

Update for the State Executive Council



Overview

- Policy and Legislative Background and Developments
- Regulatory Requirements
 - The *Individuals with Disabilities Education Act* (IDEA) and Federal Regulations
 - State Regulations (*Regulations Governing Special Education Programs for Children with Disabilities in Virginia*)
 - Parental Consent Provision in Virginia
- Individualized Education Programs and Processes and Private School Placement Data
- Students with Intensive Support Needs Program and Data

Policy and Legislation

- Multiple studies of special education at the national and state level
 - U. S. Department of Education's Office of Special Education Programs (OSEP) federal monitoring
 - Joint Legislative Audit and Review Commission (JLARC)
 - K-12 Special Education
 - Teacher Recruitment and Retention
 - Education Funding
- Virginia General Assembly Legislation
- State Budget Language

Special Education Law, Regulations, and Guidance

- Federal Law, Regulations, and Guidance
 - *Individuals with Disabilities Education Act (IDEA)*
 - IDEA Implementing Regulations
 - United States Department of Education (USED) Guidance
 - USED Office of Special Education *Dear Colleague* Letters
- State level Regulations
 - *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*
 - *Regulations Governing the Operation of Private Schools for Students with Disabilities*
- State Level Guidance
 - Virginia's focus on inclusion and inclusive practices

Private School Placement Data and Trends

- Data and Demographics
 - 2022-2023: 3,299 students
 - 2023-2024: 3,362 students
 - 2024-2025: 3,288 students
 - Representing about 1.7% of students with disabilities in the Commonwealth
- Student characteristics
 - Significant support needs
 - Older students
 - Role of the Least Restrictive Environment (LRE) requirement of the IDEA

