:31	Robert G. Bartlett Director of Special Education RESA 1 Beckley WV	In Chapter 4, under Intellectual Disability, students with "the most significant cognitive disabilities", are noted under Eligibility Criteria, under 1. b.(page 27) It would be helpful to include this definition/criteria in the glossary, since it is applicable to other exceptionalities, i.e., Autism.		
2017-	Lanai Jennings	A) As an association, we support the inclusion of the DSM-5 definition of intellectual		

<p>06-12 12:25:36</p>	<p>President West Virginia School Psychologists Association Charleston WV</p>	<p>disability in Policy 2419. The current 2419 definition is inconsistent with the DSM-5 diagnosis which must be included if districts bill Medicaid. 2) The current two adaptive skill deficit model is an outdated model of adaptive behavior, and tends to over-identify students with ID. 3) WV maintains the highest rate of ID in the nation and a change is needed.</p> <p>B) As an association, we support the inclusion of school psychologist or licensed psychologist as professionals who can diagnosis ADHD for the Other Health Impairment category. We support this change in ADHD classification/diagnosis because we typically receive more diagnostic information to support the classification of students with ADHD from these providers. Ninety-five percent of doctors diagnoses are written on script pads with no additional information and the burden of evidence stands with the district already. We additionally believe this will provide more access to services for certain students whose parents/districts are currently unable to access medical care. The one drawback noted here is that a medical visit does provide an important point of contact for families for psychopharmacological intervention, which are found effective for a subgroup of students with ADHD. Schools will have to continue to encourage collaboration and consultation with medical providers.</p> <p>C) For the gifted category, we have had school psychologists request the matrix (described in the historically underrepresented category) be included in the appendix of 2419, as it was in prior years.</p> <p>D) Preschool Developmental Delay - We would like WVDE to begin considering expanding the age range for developmental delay from 3-5 to 3-8 years 11 months. Expansion of the PS Development Delay category could provide a more seamless transition for children whose special education services are discontinued immediately before age 5 but later requalify in grades Kindergarten or first under the SLD or OHI category. The age expansion could additionally expand services to the group of children who are increasingly experiencing executive functioning and behavioral difficulties in preK and early elementary. While we understand certification is involved and this would be a complex move, children could benefit greatly from such an expansion.</p>		
<p>2017- 06-12 15:49:12</p>	<p>Bev Nichols Director of Special Education Clay County Schools Clay WV</p>	<p>1. We need a State definition of “students with the most significant cognitive disabilities.” 2. We need State requirements for a modified/alternate diploma and the wording that will appear on the diploma.</p>		
<p>§Chapter 5 Individualized Education Programs</p>				

2017-04-23 16:27:00	Angela Sigmon Graduate Student Marshall University Hurricane WV	The revision of policy 2419 takes into account the needs of students with hearing impairments, and addresses the issues appropriately. Under chapter five, the revision added "If the student who is deaf or hard of hearing does not demonstrate progress in expressive or receptive language skills as measured through an appropriate assessment tool, the IEP Team must explain the reasons for the lack of progress in meeting the language milestones or progressing towards them and recommend specific strategies, services and programs that will track the child's success towards English literacy". This revision really takes into consideration the possibility of a severe impact on literacy to those children who are hearing impaired. Furthermore, the revision specifically states that the IEP Team must explain the reason for lack of progress as well as recommending specific strategies that track the individual's success, holding them more accountable for the student's progression. Since the population of students with hearing impairments is so low, their needs can often be unintentionally overlooked. This revision is great in providing essential reminders to educators about these children.		
2017-04-24 11:25:19	Linda McCallister Teacher of Gifted Putnam Co. Schools Winfield WV	Gifted iep's do not need to be written yearly. Every three years would be sufficient. Our programs are, for the most part, project and research driven, and while each year brings new curriculum topics, goals written for projects and research cover our curriculum very well. In addition, our students generally excel at these goals. Progress reports should be given each semester rather than each quarter. Because teachers develop the curriculum, teacher time would be better spent utilizing the time now spent writing iep's and doing progress reports on the development of curriculum.		
2017-05-03 07:42:32	Bethany Brannon Special Education teacher Belle Elementary Belle West	Proposed policies would be taking the I out of IEP, individualized. You are setting up students both special ed and gen. to fail. The goals of the special ed student would not be able to be met and the gen. ed students would be held back by the lack of enrichment.		
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	For those students who need an IEP, it is of the utmost importance to receive it in the early years of their educational and emotional development.		
2017-05-03 09:49:58	Karen Breeden Our Little Jewels in the Rough Moorefield WV	There needs to be a more defining regulations for the One on One Aides/Personal Assistants. School districts should not be able to remove these personnel simply because the child is changing from Elementary to Intermediate school, budget, or staffing requirements. A good number of our Special Needs kids are having their Aides removed and are being placed with a person who will be supervising multiple(sometime 3 or 4) Special Needs Children. They are not considering the child's needs when making these decisions. The child's needs and IEPs are being ignored for what the school wants.		

		<p>This opens up the possibility for a child to be placed in an unsafe environment, and not a situation suited to learning.</p> <p>Therefore I think there needs to be a defining explanation/policy that will enable the Aides to remain with the child in their care until such time as a)the child no longer needs said Aide, b)the child moves from the district or is removed from the school system, or c)the Aide decides to remove themselves. There are many children who can not handle the change of a new school along with the change of a new/removal of an Aide all at the same time. If the person who is supervising has other Special Needs children at the same time, then who is going to be left behind. Who will decide which child suffers. Which child/children will not get the education that is their right. This sets the child up for failure. That is against Federal policy and should never be allowed.</p> <p>As these persons are hired as Service Personnel, the school districts move them around according to what they feel their needs are not the needs of the child. I am asking that you please help our children and add/amend any policies dealing with One on One supervision/Personal Aides so that there is smooth transitions from year to year/school to school.</p>		
2017-05-03 19:50:43	Corinne Scurlock Para-Professional Raleigh Co. B.O.E. Beckley WV	When you put to many children with IEP requirements in any classroom no one is able to be educated, we do our students an injustice and deprive them of the oppertunity to be educated properly.		
2017-05-05 10:58:35	Karen Bollinger Teacher Hinton Area Elementary School Hinton WV	<p>I am concerned about the number of special education students allowed to be placed in a regular education classroom. These students require much more individual attention, one on one instruction, closer monitoring and paperwork. I believe the % of special education students in a special education room should remain the same. It should not be increased to 50%. That is way too many.</p> <p>Also, I believe the number of students in a resource room should remain at 6. Again, these students require individual attention from the teacher. That can be done more efficiently with a lower number.</p>		
2017-05-08 09:29:41	Erin M Robinson Teacher and Parent Parkersburg West	Increasing the number of students in a pull out room is a horrible idea. Special Education teachers already have enough students with the cap being 6. We are talking about students that have an increased need for instruction that individualized and need as much one-on-one attention as possible. By increasing the number of students to 8, we will be decreasing the amount of attention the teacher will be able to provide for these students!		
2017-05-16 12:00:01	Kaylee Dillon Exceptional Educator	Level 1 should not be increased to 8 students. If we want to give our students an INDIVIDUAL EDUCATION, then we need smaller classroom numbers! With the rising number of students who qualify under OHI because of ADHD, it is very hard to services		

