



Public Comment to Virginia Board of Education
September 26, 2007

The Virginia Coalition of Students with Disabilities is disappointed with the proposed revisions to the Regulations Governing Special Education Services for Students with Disabilities in Virginia. Our initial assessment of the proposed revisions reveals that few of the changes would provide benefit to students with disabilities or their families. In fact, the proposed revisions significantly reduce critical protections and rights of many students.

In particular, we are dismayed by the proposed deletion of several critical elements of Virginia's long-standing provisions for parental consent. Family involvement, particularly for students with disabilities, is a critical component for maximizing independence and achieving the educational goals that Virginia has set forth for every student.

Changes to the federal Individuals with Disabilities Education Act in 2004 reduced some of the federally required provisions for students with disabilities. When Congress amended IDEA in 2004, students and parents across the country were dismayed by the roll back in long standing provisions. However, Congress allows States to go beyond the provisions in federal law. In reducing federal protections, Congress pushed to the States the responsibility of deciding whether certain rights and provisions would be provided in each State.

Through its previous state regulations, Virginia chose to be a leader in protecting the rights of students and families and has stood by this principle for many years. As citizens of Virginia, we must now ensure that the Commonwealth continues to value and respect the provisions in state regulations that have protected students and families. There is no compelling need to retreat from the long-standing commitment the Commonwealth has had to students with disabilities.

If all students with disabilities were provided with a free, appropriate public education, regulations such as these would not be necessary. Until students with disabilities receive the educational services necessary for them to learn the basic education standards that the Board has established – and until more students graduate with meaningful diplomas – the current protections and provisions, including those that go beyond the floor of rights established by Congress, are necessary. The Commonwealth currently rises above the minimal federal provisions and must continue to do so. To repeal needed rights and other provisions is wrong. We ask for your continued commitment to students and their families.

In the coming weeks, students, parents and other advocates will be thoroughly analyzing the proposed revisions. We will work together to prepare public comment and to share with you the concerns and needs of families and students with disabilities.

This statement is supported by the following organizations and individuals:

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A Voice for GAP Kids
Access Independence, Inc., Winchester
All About the Children, Powhatan
Appalachian Independence Center, Abingdon
Autism Society of America-Central Virginia Chapter, Richmond
Blue Ridge Independent Living Center, Roanoke
CHADD of Tidewater (Children and Adults with Attention Deficit/Hyperactivity Disorder)
Coalition for Hearing Education and Research
Down Syndrome Association of Hampton Roads
Down Syndrome Association of Greater Richmond
Eastern Shore Center for Independent Living, Exmore
Endeppence Center, Norfolk
Endeppence Center of Northern Virginia, Arlington
Greater Richmond Autism Coalition for Equality
Hired Hands & Associates, Inc., Carrollton
ICON Community Services, Alexandria
Independence Empowerment Center, Manassas
JustChildren, Legal Aid Justice Center, Charlottesville
Junction Center for Independent Living, Norton
Lynchburg Area Center for Independent Living
Pediatric and Adolescent Health Partners, PC, Midlothian
Piedmont Independent Living Center, Danville
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Shenandoah Valley Autism Partnership
Smart-One, Inc., Newport News
Step by Step Consulting
The Arc of Loudoun
The Arc of the Piedmont, Charlottesville
The Arc of Virginia
The School Home Connection Plan, Stuart
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Va-Equal-Access-Education, Virginia Beach
Valley Associates for Independent Living, Harrisonburg
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INDIVIDUALS SUPPORTING COALITION STATEMENT

Anne Alferink, Henrico County
Tamara D. Altizer, Midlothian
Carl Anderson, Chesapeake
Joanne G. Angle, Burke
Paige Angle, Charlottesville
Amanda Aquiler, Virginia Beach
Ada Ashley, Stuart
Judy Bailey, Alexandria
Sam and Eunice Bailey, Manakin-Sabot
William Bailey, Norfolk
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Shoaib Bakht, Suffolk
Cindy B. Beale, Richmond
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David Beidler, Roanoke
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DeTeasa L. Brown
L. Brown, Staunton
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Mary Butler, Norfolk
Mecca Burns, Earlysville
Jojo and Ping Camano, Virginia Beach
Amy Case, Chesterfield
Christine Childress, Church Road
David and Alicia Childress, Midlothian
Jennifer Childs, Chesterfield
Angela Cimmino, Powhatan
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Harry McCoy IV, Blacksburg
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Erika Mitchell, Shipman
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Heike Mothershed
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Travis Reed, Colonial Heights Jackie Reed,
Colonial HeightsHaley Reed, Colonial Heights
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Michael Salomone
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Melissa Sanders
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