



VIRGINIA COMMISSION ON YOUTH

Meeting Minutes

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

May 5, 2025, 2:00 p.m.

East Reading Room, Patrick Henry Building

Attending:

Beth Ackerman; Kimberly Archer; Mike Asip; Jeremy Bennett; Amber Brown; Joi Brown; Delegate Carrie Coyner; David Curran; Senator Barbara Favola; James Fedderman; Samantha Marsh Hollins; Martha Jallim Hall; Mills Jones; Jen Krajewski; Heidi Lawyer; Tonya Milling; Scott Reiner; Jill Ryan; Delegate Holly Seibold; Zoe Spencer Harris; Jim Wheaton; Kate Williams; Otissa Williams; Mychael Willon

Staff Attending:

Amy Atkinson, Will Egen, Kathy Gillikin
Consultant: Deusdedi Merced, Special Education Solutions, LLC

I. Welcome and Introductions

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

Senator Favola thanked everyone for coming to the meeting. Sen. Favola then introduced the study's consultant to give an update on the survey conducted this past winter.

II. Dispute Resolution Survey and Study Update

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

Deusdedi Merced presented the results on the survey/questionnaire that elicited responses from 260 special education stakeholders including parents and education professionals in Virginia. The survey asked questions about the different dispute resolution methods available in Virginia. Mr. Merced described that this survey is one input in the study he is conducting.

This presentation can be accessed on the Commission's webpage under the meetings tab.

III. Feedback on Survey

Advisory Group members provided their comments on the survey and study process. Advisory Group members expressed their concern with the validity of the survey due to the low number of respondents and demographics not reflecting Virginia's population.

IV. 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 answer the following questions:

- What is the one thing in dispute resolution that would make the system better for all families?
- Where do I see the most alignment among stakeholders for reform and the most disagreement?

V. Report Back From Small Group Sessions

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

VI. Next Steps and Adjournment

Senator Favola announced that the next meeting of the Advisory Group would be on July 7 at 2 p.m. at a location TBD. The meeting was adjourned.

Virginia Commission on Youth

Facilitation Notes

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What is one thing in dispute resolution that would make the system better for all families?

- A need for individualized response/solution
- Tiered-support for families
- Open access to criteria for SPED (not all parents will know)
- Process consistency across the state
- Reducing turnover of case managers
- Media packets by families about options should be simple, dynamic with different modes
- Respect of families & what they're going through - family may not understand
- Effective communication about process
- Responsiveness of VDOE to parents (answer the phone)
- Mentor/guide for the division
- Clear information
- Examples & non-examples
- Improved training of CIs & HOs (mediators)
- Training/Education
 - Professional Dev.
 - ALL
 - Gen. Ed.
 - Spec. Ed.
 - Admin
 - Support
 - Parent Education
 - Rights
 - Knowledge
 - Resources
 - Help
- Educate re: resources
- Mandatory mediation as part of the process
- Stronger connectors to info
- Building trusting connections, relationships w/ parents/families
- Longer time for IEP meetings
- Ease to inform of options (besides the handbook)
- More time for understanding process & options
- Technical assistance neutral professionals to walk families and be a resource
- School board counsel should not make decisions on education matters
- Clear directions for what to do
- VDOE accountability around compliance
- Fully implement Sped Ed legislation
- Reduce the high level of conflict/adversarial nature
- Having systems and people who are empathetic and child-centered who put children before economics pride have knowledge of IDEA – FAPE – ADA
- From educators to hearing officers
- Virginia IEP
- Fully fund cost of special education – provide schools and teachers sufficient resources to meet the needs of students
- App/website of resources/names
- Rate advocates, etc. resources
- Clear access
- Broader implementation of front-loaded IEP procedures

- Real consequences for findings of violations of FAPE
- Equal & fair representation
- Expanded legal aid
- Family resource centers
- Family resource centers (parent access, support, etc.)
- More easily digested information available to the public
- Greater level of education & understanding of SPED
 - Parents
 - Advocates
 - Staff
 - Training: Expertise Gap

Questions

- How do we keep the fidelity of the process?
- What can we do about failure of trust between parents & school systems/leaders?
- How do soft skills of building trust & creating welcoming/belonging play a role?

Where do I see the most alignment among stakeholders for reform and the most disagreement?

ALIGNMENT

- That improvement is needed
- Consistent guidelines across state process/access
- Want to make it better
- Alignment: current system isn't working for kids
- VA must be proactive and intentional
- That the current system is significantly broken in practice
- Multiple opportunities for all to come to the table to talk (parent, student, educators)
- Settling more cases in mediation
- Make the process more transparent & less adversarial
- Broken training – but what kind and the depth is disputable
- Need for more education of what access to education really is beyond Special Ed teachers
- Accountability
- Costly
- Due process w/ attorney (level playing field?)

DISAGREEMENT

- Where to spend funds
- Cause of contentious relationships
- No consistency across the state
- Due process w/ lawyer
- Whether non-professional advocates should be accredited
- Want to make it better
- Alignment: current system isn't working for kids
- VA must be proactive and intentional
- That the current system is significantly broken in practice
- Multiple opportunities for all to come to the table to talk (parent, student, educators)
- Make the process more transparent & less adversarial
- Broken training – but what kind and the depth is disputable
- Need for more education of what access to education really is beyond Special Ed teachers

- Accountability
- Our side right/our side wrong – trust between parties
 - One side does not have the best interest of the child in mind
- Burden of proof VDOE responsibility (misunderstanding)
- Unfortunately, the assignment of “bad intent” and “blame” to the “other side”
- Shifting burden in due process
- Only communicate by email; you need to physically be with someone to truly understand
- The most disagreement around value, resources, resource distribution
- Legal representation
- Burden of proof
- Role and conduct of advocates
- Funding & resource allocation
- Dispute findings