	Putnam County Schools Winfield West	students with an INDIVIDUAL education, adapted to them! Students are in these environments because they NEED HELP. More students will result in less help and more busy work.		
2017-05-31 14:11:11	Andrea Henderson Special Education Teacher Mason County Schools Point Pleasant WV	Student levels are optional for counties to use. However, leveling a student determines class size and ultimately determines students individualized instruction. For instance, I have a classroom of moderate level students. In my program, I have 5 who are more capable of reading and learning math. However, at times, their education suffers because there are 3 other students who often require 2 adults to keep them and the other children safe. Student intellectual and functional severity should be taken into account when determining class size. It is easy to educate 12 students who are able to sit and listen or follow directions without physical prompting. However it is impossible to educate 12 students well when several need constant physical prompting to complete all tasks.		
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Thank you for including: If student does not demonstrate "language progresstowards English literacy". Essential for ensuring childs academic learning.		
2017-06-06 19:19:09	Courtney Dolin Teacher PCS Hurricane WV	Something has to be done to ease the burden of these special ed teachers. These are too tedious and time consuming the way they are written currently and we need to retain our great teachers instead of losing them to positions that don require so much paper work.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	Changes are appropriate		
2017-06-07 11:41:36	Robert G. Bartlett Director of Special Education RESA 1 Beckley WV	In chapter 5, Section F.- Transition Services, current language states that : "Beginning with the first IEP to be in effect when a student is sixteen years old....." I would propose that this age be lowered to fourteen years old. If a target or focus for college or career is established at the younger age, proper planning with involvement of all applicable players can take place and a student mindset of looking toward the future can be nurtured.		
2017-06-07 20:34:17	Charles & Dana Sine Capon Bridge WV	Supplementary Aids, Services/Program Modifications (accommodations) in the Special Education Environment should be documented on the IEP for accountability purposes. When consensus regarding an IEP decision can be reached, the district should have to cite specific cause and reason for refusal on the PWN.		

		<p>When the IEP team determines that a specific program is needed, this should be documented in the Special Education Services section of the IEP.</p> <p>Annual IEP reviews should be done twice a year.</p> <p>Districts should not have the right to deny a parents request to schedule an IEP meeting for their child under any circumstance.</p> <p>The IEP case manager should monitor the students IEP goals and objectives and schedule an IEP team meeting when the student is not making sufficient progress.</p> <p>Parents should be able to have one IEE per year paid at public expense in order to ensure their childs evaluation results are objective and satisfactory.</p>		
<p>2017-06-09 13:14:58</p>	<p>Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV</p>	<p>Chapter 5 F. Invitation to IEP Team Meetings 3.c. addresses transition of students from Part C to Part B services, and preparation for transition from high school to post-secondary goals are addressed in 4, and later in F. The Council believes transitions from elementary school to middle school, and middle school to high school are also major transition periods for students that require more attention. The Council also believes that the idea of employment or other post-secondary education should be the first option for students, and such expectations should begin much earlier than age 16. For instance, the transition from elementary to middle school would be a good time to begin the discussion about post-secondary goals for students. This would assist greatly in planting the idea in the minds of students, parents, and school personnel that work or post-secondary education are important considerations, are possible, and are the expectation. Post-secondary goals are more apt to be successful if they begin to be addressed earlier in a student’s school career. The Workforce Innovation and Opportunities Act (WIOA) allows for post-secondary goals to begin to be addressed at age 14. While this may not be feasible for all students, it should be an option for many, and will be more likely to be feasible if considerations of post-secondary goals begin at an earlier age.</p> <p>Section 2. IEP Development E. Goals and/or Objectives – The Council is pleased to see the addition of stronger language related to language development for students who are deaf or hard of hearing.</p> <p>F. Transition Services - While the Council is pleased to see the addition of WIOA language in this section, it is greatly disheartened to see the old language related to guardianship still contained here. The Council has actively promoted alternatives to</p>		

		<p>guardianship for many years now, and has regularly heard from parents that they only applied for guardianship of their child because the school system required it. There are valid alternatives that allow parents to continue to participate in their child's educational planning without stripping the student of his/her civil rights. It is disappointing to see the WV Department of Education continues to promote and encourage this outdated means of supporting individuals with intellectual disabilities. The Council strongly encourages the Department to remove this language and replace it with more appropriate alternative options.</p> <p>I. Statewide and District-wide Achievement Testing, Role of the Individualized Education Program (IEP) Team – Following the statement, “The implications of the decisions must be carefully explained to the parent and the student,” three specifications are listed. The Council suggests that further clarification be provided to explain the ramifications for students who take the WV Alternate Assessment and receive an Alternate Diploma.</p> <p>K. Consent for Initial Placement and Revoking Consent – A statement was added here, apparently to clarify that a revocation of consent applies to all special education and related services, and cannot be revoked for a particular service. There are many related services provided by the education system – speech therapy, occupational therapy, or physical therapy, to name a few. Is it the intention of the Department to deny children other needed special education services if the parent decides they no longer wish their child to receive physical therapy, for example? If so, the Council strongly disagrees.</p>		
<p>2017-06-09 13:17:30</p>	<p>Lynn Bayle Director of Sp. Ed. Mercer County board of Ed. Princeton WV</p>	<p>Part C, page 44, all days referenced should state school days. For example, an IEP meeting was held the last week of school and now a parent wants a meeting. I have 21 days to convene an IEP meeting with no staff on duty during the summer.</p>		
<p>2017-06-09 14:04:12</p>	<p>Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV</p>	<p>– Section 1(C)(4) Please include language about providing accommodations for parents who have difficulty with writing. DRWV suggests adding the following language, "When a verbal request for an initial evaluation is made by the parent, they are to be informed that requests must be made in writing. A member of the SAT team shall provide assistance to parents who may need additional help to complete their request in writing."</p> <p>– Section 1(D) Please consider adding following bullet to Section 1(D), "For a student who is eligible, appropriate personnel from the West Virginia Department of Rehabilitation Services (DRS) should be invited to assist with the transition of services."</p> <p>– Sections 1(E) and 2(F) The Workforce Innovation and Opportunity Act (WIOA)</p>		