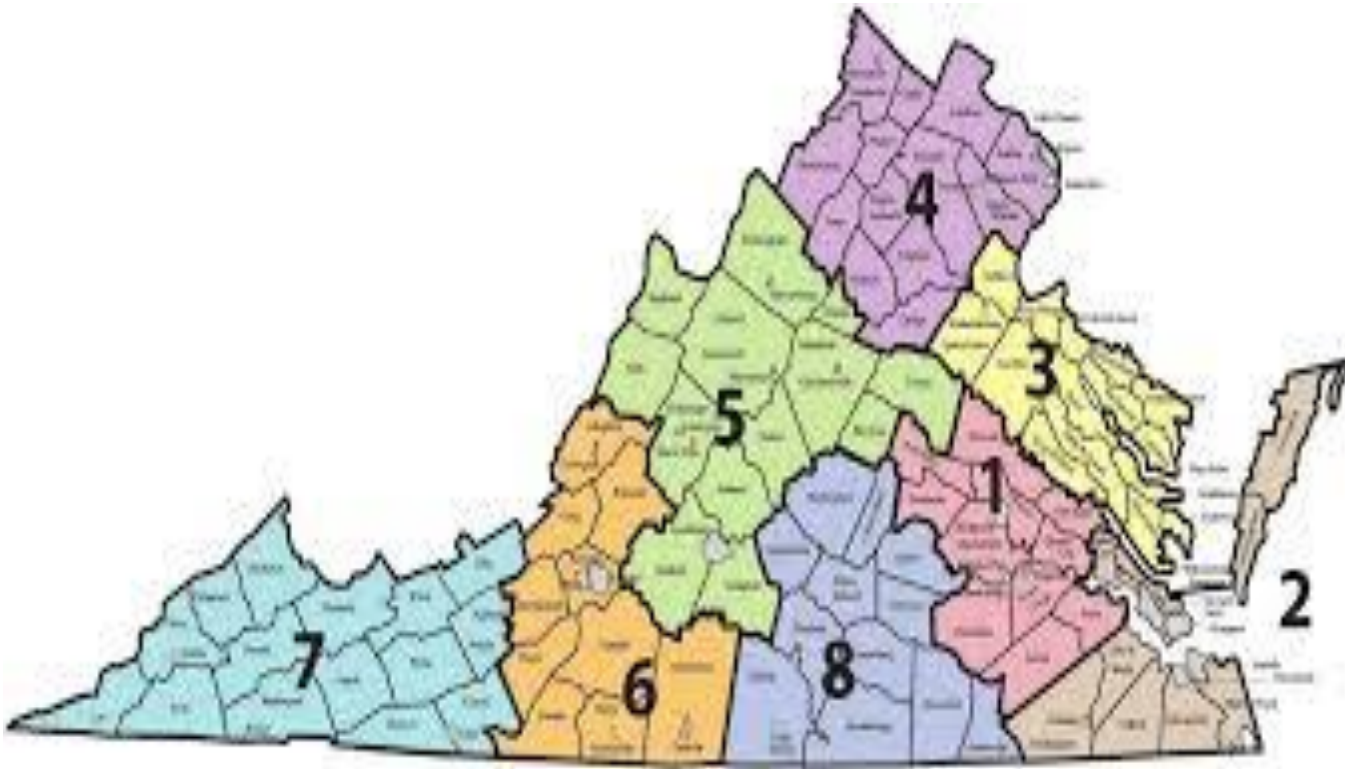
Private School Placement Components

- Individualized Education Program (IEP) Team decision
 - Role of parental consent in Virginia
- IEP Team meetings, data, reports, progress
- Local school division support based on IEP team decision
- Role of private school providers and application/acceptance
- Office of Children's Services and local CSA Offices
 - FAPT Teams
 - Private School contractual agreements
 - Budgets and cost impacts at the local and state levels

Private Placement Process

- The IEP Team develops an IEP describing the student's needs, goals, and services.
- The IEP Team reviews all placement options and determines the Least Restrictive Environment (LRE) in which the student will receive their education and services.
- If the public school cannot meet the needs of the student, the Team may recommend private education placement.
- If the parents agree to the placement and consent to the placement, typically the school division will arrange tours of possible private education placement options.
- Once a private education placement option has been decided upon, the private education placement implements the IEP.
- The school division is responsible for collaborating with the private education placement to write the IEP.

Private Placement Facilities by Superintendent's Region



- Region 1 – 18 facilities
- Region 2 – 7 facilities
- Region 3 – 9 facilities
- Region 4 – 18 facilities
- Region 5 – 21 facilities
- Region 6 – 11 facilities
- Region 7 – 6 facilities
- Region 8 – 3 facilities

Students with Intensive Support Needs Application (SISNA) Process (1 of 3)

- School divisions that plan to submit a SISNA must have students who meet the eligibility criteria and have a partnership with one or more school divisions that include a Memorandum of Understanding.
- School divisions review their Child Count data and The Students with Intensive Support Needs Eligibility Checklist to determine if they have students who meet the eligibility criteria.
- Once the school division determines the students who will be included in the SISNA, they will create a service cost analysis for each student that includes all allowable costs associated with educating the student.

SISNA Process (2 of 3)

- Once school divisions complete the SISNA and service cost analysis, they submit the SISNA, service cost analysis, and a copy of the MOU to the VDOE.
- The VDOE Team reviews each component, provides feedback, meets with every school division to discuss their submission, and approves the SISNA.
- School divisions submit reimbursement claims for Summer, first Semester, and second semester.
- The VDOE Team reviews the claims and sends a notification to each school division to confirm accuracy.

SISNA Process (3 of 3)

Table 1: Services/Claims Periods, Data Reporting Dates, and Reimbursement/Payment Cycles

Semesters	Services /Claims Periods	Data Reporting Dates	Reimbursement/ Payment Cycle
Third Semester	Day after Close of School through Day before Opening of School	December 1 SPED Child Count	June of Current Fiscal Year
First Semester (Fall)	Opening of School through End of First Semester	Spring Student Record Collection	June of Current Fiscal Year
Second Semester (Spring)	Start of Second Semester through Close of School	End of Year Student Record Collection	Incremental payments January through June of next Fiscal Year

