



VIRGINIA COMMISSION ON YOUTH

Meeting Minutes

Advisory Group: Review of Virginia's Special Education Dispute Resolution System

July 7, 2025, 2:00 p.m.

East Reading Room, Patrick Henry Building

Attending:

Beth Ackerman; Shelia Bailey; Scott Brabrand; Amber Brown; Joi Brown; Sean Campbell; Delegate Carrie Coyner; Senator Barbara Favola; James Fedderman; EmilyAnne Gullickson; Samantha Marsh Hollins; Mills Jones; Jen Krajewski; Heidi Lawyer; Tonya Milling; Scott Reiner; Jill Ryan; Delegate Holly Seibold; Delegate Irene Shin; Zoe Spencer Harris; Kate Williams; Otissa Williams; Mychael Willon

Staff Attending:

Amy Atkinson, Will Egen

Consultant: Deusdedi Merced, Special Education Solutions, LLC (attended virtually)

I. Welcome and Introductions:

The Honorable Barbara A. Favola, Senator, Senate of Virginia

Senator Favola thanked everyone for coming to the meeting. Senator Favola then explained that following the meeting, Commission staff will send out draft recommendations that are put forward by the small breakout groups from this meeting. Members of the Advisory Group will be able to provide their feedback on which draft recommendations they would like for the full Commission on Youth to consider. Public comment for draft recommendations will take place during the fall.

II. Review of Draft Recommendations

Deusdedi Merced, Esq., Managing Member, Special Education Solutions, LLC

Deusdedi Merced presented on his observations and draft recommendations for reforming dispute resolution options in Virginia, concluding that while the structural elements for a compliant system are in place, that execution prevents optimal effectiveness and efficiency. Mr. Merced noted that due process and the state written complaint processes raised the greatest concerns, while the ombudsman program, is not fully utilized and mediation, though yielding

positive outcomes, has limited reach. Mr. Merced highlighted that the IEP facilitation option is “practically non-existent.”

Following the presentation there were a couple of questions and discussion on the topic on draft recommendations on lay advocate / non-attorney authorization or certification.

Mr. Merced’s draft recommendations document can be accessed on the Commission’s webpage under the meetings tab.

III. Small Group Breakout Sessions

The Spark Mill Facilitators

Members of the Advisory Group were divided into 3 groups for breakout sessions. At the small groups members of the Advisory Group were asked to go through the documents packet provided to Advisory Group members.

All of the documents can be accessed on the Commission’s webpage under the meetings tab.

IV. Report Back From Small Group Sessions

After the small group sessions, the group reconvened to report back their discussions. Attached to these minutes is the report from the small groups as taken by the Spark Mill.

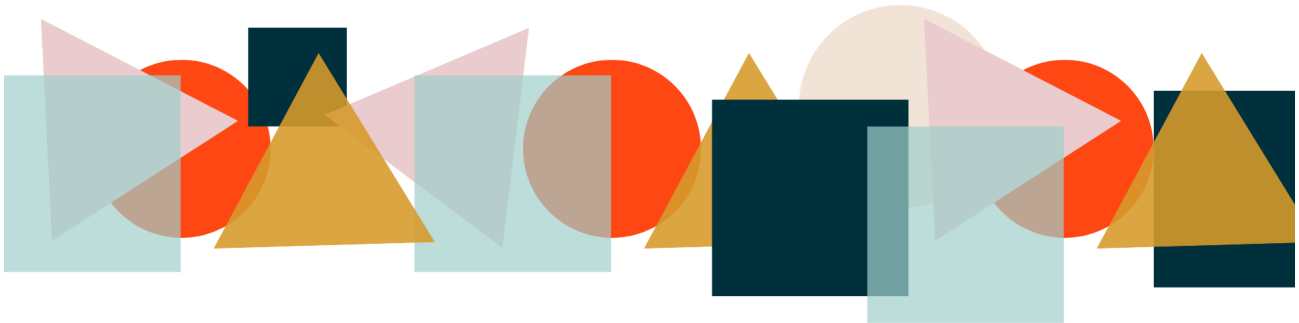
V. Public Comment

Public comment was received from the following attendees: Wendy Little (parent), Gina Wurfel (advocate and parent), and Dr. Kandise Lucas (advocate).

VI. Next Steps and Adjournment

Senator Favola thanked the Advisory Group and reminded everyone that the Commission would be presented with this group’s recommendations at its September 3 meeting.

RETREAT REPORT



Virginia Commission On Youth Special Education Dispute Resolution Advisory Committee-Recommendations Report Review

July 7, 2025

Recommend

1. Due Process

- Build out a Parent Resource Center by expanding on PEATC's existing efforts.
- Publish due process data for public awareness and transparency.
- Require ongoing training for hearing officers by a neutral third party.
- Create an authorizing and certification process for non-attorneys.
- Ensure multimodal and language access throughout the process.

2. State Complaints

- Prohibit LEAs from managing or enforcing their own corrective action plans.
- Require neutral-party training for investigators.
- Retrain current investigators for consistency and objectivity.

3. Special Education Mediation

- Mandate neutral third-party training for special education mediators.
- Provide access to technical assistance.
- Allow families to participate in selecting mediators.
- Maintain an updated, accessible list of VDOE-approved mediators.
- Evaluate mediators regularly for effectiveness.

4. IEP Facilitation

- Restructure the IEP process to better support families.
- Hire a state-level IEP support staff person to assist families.
- Improve the state IEP portal/platform with clearer functions and accountability.

5. Ombudsman

- Move the ombudsman office outside of the Department of Education to improve impartiality and trust.

6. Evaluation and Training Recommendations

- Ensure all evaluation reports are meaningful and accessible to families and representative of their experiences.
- Align evaluation narratives between data and family stories.

- Use a neutral third party to design and deliver training with a focus on eliminating bias.

7. Systemic Recommendations

- Develop a Tiered Dispute Resolution System (based on Coyner #1 & #8) with strengthened training at all levels.
- Expand access, transparency, oversight, and enforcement (Coyner #4 & #5).
- Extend the Children's Ombudsman role to include Special Education.
- Increase public tracking of school actions with accompanying family satisfaction surveys to inform systemic improvements.

Not Recommend

1. Due Process

- Do not mandate pre-hearing conferences if they negatively impact established timelines.
- Section F of the Due Process policy requires further review and revision before implementation.

2. State Complaints

- As currently structured, state complaint recommendations need additional analysis or revision.

3. Special Education Mediation

- Certain recommendations under mediation were not endorsed without clearer implementation details.

4. IEP Facilitation

- As written, recommendations need refinement or additional infrastructure before advancing.

5. Ombudsman

- Further definition and planning are needed before proceeding with this restructuring.

Questions

- How will federal budget cuts impact these recommendations?
- How can we address organizational culture in how conflict resolution is approached?
- How will we ensure bias is reduced in decision-making through training?
- How will training enhancements be implemented and who will lead them?
- What is PEATC currently doing, and how are they being held accountable?
- How do we rebuild trust in dispute resolution processes?
- How can we improve transparency around how mediators are chosen?
- What guidance or expectations will the Department of Education provide?

Gaps

- Lack of trust in current processes was identified as a critical barrier.
- Need for clear, consistent guidelines for how mediators and facilitators are appointed and evaluated.
- Lack of clarity around the role, training, and accountability of PEATC.
- Inadequate support for language access and multimodal communications.
- Limited budget data and unclear resource allocation (noted gaps in data and funding).
- Interest in the Ombudsman role was expressed, but more infrastructure and role clarity are needed.
- Need to identify and learn from models of effective implementation elsewhere.
- Lack of consistency in implementation of training standards across roles.