		<p>provides employment and training services for in-school youth between the ages of 14 and 21. Please change the age listed in Sections 1(E) and 2(F) from 16 (or younger if determined appropriate by the IEP team) to 14, as this is the age services are available under WOIA and should be considered throughout the process of developing post-secondary goals and transition services.</p> <p>â€¢ Section 2(J) The removal of this note is a positive change and its inclusion is particularly important in light of the suggest change to caps for total class enrollment in integrated classrooms as it will help districts assure that the student can be moved to a placement tailored to individualized need.</p> <p>â€¢ Section 2(K) DRWV finds that the addition of one word would help explain to parents and educators the full impact a written revocation has. The word change has been included in bold, "Within five days of the receipt of the written revocation of consent, the district must provide prior written notice to the parent, and to the adult student, if applicable, that special education and all related services will cease.</p> <p>â€¢ Section 2(M) The addition at the bottom of this page regarding the modifications allowed should be clarified to ensure compliance under the IDEA. DRWV suggests adding the following language, â€œTeachers in whose class or program a student with exceptional needs is enrolled shall participate in the meeting to develop the studentâ€™s IEP, or read and sign a copy of the studentâ€™s individualized education program acknowledging that he or she has read and understands it and make classroom modifications for the student, if needed or identifies, to help the student succeed in the class or program as specified in WV Code Â§ 18-20-c.â€</p>		
<p>2017-06-09 16:45:26</p>	<p>Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West</p>	<p>Withdrawal of consent for one service should not mean withdrawal of all programs. There may be a specific problem or circumstance that makes one program not workable for a child. That should not mean that there is a wholesale withdrawal of consent. For instance, if a child does not utilize the OT program but wants to continue to get speech services. The two are not dependent on each other and so consent may be withdrawn for one but not a complete withdrawal of services. Requiring entire withdrawal challenges and removes the ability of a program for individual education planning.</p> <p>The requirement or lessening of the requirement of percentages for services to be provided by each teacher in a classroom. 50% is too large of a number before triggering assistance or additional instructional resources. If all or a majority of the children with IEPs or disabilities are placed in a single classroom and there is a 50:50 split that is not meeting the least restrictive environment for any of the students. The result is segregating children into classes without aides or assistance for many of the safety and personal care concerns that many students need and require. The least restrictive environment and</p>		

		FAPE go hand in hand to offer every child the opportunity to learn at their greatest potential. Barriers do not help any children, in fact fewer teachers and specialized aides harm the typical learning child as well because the skills and attention of teachers are focused on those needing specialized services versus the generalized education in the classroom.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Regarding Transition services, the sooner you can address transition the better, preferably before age 17. Also, emphasis on high expectations of all students, regardless of level of need is important to give the benefit of Pre-ETS to all students with IEPs equally. Including appropriate community organizational staff such as DRS counselors in the IEP meeting should be encouraged and initiated as soon as possible to ensure successful transition and increased independence. Section K regarding revocation of related services is unclear. The I in IEP would seem to be reason enough to consider revocation of specific services. If a child with an IEP does not need all related services, why would you not want the team to discuss and allow for revocation of a specific service such as PT? Why would you cease all services if there is evidence that the child does not need one particular related service?		
2017-06-12 11:08:31	Robert G. Bartlett Director of Special Education RESA 1 Beckley WV	Please consider a clear definition of Alternate Diploma (State-Defined), and the requirements for said diploma. Please consider addressing/adding this in the glossary, also. It may be beneficial to include a definition of Alternate Standards and Alternate Assessment, including eligibility requirements, in the glossary, with reference/connection to Alternate Diploma.		
2017-06-12 12:11:11	Christy Black Milton WV	Moore needs to done to assist students transitioning to middle school, and middle school to high school. Employment should be beginning to be discussed when students are entering middle school, and a plan should be starting to be developed for employment at 14 which would be aligned with WIOA. Alternatives to Guardianship should be promoted, or options should be given to educate families. I hear often that school officials have told parents that if they want to attend their childs IEP meeting when their child is 18, then they must seek guardianship. This is simply not true, and changes in policy need to be made so that school employees are educated on this matter. There needs to be stronger statements and better explanations of the diploma types, and the implications of alternate testing versus general testing. There needs to be clarification on revoking consent. The document reads as if a parent refuses something such as a therapy that they revoke the entire IEP.		
§Chapter 6 Administration of Services				
2017-04-19 10:19:45	Resa 7 Special Education Directors Special Education Directors	Current executive summary states "Changed Level 1 Caseloads for Early Learning Programs Grades K-5 to 1-8 students with special education teacher" The Caseloads are not changing from 30 to 1-8. The word Caseloads should be class size. Please further clarify "the percentage of students with disabilities shall not exceed 50% of the total class enrollment". In the policy revision it states, excluding those with		

	RESA 7 Clarksburg WV	speech/language impairments. This should be removed because in addition to those students with speech/language impairments, students with other disabilities may be in the class but not receiving specially designed instruction. For example, an LD student in math may be in a co-taught Language Arts class and not receiving specially designed instruction in Language Arts.		
2017-04-19 19:44:26	PAT BUSH RETIRED TEACHER RETIRED TEACHERS WESTON WV	I am upset and very concerned with the change of the number of students to be changed from 6 students to 8 students!!! As a parent, a teacher for more than 30 years, working with students of all levels and volunteering in the schools, I have many opportunities to observe classrooms of all levels. My observation of students in K-5 with disabilities is that these early years require MUCH help from the special teacher when placed in the inclusive classroom. I have seen how difficult it is to be able to assist every student on the special teachers caseload when they have 6 students assigned to them! I do not see how it would be humanly possible to adequately assist two more added to their already difficult case load! I think a change such as this (adding 2 more students to a case load) is going to have a highly negative impact on keeping special education teachers in our state!!! I understand it would allow for a savings in salary costs, but at what cost? These special students need to learn the basics in grades K-5 if they are going to be able to survive in the adult world. Are you really thinking of the negative impact it will have in the future; will these students continue to get individual help in the future to catch up? I am asking you to reconsider this change in numbers being served from 6 to 8. If you think teachers are burned out now what will they consider doing when their numbers for these special students increase? Some of these students require much more assistance than just instruction, and even with an aide the increase would be inconsiderate of teachers who are trying to help these special students! Please RECONSIDER THIS CHANGE IN NUMBERS!!!		
2017-04-24 09:54:49	JoAnn Thomas Special Education Aide Mason Co Board of Education Point Pleasant WV	I work in a self contained special education classroom. The maximum student amounts need to be lowered due to behaviors and needs in classrooms. Also I believe that level 3 should not be optional. This would help lower the number of students in classrooms that have students that need more intensive care and supervision. This would benefit students academic success because they would have better access to teacher instruction.		
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Students needing assistance should receive from all who can intervene in the building, Title 1, Special Ed. Academic Intervention, etc.		
2017-05-03	Catherine WV	Younger Special Ed students need more intensive instruction which requires more time and effort by individuals. Why do you want to assign more students to one teacher ? I		

19:15:22		know firsthand that even six students can be very taxing depending on their disabilities. Six special students at one time is enough !		
2017-05-08 14:32:07	Heather Ballard teacher AFT Charleston WV	This is unfair to students and teachers.		
2017-05-10 13:40:14	Stephanie Agee Teacher Parkersburg WV	Teachers are already overwhelmed with behaviours in their classroom from the general population in their classrooms due to the changing society. Increasing the percentage of IEP students will increase the pressure on teachers already stretch thin do to the behaviours they already have. In addition, adding addition students in a special education classroom students will get less 1:1 attention to those who really need the intensive instruction from the special education teachers. Most of the time the students only see this teach for 30 or so minutes and adding more students to their room only decreases their intensive instruction time.		
2017-05-11 14:42:27	Renee Marchese special education teacher Ohio County Schools Wheeling WV	The number of students in a self-contained AU room should NOT be 8 students to 1 teacher and 1 aide. The previous limit of 4 students with 1 teacher and 1 aide was more beneficial to the students. These students require an abundant amount of one on one attention to make progress. Higher numbers of students in the classroom will limit their progress.		
2017-05-12 13:10:12	Leah Hager Science 6th and 7th Grade Hamlin PK-8 Hamlin WV	Policy 2419 increasing the cap of IEPs in the general classroom to 50% is detrimental to the education of all students in my opinion. The percentage of students with IEPS is already so high in my general science class that I find it difficult to meet the needs of the on grade level and advanced students. In one of my classes I have 27% students with IEPs and that class has a very hard time keeping up with my other 6th grade classes. There are a couple advanced students in that class but they are kept at a slower pace than my other two 6th grade classes that don have so many IEPs. When I give a test, I have to disturb the entire class to read the test to the children that need help. A class that is as much as 50% IEP students would not be conducive to learning for any of the students involved. There would not be enough help for struggling students and the time spent encouraging them takes away from on grade level and advanced students.		
2017-05-15 09:58:34	Rachel Parks Teacher Washington High School Charles Town WV	As a teacher of English Co-taught classes, I feel it is a disservice to the students to increase the percentage of students with disabilities in the classroom. The goal is to give them a least restrictive environment in which the teacher can provide assistance tailored to their needs. If the number of students who need this tailored assistance increases it will be nearly impossible for two teacher to meets the needs of all of the students. It would serve the students more to be in a class where they can receive more one on one assistance. The ability of the teacher to give one on one assistance to students with		