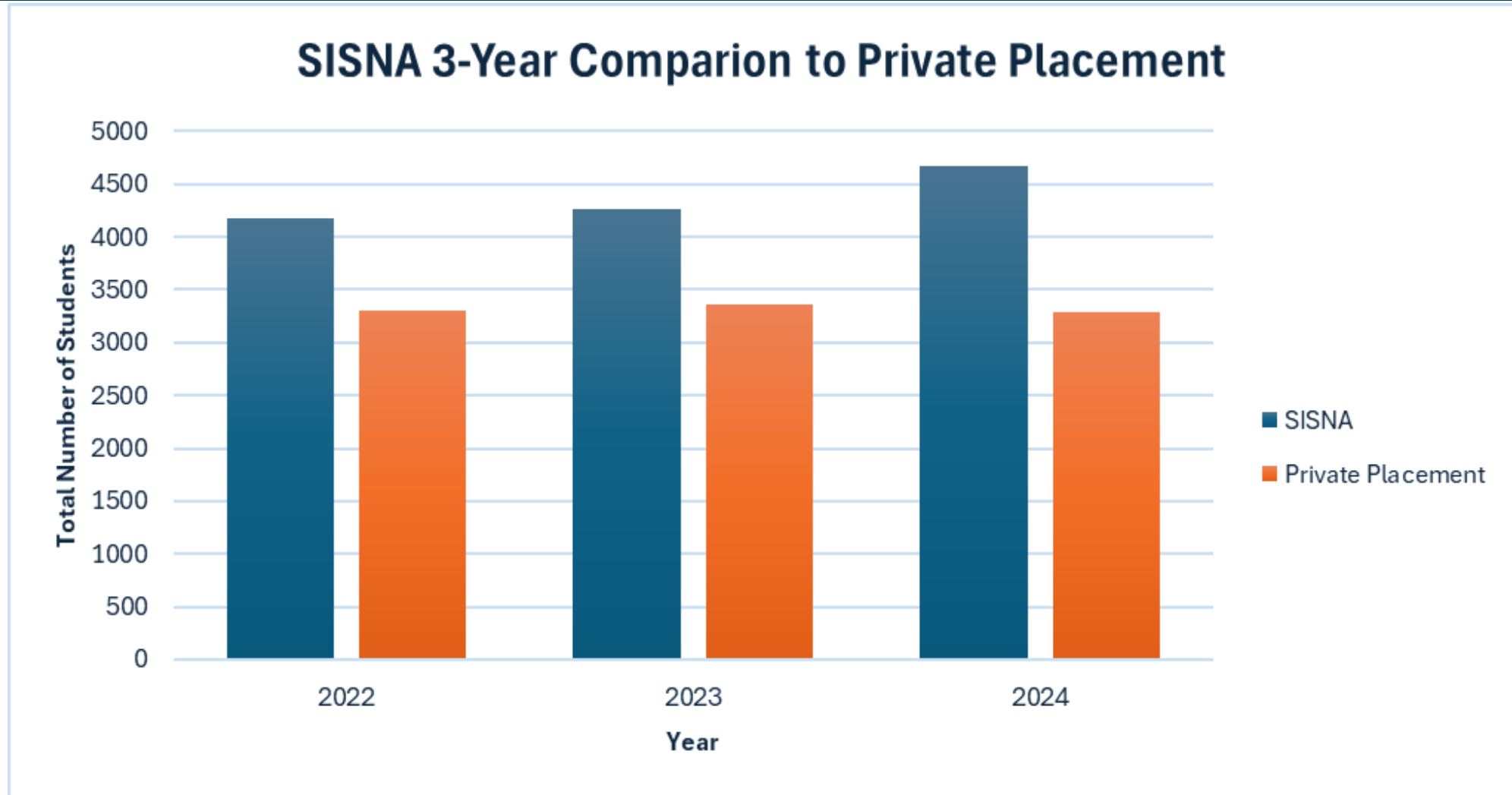
Quality Controls in the SISNA Process

- Clear Eligibility Criteria - The Intensive Support Needs Eligibility Checklist defines the eligibility criteria for students to be included in the SISNA. Services that are reimbursable are clearly defined.
- Standardized Application Forms - Every school division is required to submit the SISNA, service cost analysis, and MOU.
- Pre-Approval Review - VDOE staff review applications and meet with the school divisions before funding is approved. VDOE staff review every reimbursement claim, and school divisions confirm accuracy prior to reimbursements being issued.