		disabilities decreases with every additional student added to the roster. I ask that you reconsider this policy change so the students can be properly assisted in the classroom.		
2017-05-20 08:12:55	Margaret Logan Teacher Confidence Elementary Liberty wv	A child would not have been referred and identified for special education services if they were able to be successful in a regular classroom with the normal modifications that teachers do every day, even without an IEP. When you place too many children with special needs in a regular classroom it takes away from the attention that the teacher can give to everyone.		
2017-05-20 22:02:54	Linda Bennett Resource Teacher Charleston West	If the percentage of the special education student increases general education teachers are concerned with the effectiveness of instruction with rigor to meet the special education student needs. It shall not exceed more than 30% of the total class enrollment in general education to avoid compounding the already existing challenges for teaches to meet the various academic needs and skill levels of all students. Multi-categorical Resource rooms have a variety of students with different exceptionalities, different academic needs, and different learning styles. Trying to bridge the learning gap of each student at a faster rate is already difficult. Many of the students are one to three years behind their present grade level. Each student needs specially designed instruction in a small group setting. If the class size is increased to eight you are jeopardizing the future of these children's chances at an age where they might have a chance to catch up or gain academic growth before reaching middle school.		
2017-05-23 16:20:50	Allen Sexton Director of Special Education Raleigh County Schools Beckley WV	The 34CFR 76.731 reference in Chapter 6 is insufficient to explain to what extent each district is required to maintain documentation. The federal register indicates both the "state and sub-grantee shall keep records to show its compliance with program requirements." It is the opinion of this district that the SEA is attempting to set a new standard of documentation maintenance beyond the IEP and its supporting documents. If the state intends to increase the standard of documentation and documentation maintenance, it should be better defined.		
2017-05-31 16:05:51	Erin Sullivan Elk Elementary Center Charleston West	Having up to fifty percent of students in an integrated classroom is high, since the Special Education teacher may be assigned to two classes during an instructional block. In that case, the general education teacher would be on his or her own during the times the special education teacher is assisting in the other classes. This puts a big burden on general education teachers who are trying to meet the needs of all the students in their classrooms. The move to increase the number of students receiving Level I services is not in the best interest of students. Students in these in instructional blocks need to have specialized instruction based on individual needs. It is very difficult to provide specialized instruction as the group size increases. It is recommended that students receiving Tier 3 services in MTSS be taught in small groups of 1-3 students or individually. It doesn't make sense that the students needing the most intensive instruction should be taught in groups of 8 students.		

2017-06-06 12:55:50	Emily McGuire Special Educator Wetzel County Schools New Martinsville WEST	I am speaking against the change from 1:6 to 1:8 ratios for Level 1 Elementary Special Education students. I have been teaching students with special needs for the past 12 years. I have taught under the 1:8 ratio with Multi-categorical identifications, and it is more effective to teach a smaller group of students. For example: When a child with an Emotional Behavior Disorder is placed in a classroom with 7 other students with mild Specific Learning Disabilities, it's nearly impossible to address the academic needs of the students with SLD because your time is spent on managing behaviors. If the policy specifically stated that students would not be grouped in a multi-categorical classroom, then the number of students being larger would not be as big of an issue. I am a firm believer targeted early intervention based on individual learning and behavioral needs. I am not a proponent of maxing out special education classrooms just to meet scheduling demands. It takes the "individual" out of IEP!		
2017-06-06 19:19:09	Courtney Dolin Teacher PCS Hurricane WV	Please do not split an inclusion teacher. Again- ridiculous to ask of the special educator. We need these teachers to be treated like professionals- this is hard to do when they are only in a class half the time. Especially at the high school level.		
2017-06-06 20:20:05	Amy Varney Math Teacher Hurricane High School Hurricane West	In math, we work bell to bell on a daily basis. The kids need support the entire class period. We move quickly and are constantly learning new concepts. Having a support teacher only half a block is confusing to the kids and the teachers. Upon entering half way through, the support teacher has to get caught up with what was missed so he/she can then support the children in need. By the time everyone is on the same page, weve moved on to something else and now everyone is confused. It is disrupting to the entire class, especially those who may already be confused or experiencing anxiety over the assignments at hand. If the support teacher leaves half way through the block, the kids are left feeling alone and often do not know what to do to get the extended help they need.		
2017-06-06 20:21:50	Kelly Allen Teacher Putnam County Schools Hurricane WV	Currently, inclusion does not meet the educational needs for all. Split teacher inclusion is currently being used as a "patch" to fulfill the shortage of highly qualified special educators. None of models of inclusion (parallel, lead, or alternative) can be fully implemented when you have one integral of the equation missing half of the time. Students are NOT receiving modifications to its full extent. Special educators are overwhelmed with keeping up two curriculum(lesson plans) going on at the same time. They are either entering the classroom late or leaving early which deny the teacher and students of vital help. Furthermore, the special educators are responsible for monitoring approximately 20 students in two classrooms. The bulk of the work is left on the regular educator. Split inclusion leaves classroom teachers without the resources, training, and other supports necessary to teach students with disabilities in their classrooms. Special education students are being shortchanged of quality education. Split inclusion puts every		

		stakeholder at a disadvantage and not fully benefiting from what IDEA was originally set up to do--provide quality education to those with disabilities.		
2017-06-06 21:18:23	Stefan L Smolski Fairmont WV	The maximum allowable percentage of students with disabilities of 50% is too high. I have taught in a science classroom where the number with IEPs reached 50% and I had a collaborative special education teacher in the classroom. Even with our combined experience, the challenges of meeting the needs of all of the students was daunting. A more reasonable maximum is 30%. My mix ranged from a student with TBI to a student who could not functionally read above the 1st grade level. 12 of my students had IEPs!		
2017-06-07 08:40:37	Linda Bunce Mrs. Raleigh County schools Daniels WV	Increasing the allowed percentage of children with special needs per classroom not a good idea. There are so many needs present already in the general education population, it becomes more and more difficult to provide education. Co teaching is a good model everywhere however.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	<p>Some of the changes are appropriate and others are not reasonable within some school settings.</p> <p>An average classroom in the school in which I teach has 40% to 70% of students with IEPs. If the maximum number of students must not exceed 50%, then classroom aides would have to be provided in a majority of the classrooms. There is no way to divide the students amongst the classrooms and not be above this level in some grade levels. I teach in a high poverty school and there is a high number of students with mild disabilities. We also have students transported to our school with autism and behavior disorders. What happens when there is a limited number of service personnel and these positions are unable to be filled? While the numbers sound good, I don't believe they are feasible. Additional funding would also need to be provided to school systems to help cover these additional costs.</p> <p>The change in the maximum number of students in a special education environment is also inappropriate. Following IEPs and providing individualized instruction is almost impossible with having 6 students in the classroom with level I services needs at an elementary age. These students need direct educational instruction and most have behavioral or communication needs. Many need individualized attention and are learning to work even in a group of 3-4 students. What type of intensive, individualized instruction is being provided when you put 8 elementary students with various disabilities in a classroom together with one teacher and no aide? This would be a disservice to the children and the teacher trying to meet these individualized needs. Most schools have difficulty with filling and maintaining special education teachers. What type of incentives will be offered at the state level to assist with maintaining these teaching positions? Would the state consider allowing and providing money for an aide in these classrooms to help meet the students needs? While the increase in the numbers would help with</p>		

		meeting IEP minutes, the students would be limited in the instruction they really need. These students are already behind academically, as well as sometimes behaviorally and socially, so passing this would only be a disservice to these children with special needs. These proposed changes need to be reviewed and further discussion needs to be held to address the questions presented.		
2017-06-07 11:55:44	Shirley Goodfellow Early Childhood Classroom Assistant Teacher Tyler County Friendly WV	The proposed maximum number of students with disabilities of 50% of total class enrollment in a general education setting with one teacher MUST be lowered! This is entirely too high for a teacher to manage while providing adequate teaching instruction that meets the needs of ALL students. One must realize that there are students in our classrooms today with behavior and other issues that do not qualify as part of the special education population. This, on top of a 50% special needs classroom population, is an unreasonable teaching environment to put on our teachers as well as the average students with which we are expecting to excel! Please amend the policy to a students with disabilities maximum of 20% of total class enrollment. This appears to be a money saving measure that will do more than send our great teachers to other states or even professions.		
2017-06-07 12:24:43	Kate Porter Assistant Superintendent of Special Education and Kanawha County Schools Charleston WV	Regarding section 4.B on changing level 1 minimum staffing ratios, I propose that grades K-2 have a 1:6 ratio and grades 3-5 have a 1:8 ratio. This will ensure the youngest learners get the smallest groups and the group numbers will go up incrementally to the secondary level of 1:12.		
2017-06-08 10:47:29	Linda Bennett Multi-Categorical Resource Teacher Charleston West	I am recommending Level 1 Service Needs for Early Learning Programs Grades K - 5 consider K to 3 with a 1:6 ratio since these years are critical to the developmental period of early intervention of childrens healthy cognitive, emotional, and physical growth. Then the ratio 1:8 for 4th and 5th graders. At least that would be a better compromise to the proposal being recommended.		
2017-06-08 13:24:22	STEPHANIE ARDEN FLATWOODS WV	AS THE PARENT OF A CHILD WITH SPECIAL NEEDS, I THINK IT IS IMPERITIVE THAT THE SCHOOL SYSTEM PROVIDE THESE CHILDREN WITH ALL NECESSARY TEACHERS/THERAPISTS/LEARNING MATERIALS TO HELP THEM ACHIEVE THEIR HIGHEST POTENTIAL - FAILURE TO DO SO IS NOTHING BUT DISCRIMINATORY!!		
2017-06-08 14:31:37	Emily Karnes Assistant Director of Special Education	The number of special education students per instructional period should be limited to 8 students. Research does not define the number of students needed to maximize effective instruction. Research does state that classroom size needs to be smaller and 8 students per instructional period is a low number of students to effectively improve students academic performance.		

	Mercer Co. Schools Princeton WV		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	<p>Chapter 6 Section 4, Integrated classrooms – The Council advocates for the inclusion of all students with the appropriate supports needed to meet their educational needs. The Council also agrees that classrooms should approximate the natural proportions of disability in the general population of the State. An integrated classroom in which students who receive special education services comprise 50% of the total class enrollment does not conform to the natural proportions of disability. This may also place an impossible burden upon the classroom teacher. The Council in no way advocates students being placed in less inclusive classrooms because of a cap on integrated classroom ratios.</p>	
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	<p>– Section 4(B) Including WV Division of Rehabilitation Services (DRS) under Section 4(B) would help provide a more comprehensive list of coordination and linkages to be made when considering transition services.</p> <p>– Section 4(B) This section includes several changes to State standard for the provision of staff, including, increasing the cap for total class enrollment when integrated classrooms are established and increasing the number of –Level I Service Needs– students assigned to a single teacher. These changes will undoubtedly cause further strain on staff members and potentially lead to violations of FAPE where students do not receive the services they need in the least restrictive environment to meet academic and behavioral goals. Additionally, DRWV suggests adding that when the 30% threshold is met, districts should evaluate the classroom to make sure student’s needs are met.</p>	
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	<p>The removal of the language associated with "highly qualified personnel" is troublesome. I understand that the language is a term of art associated with the NCLB program. However, it also provides for teachers that are not qualified to teach math, or trained in math, can still teach math under this description. Teachers placed on "certificate" meaning they can be working toward certification is not the same as having highly qualified services. Educators that have received the certification have earned that status and prepared to teach children in the specialized area. A teacher that may be a good chemistry teacher would not be a good special education teacher or english teacher. The same can be said for aides in the classroom. Special education, particularly working with children with autism spectrum disorders, requires a lot of specialization. By removing the highly qualified language it leaves it even more open to the bidding and seniority process without cause or credit for particular training or specialization.</p> <p>Also, it just looks bad. Removing language about a highly qualified and leaving the word personnel looks like a lessening of standards of education and programmatic function.</p>	

		<p>Again the integrated classroom numbers and percentages is too high. It takes away from the teachers ability to focus on the children in the classroom and limits the ability of a school system to make determinations based on the least restrictive environment and FAPE.</p> <p>There should be no waiver to the maximum service needs limits. Those numbers are already based upon averages and there is opportunity to manipulate class sizes and ratios. The criteria for evaluating a waiver request is not fully explained or understood and could be abused.</p>		
2017-06-11 15:18:57	Andy Bird Hurricane WV	<p>Level III on page 67 & 68 indicate that it is optional which is incorrect. Optional needs to be removed about servicing level III students.</p> <p>Increasing the number of students during a class period for level 1 is troublesome. Elementary special education teachers often service students with multiple grade levels at the same time. Increasing the number of students from 6 to 8 will not be beneficial to the education of each student required to receive instruction in a special education setting. Co-teachers should not be permitted to split time between multiple classrooms during an instructional block. Co-teaching is ineffective if support is only provided part of the time. If classrooms will have up to 50% of students with an IEP, a co-teacher should be required.</p>		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	<p>I am unclear about the addition of 50% cap for integrated classrooms. To the highest extent possible, children of all abilities should be included in general education environments/classrooms. Studies show the numerous benefits of having children with disabilities included as well as the benefits for children without disabilities.</p>		
2017-06-12 08:16:40	Tina Braden Teacher Jackson County Ripley WV	<p>Having taught in the elementary school setting for six year prior to working in Jackson County I truly believe a ratio of 1:8 is too much. I taught under the ratio of 1:6 in the six years I taught in the multi-categorical setting and at times that was difficult due to the needs of the students. Students who receive services in the age group targeted to go to the 1:8 ratio need the smaller group setting to bridge some of their gaps. Changing the ratio would be frustrating to many of these students and to the teachers who are trying to teach them the skills they need to develop.</p>		
2017-06-12 11:43:47	Dale Lee President of WVEA WVEA Princeton WV	<p>1. The increase in special education class sizes -- from a 1-to-6 staffing ratio to a 1-to-8 ratio for kindergarten through fifth-grade Level I services " is something WVEA opposes. Higher class sizes impact a teacher's working conditions, which impact a student's learning conditions. Teaching is tough, and teachers can barely keep up now with the current staffing ratios. Research shows that to improve student achievement we should be lowering and not increasing class sizes.</p> <p>2. Language had been proposed that the percentage of students with disabilities must not exceed 50 percent of the total class enrollment in general education settings. Classes are</p>		