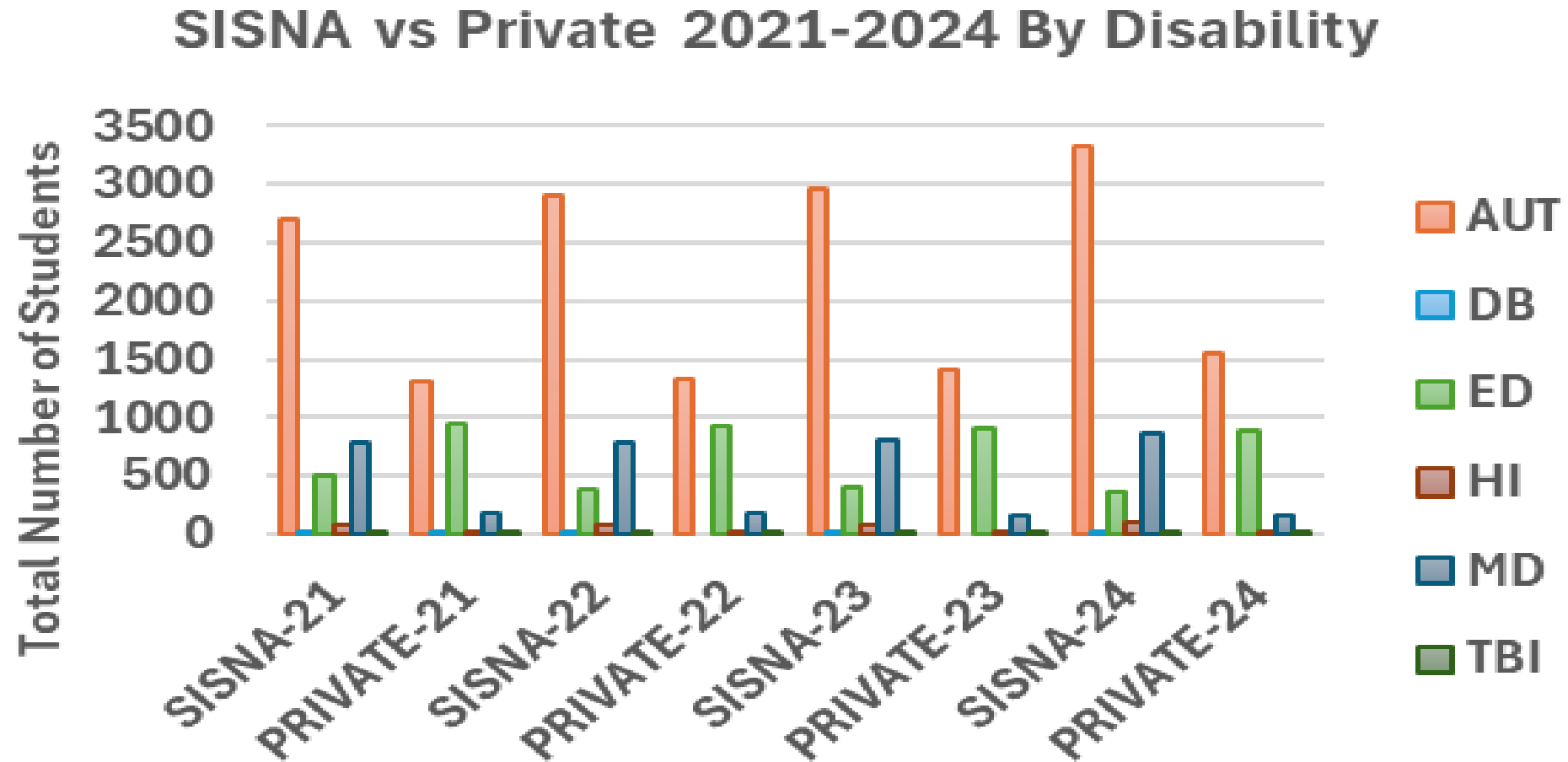
SISNA Data

- During the 2022-2023 school year, the total number of students included in the SISNA is 4,175
- During the 2023-2024 school year, the total number of students included in the SISNA is 4,271
- During the 2024-2025 school year, the total number of students included in the SISNA is 4,669