		<p>diverse with students of multiple levels. Ceilings should be set but 50 percent is too high.</p> <p>The appropriate limit in these general education settings should be more representative of the overall percentage of the special education student population in our schools.</p>		
2017-06-12 12:11:11	Christy Black Milton WV	I believe that all students should be included in general education with appropriate supports that are needed. An integrated classroom with 50% of students receiving special education services does not conform to the natural proportions of disability. This number should not be greater than 30%. Highly qualified personnel needs to be changed to appropriately trained personnel.		
2017-06-12 13:54:17	Tonya LaFaber Inwood WV	It is not appropriate to make the maximum of a class with special education students and general education students 50%, these classes are already maxed out and students need to receive individualized services not a class where the curriculum is brought down to a level that is focusing on the 50% with IEPs. With a smaller percentage the students needing extra assistance or extra special instruction, the additional teachers in the class can work with them in small groups, there will be no small groups when the percentage is increased to 50%.		
2017-06-12 15:13:53	Jennifer Bowman-Lusk Teacher McDowell County Schools Bluefield WV	I would like to comment on the section that increases the percent of students with special needs in a regular education classroom. This should not be increased to 50%. This will only serve to help the costs of education, and not our students. This drastic increase will severely limit the educators ability to cater to all of his/her students by placing more students with special needs in a classroom. This will also greatly hinder those students who do not have special needs. I also do not wish to see the number of students who will be in a special education classroom increased from 6 to 8 for the same reasons. I believe that we, as a state, should focus more on helping our students, all students. This increase in both the regular classroom setting as well as the special education classroom will not, in any way, help our students. I believe this increase is based solely on funding, which will only hinder our future, which is our students.		
2017-06-12 15:22:34	Doug Lusk Bluefield WV	I do not wish for the increases in special services to change. It is unimaginable that others feel that it is alright for 50% of a classroom to consist of students with special needs. That would be too much for all involved, including students who do not have special needs. It is also a bad idea to increase the number of students in a special education classroom from 6 to 8. This will not serve our students, thus hurting our future.		
2017-06-12 15:24:39	Dustin Lusk	Do not change the percent of students in a classroom to 50%. This would not be good for classrooms, teachers, and other students. Also do not increase the number of students from 6 to 8. That is not a good thing for our students who have special needs.		
2017-06-12 15:28:10	Theresa Bowman Princeton WV	Do not increase the percentage of students with special needs in a classroom to 50%. That will only hurt our schools. Students with learning disabilities need more individualized education. Increasing this percent will only hurt the children of our state.		

		Also, do not increase the number from 6 to 8. Do not try to hurt the children of our state who have different learning needs.		
2017-06-12 15:33:07	Mary C. Knapp Special Education Director Boone County Schools Madison WV	Level I Service needs for Grades K-5 has been increased to 1:8 instead of 1:6. This is helpful for scheduling, especially at the 3-5 grade levels.		
§Chapter 7 Discipline				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Children should be disciplined in a nurturing and caring way only.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 7 Section 2. District Actions When Considering a Disciplinary Change of Placement “ Deleted Section 2. D and new Section 3. A “ It appears that the IEP Team can now remove a student from an educational setting and place him/her in an Interim Alternative Educational Setting (IAES), rather than the placement being determined by a hearing officer in an expedited due process hearing. The time frames for a hearing to be held within 20 school days of the date the hearing is requested, and a decision within 10 school days after the hearing occurs, means a student could potentially spend 30 days of a 45-day period in an alternative setting. Is this the intention of the change?		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	“ Section 3(A)(5) Please change the wording to, “The child shall return to their original placement after the expiration of the time period provided in the disciplinary notice (no more than forty-five days), unless the parent/adult student and school personnel agree otherwise in writing.”		
§Chapter 8 Private School Students				
2017-05-03 08:22:08	Rotha Young Academic Interventionist	The thought of private schools make me cringe unless the parents are wealthy enough to pay for it themselves.		

	Nicholas County Schools Birch River WV			
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	I need clarification why you would eliminate an entire section on Complicance (D) given the recent Supreme Court of the United States Decision on Endrew F. vs. Douglas Co. Im sure these proposed changes were made prior to that court ruling. IF that is the case, will WV DOE be revising the section on Compliance rather than eliminating it?		
§Chapter 9 General Supervision and Accountability for Performance and Compliance				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Teacher-Principal Self Monitoring		
2017-05-05 22:58:12	Matthew Mullins Student, School Psychology Marshall University Huntington WV	Regarding Special Education Teachers: The outlining of state requirements for teachers is an excellent step toward ensuring students receive quality, trained educators.		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	Even with the supervision and accountability for performance and compliance still would not be a reality for the expectations that would be placed upon the mentally disability of our students.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
2017-06-07	Charles & Dana Sine	The district should provide in writing to all IEP team members, including parents, all Special Education Services that they offer to Special Education students.		

20:34:17	Capon Bridge WV	<p>The State should monitor and enforce the availability of Special Education Services for all core subjects (collaborative) and ensure that districts have adequate, as well as highly qualified personnel.</p> <p>Personnel should be highly qualified in order to ensure that students receive a high quality education.</p>		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	<p>Chapter 9 Section 1. B. Responsibilities of the West Virginia Department of Education, No. 31 “ We realize this statement is the statement from Policy 2419.11 that is being incorporated into Policy 2419. The Council is interested, and knows that many other people will want to know as well, the circumstances under which exceptions are requested and granted.</p>		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	<p>“ Section (1)(B)(31) This provision should absolutely not be added to the changes to 2419 in order to assure compliance with the IDEA. The addition will ultimately give rise to several violations as it is broad and overbroad. There are detailed circumstances where a local school district can receive an exception to their obligations under the IDEA and this section does not detail these exceptions, leading the reader to believe that an exception may be requested for any part of Policy 2419. Additionally, there is no process detailed on how such an exception would be reviewed, granted, or how the public would be notified if such exceptions were allowed.</p>		
2017-06-09 16:45:26	Wendy Radcliff Wendy Radcliff, Attorney-at-Law PLLC Charleston West	<p>There should be no ability for a school superintendent to get a waiver of the accountability and performance and compliance standards. Remove the language, "31. A local school district superintendent may request an exception to Policy 2419: Regulations for the Education of Exceptional Students for extenuating circumstances by submitting a waiver request." This is a terrible policy idea. Who determines the extenuating circumstances? Could it be a budget issue? How can a waiver of safeguards and FAPE for a child be waived. Laws to protect students and student rights are put in place for a reason. There are no laws that allow for waiver of prosecution or compliance because of a nefarious "extenuating circumstances" standard.</p>		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	<p>I am very concerned with the reasoning behind adding such a carte blanche statement as was added in the duties of the state Dept. of Ed, specifically the addition of #31 that allows a local Superintendent to make an exception to Policy 2419. Can you please give me an example of what such an exception would be? As a parent, that gives us absolutely no way to hold school boards responsible for the policy that is supposedly in place to protect students with exceptionalities. Also, I understand the need to revise the policy to more accurately reflect ESSA and take away language associated with NCLB, however, removing words such as "Highly Qualified" to describe personnel that are responsible for our most vulnerable student population makes absolutely no sense at all. Why would we</p>		

		not want to increase the credentials of all personnel that are intimately involved in the teaching of children with disabilities? This should include aides, substitutes, contracted staff, temps, etc.		
§Chapter 10 Procedural Safeguards				
2017-05-03 08:22:08	Rotha Young Academic Interventionist Nicholas County Schools Birch River WV	Better cameras, doors, and window monitoring.		
2017-05-05 07:15:13	special education teacher hampshire county wv	There needs to be safeguards for teachers and schools as well as students and parents.		
2017-05-06 12:08:04	Nancy L Parsons supervisory classroom aide !!! SCMS South Charleston WV	For the welfare of our students with mentally disabilities, they should continue to learn in an environment where they can learn, achieve and grow without added stress and frustration. At their rate and mentality of learning.		
2017-05-19 13:35:07	gia deasy director special services marion county schools fairmont wv	The right to an IEE should not be extended to gifted referrals since we are not seeking to illuminate a disability. Unfortunately, gifted remains a category in WV. Many of the directors throughout the state find this category troublesome to balance in light of the many responsibilities aligned with students with disabilities. Given the lack of funding for gifted, paying for IEEs presents a unique challenge and could easily be exploited.		
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		
§Chapter 11 Dispute Resolution				
2017-06-07 10:56:46	Lisa Rawson Special Education Teacher Education Parkersburg WV	changes are appropriate		

2017-06-07 20:34:17	Charles & Dana Sine Capon Bridge WV	A request to remove a hearing officer should be submitted in writing to the Office of Federal Programs attorney, not the assigned hearing officer. A resolution meeting should be held regardless of who files the due process complaint, prior to a due process hearing being scheduled.		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	Chapter 11 Section 1.B. Responsibilities of the West Virginia Department of Education “ A statement has been added, stating when a facilitated IEP Team Meeting occurs as the result of a state complaint, mediation or a due process hearing, the procedures stated in this section may be altered. No explanation is provided to explain in what ways the procedures may be altered. This should be explained. Section 4. Due Process Complaints “ The statement that explains parents/adult students can ensure their rights under IDEA are protected by filing a due process complaint has been removed. This seems like a statement that is beneficial in helping families understand the process. The Council suggests that it remain in the policy.		
2017-06-09 14:04:12	Erin Snyder Staff Attorney Disability Rights of West Virginia Charleston WV	“ Section 4(D) Although, this policy is generally not targeted towards parents, many refer to the entirety of 2419 for guidance on filing due process complaints. Complaints are still required to be sufficient and as such, guidance on what makes a complaint sufficient should be included.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Facilitated IEPs are a relatively new facet of the Special Ed system in WV. With fewer than 26 counties having a PERC, there needs to be better information available to parents about these policy changes. If parents in counties without a PERC, or now even possibly without a RESA (per HB2711) more information is needed and more clearly stated about parent rights and procedures. The statement revision about procedures being "altered" in Section B is just one example of this. An even more brazen example of the states lack of concern for parents of children with IEPs is to remove the statement in Section 4 under Due Process Complaints that says "Parents/adult students can ensure their rights under IDEA are protected by filing a due process complaint that will be presented before an impartial hearing officer."		
2017-06-12 15:19:48	Mary C. Knapp Special Education Director Boone County Schools Madison WV	Glossary- Please define "students with the most significant cognitive disabilities". This would be helpful to IEP teams as they consider students for alternate assessment.		

§Repeal of Policy 2419 11 Rules for Requesting an Exception to the Regulations for the Education of Exceptional Students and incorporation of Policy 2419 11 into Policy 2419: Regulations for the Education of Students with Exceptionalities

2017-04-27 09:53:35	Bonita Hadox SLP Marion County Schools Fairmont West	I suggest removing the Articulation and phonological development norm charts from the Appendix. I understand they are "optional", but some sped directors are under the impression if it is in Policy, that is what we use. Neither chart is in line with the norms we have been using for 30 years in our county. They are just confusing everyone.		
2017-05-03 07:30:56	Stephanie Cotterill teacher Shenandoah Junction WV	To increase the number of exceptional students in a regular ed classroom without additional support is a move in the wrong direction. Currently, exceptional students struggle in these classrooms when they only make up about 25% of the overall dynamics and have a resource (special ed teacher) available in the room. I do believe that it is important to incorporate this population into the mainstream classrooms but not to overwhelm the regular educator and set up the entire classroom for failure. How is this fair for the general population? They are always the students that seem to be forgotten about. How does this help or improve their education when the regular educator is now expected to spend a much greater amount of time devoted to differentiating and modifying instruction and assessment for half of the class? Please think not only of the exceptional students but also of the general population.		
2017-05-03 08:33:36	David Parsons John Marshall High School Glen Dale WV	Ridiculous proposition! There are already too many students in each classroom with IEPs. If anything the percentage should be reduced. This will be ANOTHER cause (bad policy) and effect (loss of Great Teachers in WV)!		
2017-05-03 09:02:53	Amanda Fluty Teacher Wayne County BOE Crum WV	It is not reasonable to ask a teacher to modify for 50% of her classroom. Teachers already spent so much of their personal time preparing classroom materials. Asking teachers to do this should require all teachers that have that percentage of IEPs be paid an overage.		
2017-05-03 09:49:23	Lori Terango English Teacher Cabell County Schools/CMHS Ona WV	Allowing 50% of a classroom to be IEP students, whether with or without a special education teacher, is not a reasonable expectation. Many IEPs come with numerous modifications. Both the IEP students and the students without IEPs will be at a disadvantage as the teacher(s) are juggling all of the modifications and regular education expectations. Either all modifications will not be met or regular education students will not receive the education that they deserve. The goal of education is to meet the needs of all students. This can be done, even with inclusion of special education students in a regular education classroom, but it will not be possible with 50% of the classrooms being IEP students. I do not feel that teachers not parents of the special education students would want this.		
2017-05-05 11:09:54	Anonymous Assistant Principal WV	West Virginia Public Education is lowering their standards to meet those of society. Are we really here to prepare our students to be "College and Career Ready," or are we more concerned about a budget? This policy SCREAMS budget issues. A regular educator is not a special educator. If we are going to require our teachers to become special		