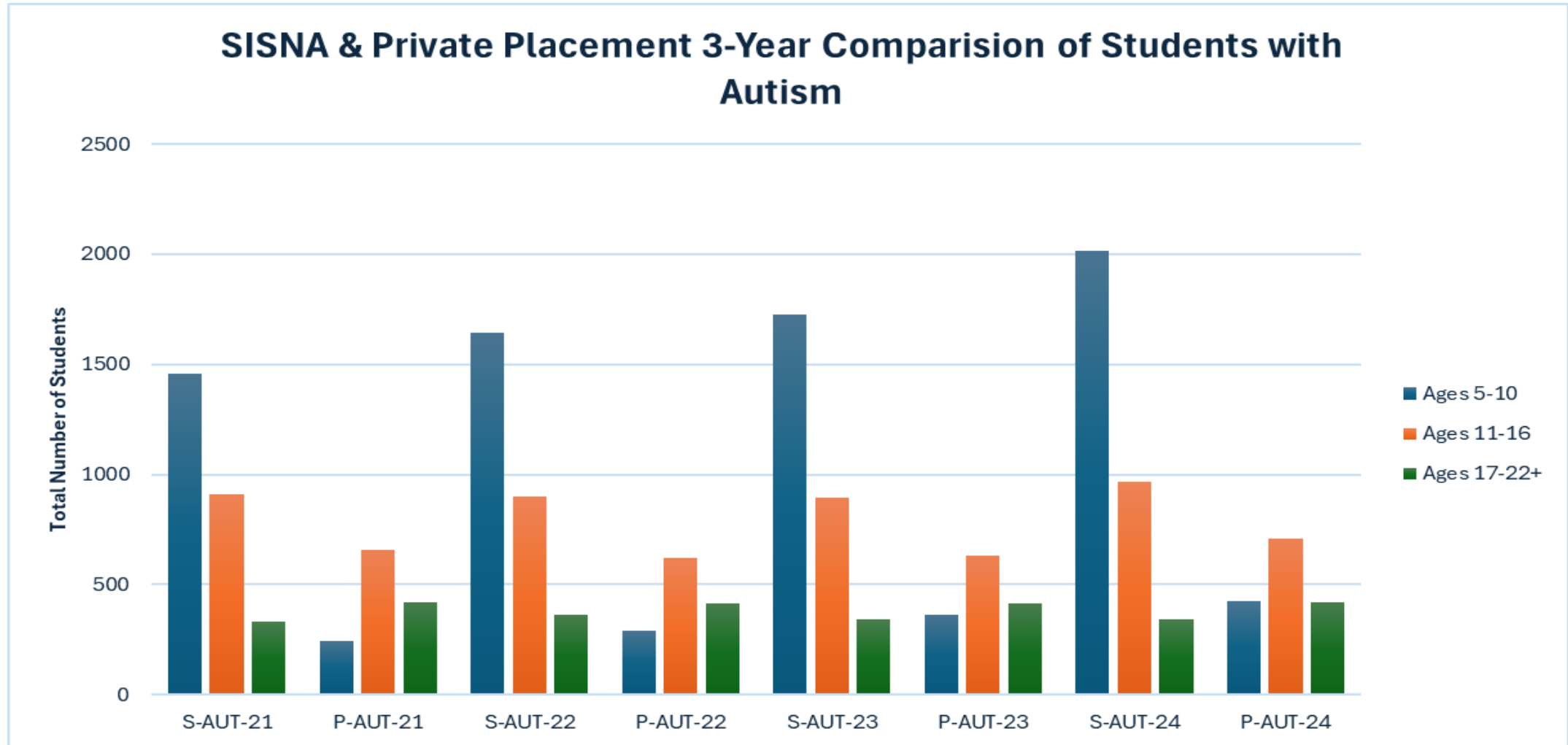
SISNA and Private Placement Data



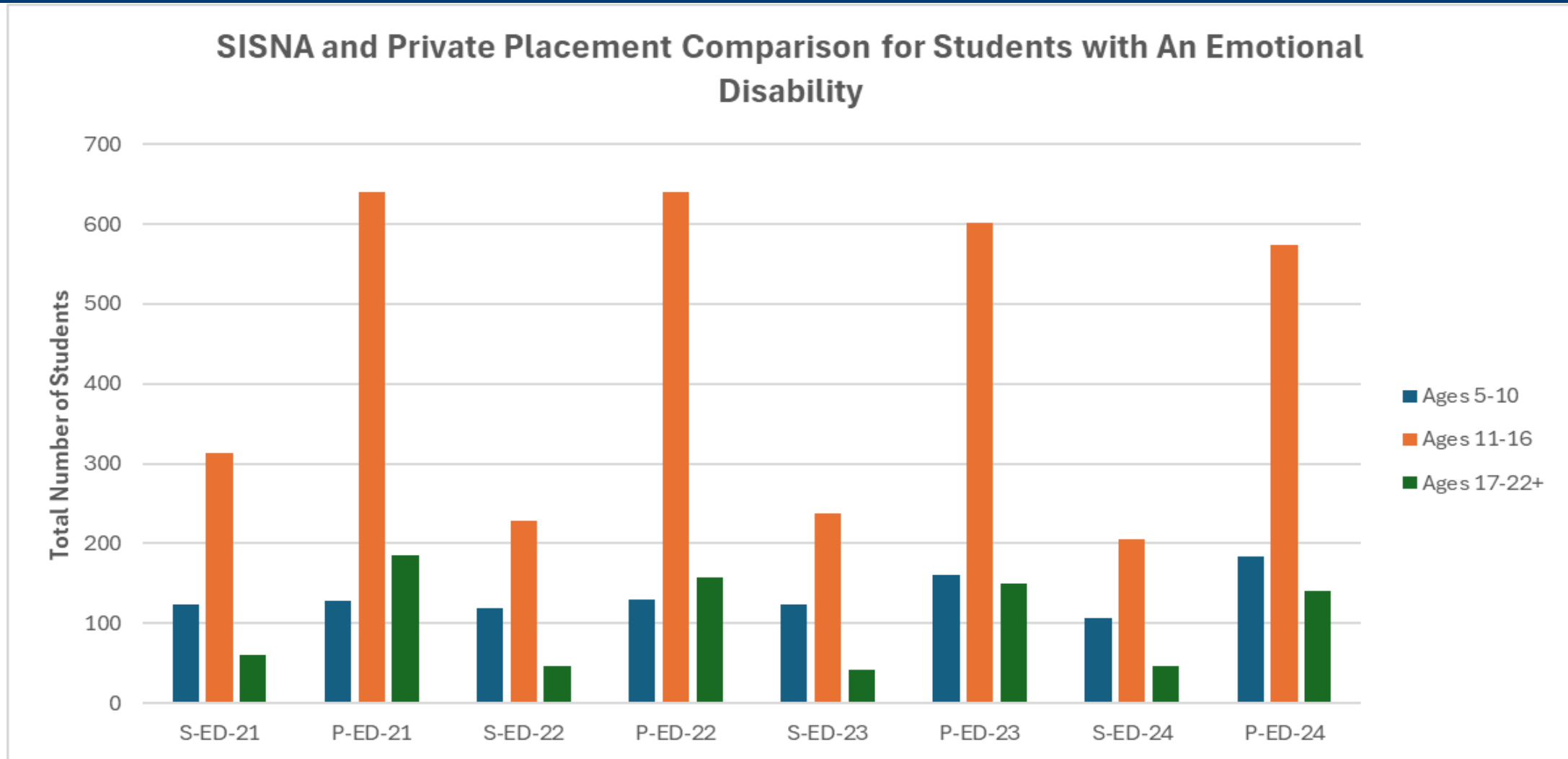
SISNA and Private Placement Data



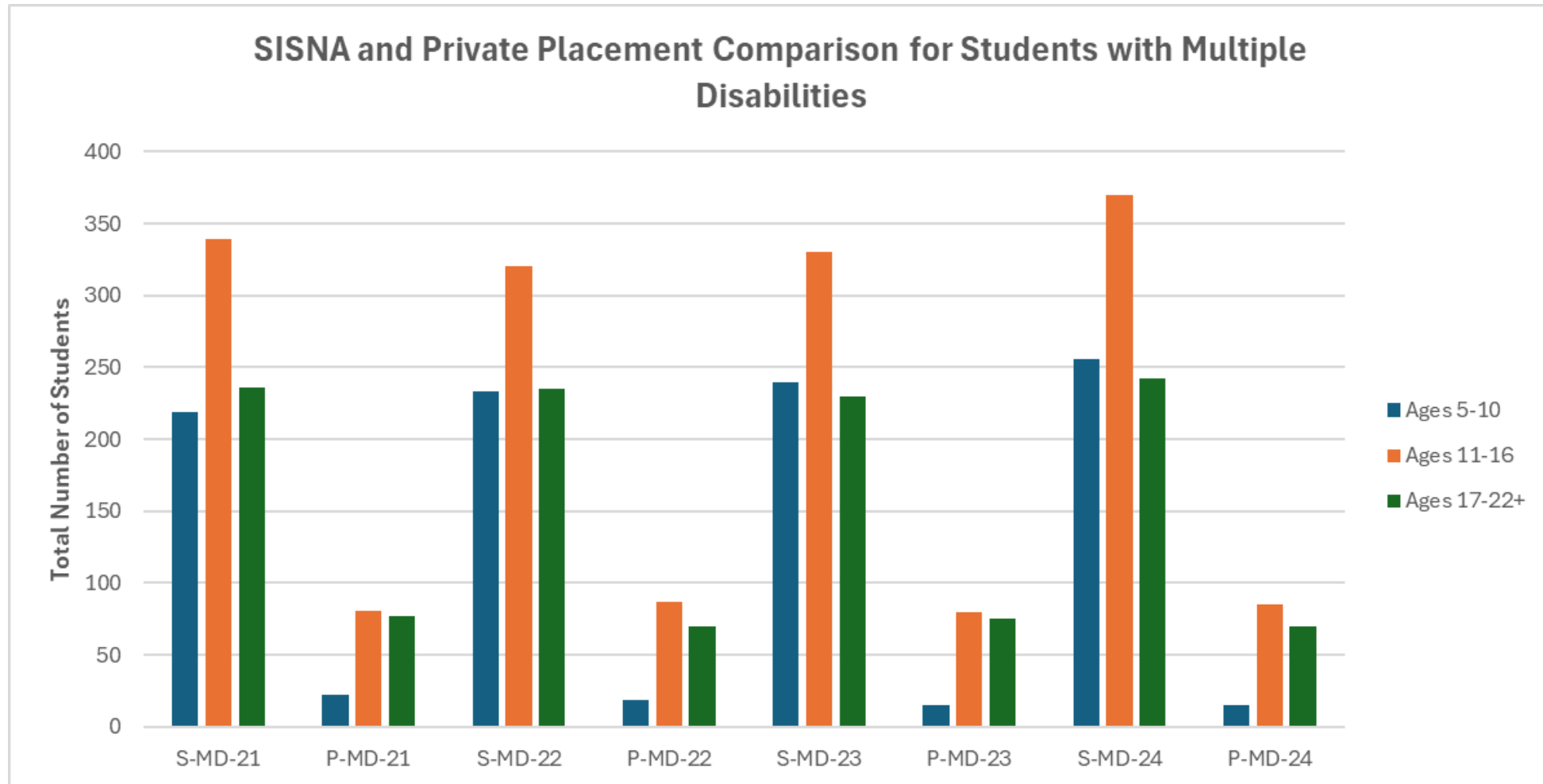
Autism



Emotional Disability



Multiple Disabilities



VDOE and OCS Collaboration

- Virginia General Assembly Required Reporting
 - 2023 and 2024 Report (provided to SEC members)
 - 2025 Upcoming Reporting, due October 1, 2025
- Virginia Department of Education and Office of Children's Services Data Sharing Agreement
 - Students with disabilities placement data (example provided to SEC members)
- Office of Children's Services Annual Expenditure Reports (example provided to SEC members)