		educators, then we must pay and educate them accordingly. There is absolutely NO WAY that a regular educator can meet the needs of their students with 50% of their classroom requiring an IEP. What about the other 50% of students who require less attention? I guess they will just fall through the cracks. We are in a huge drug epidemic. Lets focus on what we are going to support these kids AND our educators.		
2017-05-08 09:29:41	Erin M Robinson Teacher and Parent Parkersburg West	While in theory not having more than 50% of a regular ed classroom be special ed. is a great idea, that is not the reality for some schools. If this is to become a reality, what are we going to do if schools cannot make that happen. Is extra funding going to be allotted to hire another grade level teacher? Are students going to be provided with transportation to travel to another school that doesn't have as many special ed. students? There are so many issues that will have to be addressed if this change becomes a reality!		
2017-05-09 10:45:50	Ben Nester Teacher Summers County Schools Hinton Wv	Yes we should repeal this policy. Some special education students need special attention that they will not receive in the regular education classroom. In doing so then we hinder the learning of the students that need this attention as well as regular students. More classroom behaviors will occur if this policy stands.		
2017-05-09 11:15:12	Ramona Justice Teacher Kimball Elementary Kimball WV	It is already very difficult for teachers to meet the needs of students with IEPs with a 30% cap in addition to the needs of general education students. Increasing the cap to 50% stands to only drive teacher frustration levels higher and decrease the learning of all students in those classrooms. As a parent of a child with an IEP, I recognize how stressful it can be for a teacher to meet just the extra needs of my child much less having as many as 50% of the students who have special modifications.		
2017-05-12 18:11:45	Vanessa Legg Teacher Kanawha County Schools Charleston WV	I have been a teacher for 6 years and have had students with IEPs. Having just 1-4 students with IEPs in your general ed. classroom is very challenging. If I had up to 50% of students with IEPs in my classroom without additional help it would hurt everyone in that classroom including those with and without IEPs and teachers. We need more help in the classroom as it is now, and now there's a possibility that this could happen which could lead to so many negative things and is NOT what is best for all our students.		
2017-05-18 12:04:54	Deanna	To repeal and change Policy 2419.11 to allow any student with an IEP placed in the general education classroom without supports would set the child up for failure thus crushing their self-esteem and confidence. Once these children have been placed in an environment that sets them up for failure, they will begin to have low self-esteem and low self-confidence. This will hinder these children as adults. Many of them will no longer see themselves as capable and productive members of society and stay home to "collect a check". ALL of these students need supports not only to become active members of society, but also feel as if their lives have meaning and a purpose. Exceptional children need these supports to know that they are cared about and cared for in the world. Raising the cap on the percentage, will hinder these children as well. Many		

		of them need the smaller settings in order to focus and to feel like any other child. They have the human right to be given the opportunity to succeed.		
2017-05-20 08:12:55	Margaret Logan Teacher Confidence Elementary Liberty wv	A child would not have been referred and identified for special education services if they were able to be successful in a regular classroom with the normal modifications that teachers do every day, even without an IEP. When you place too many children with special needs in a regular classroom it takes away from the attention that the teacher can give to everyone.		
2017-05-22 13:03:22	Julee Strahler teacher KCS Charleston WV	The policy should read "shall not exceed 30%" rather than an increase to 50%. If the percentage is increased to 50% classroom teachers will become overwhelmed with the necessary paperwork and tasks of individualized instructional design that accompany students with IEPs. As a result, classroom teachers will be unable to meet the needs of any of their students regular or special education.		
2017-05-24 13:48:41	Richard Wolf Special Educator WVEA / Pendleton County Schools Franklin WV	To put a cap on the percentage of students with IEPs in a regular classroom core academics with or without special educator support would seem to circumvent or undermine student rights to appropriate education. Increasing maximum students served by K-5 Resource Rooms will weaken teachers abilities to modify instruction and individualize.		
2017-06-05 11:17:01	Lea Ann Barnes Teacher Bridgeport High School Bridgeport WV	I am a high school science teacher and am concerned that this policy change could place up to 50% of students with IEPs in my core classroom. In a class of 28, which I have had classes that big, that would mean 14 could have IEPs, without support. That is entirely too many students needing extra help for one teacher to do justice to. And what about the other 14 students? They would likely get little help from me because I would constantly be helping the others. That is a no-win situation for all involved. I had a class of 28 once with 10 students with IEPs with no support and that was bad enough. At the end of the period, I was exhausted but still didn't feel like I gave everyone enough of my time. Please reconsider this policy change.		
2017-06-06 12:47:33	Patricia Schaeffer President Alexander Graham Bell Assoc. for Deaf Morgantown West	Glossary should say: Functional listening Evaluation: A FLE is conducted....are affected BY (not to) noise. Just a minor grammatical correction.		
2017-06-06 21:05:12	Carolyn Thomas Science Teacher Wildwood Middle Shenandoah Junction WV	Increasingly IEPs are written for "adult support" with no mention of specialized training (either teacher or aide) to support exceptional students. There is a significant shortage of special education teachers - the proposed change is not in the best interests of students or teachers.		
2017-	Kristin O'Neal	Why doesn't the Dept. of Ed. try something different, like peer supports, requiring if not		

06-07 11:08:54	MOM WVDDC Beckley WV	already regular ed. educators to have at least 12-15 ce credits on working with kids who have a disability. Your actually offering more isolation and segregation. When children with disabilities enter kindergarten their peers may ask questions about their using a wheelchair to get around, but they don know discrimination. The old outdated system is making inclusion more difficult for students and families. The alternative diploma does not give these students an opportunity for higher ed. or Tech. school. What a shame, lets move ahead and be the change, changing minds and attitudes!		
2017-06-07 12:58:57	Cassie Stroud Speech/Language Pathologist Cabell County Schools Barboursville WV	As a parent and a Speech/Language Pathologist, it is my opinion that a higher percentage of students receiving services is not fair to the teachers or kids needing extra help. As a speech therapist, I have many CD students that receive services needing accommodations and modifications due to Language Delays. I think any student receiving accommodations and modifications should be considered in the ratio count, regardless of their primary qualification for service, particularly in core subjects.		
2017-06-09 06:10:40	Tamela Jack Title 1 Teacher Barbour County Schools Philippi WV	The changes to policy 2419.11 will be a disservice to all students. The students with IEPs struggle without the additional support from the teachers, behavior issues surface, and classroom instruction is interrupted for all.		
2017-06-09 13:14:58	Linda Higgs Program Specialist WV Developmental Disabilities Council Charleston WV	The Council is interested, and knows that many other people will want to know as well, the circumstances under which exceptions are requested and granted.		
2017-06-11 23:37:19	Michelle Norweck Parent Barboursville WV	Overall, I would have had no idea that the state was making these changes had it not been pointed out to me during a discussion at a WVACEEC meeting. The state DOE must make better strides in attempting to actively engage parents in the education of their children, especially those with exceptionalities. Furthermore, it would be in the states best interest to include families/parents as valued stakeholders in the process of policy revision.		
2017-06-12 12:11:11	Christy Black Milton WV	I understand that 2419.11 has been in code, and is now being added to policy 2419. Please explain when a waiver may be granted to not enforce or provide what is in IDEA and Policy 2419?		