

FAIRFAX COUNTY PUBLIC SCHOOLS

Special Education

HANDBOOK

for Parents



The Process • Resources • Services

Foreword

Public Law (P.L.) 108-446, the Individuals with Disabilities Education Act (IDEA) of 2004 provides for a free appropriate public education (FAPE) for all children and youth who need special education services. The Code of Virginia provides that all persons 2 through 21 years of age who need such services and reside in Virginia be identified and evaluated and have available a FAPE. It is the responsibility of the Virginia Department of Education (VDOE) to ensure that the provisions in state law and regulations are met.

The cornerstone of federal special education law is the requirement that parents be active participants in determining the services that will appropriately address the special education needs of their children. An effective partnership between parents and educators requires that all people involved be fully informed about special education services and understand the steps that are required to identify and educate children with disabilities.

This handbook is intended to help the partners (students with disabilities, parents, educators, and other interested persons) work together and become more knowledgeable about and committed to helping students who require special education services. The most recent revision to IDEA occurred in 2004, and final regulations to guide states in implementing these changes were issued in October 2006. In July 2009, the VDOE issued its final regulations to divisions across the Commonwealth of Virginia. Fairfax County Public Schools (FCPS) will continue to review and develop regulations in compliance with IDEA. The information in this handbook will be updated accordingly. Please be sure to check our website at <http://www.fcps.edu/dss/sei/Handbook/> for the latest updated handbook information.

Special education services are an integral part of the educational offerings of FCPS. A variety of services are provided for students aged 2 through 21, having mild to severe disabilities. Because these services are regulated by federal and state laws, some sections of the handbook include specialized vocabulary.

A glossary of terms is provided in Appendix B of this handbook. As you read and use this handbook, you may want additional information or assistance. There are many people who can help. Contact the Parent Resource Center (PRC) at 703-204-3941, and visit the website at <http://www.fcps.edu/cco/prc/> for additional information and support. You may contact the staff at your local school or cluster office, your procedural support liaison (PSL), the Parent Resource Center, staff members in the Department of Special Services (DSS), or community support groups such as the Advisory Committee for Students with Disabilities (ACSD) at 703-204-3941. They will be happy to help you.

You may want to use the key people form located on the handbook supplements page online http://www.fcps.edu/cco/prc/seasonal/handbook_supplements.shtml to compile your personal directory of key people and frequently used telephone numbers.

You can find foreign language translations of this handbook at <http://www.fcps.edu/dss/sei/Handbook/> or receive a copy by calling the Parent Resource Center at 703-204-3941.

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Fairfax County Public Schools

Our School System

- Is the largest school division in the state of Virginia.
- Is the 11th-largest school district in the United States.
- Educates more than 177,000 students.
- Provides special education services to more than 24,000 students.
- Manages more than 200 schools and centers.

Neighborhood Base School

- Newcomers to the county can go to www.fcps.edu/boundary/ or call 703-329-9831 24 hours a day to find out which schools serve their home address.
- Registration for students, including students with special needs, takes place in their neighborhood base schools. The Student Registration Section at Dunn Loring Center for Parent Services 703-204-6740 registers foreign national students.

- Parents of preschool children with special needs, between the ages of two and five, should register their students through Child Find at Dunn Loring 703-204-6760, Rocky Run 703-802-7788, or Virginia Hills 703-317-1400.
- Special education services are provided at the neighborhood base school unless the student's individualized education program (IEP) requires a different placement. The principal has the primary responsibility for special education services for students in the school.

Your Cluster Offices

- Fairfax County Public Schools (FCPS) is organized into eight clusters. Each cluster has an assistant superintendent and a director. Clusters include three pyramids. A pyramid consists of a high school and all its middle and elementary feeder schools.
- The directors in the Offices of Special Education Procedural Support, Intervention and Prevention Services,

and Special Education Instruction and their staff members (program managers, specialists, procedural support liaisons (PSLs), psychologists, social workers, et al.) report to the assistant superintendent, Department of Special Services (DSS), and are assigned across clusters. These staff members help schools in their assigned pyramids provide special education services to eligible students.

- Parents are urged to contact the procedural support liaison (PSL) who serves their school about questions and concerns that cannot be resolved at the local school. The names, phone numbers, and school assignments of the PSLs can be found on the website of DSS at <http://www.fcps.edu/dss/seps/>. Staff members of the FCPS Parent Resource Center can also provide the information by phone. Please call 703-204-3941.

SCHOOLS BY PYRAMID CLUSTER

Cluster I	Cluster II	Cluster III	Cluster IV
Herndon High Langley High McLean High	Falls Church High Madison High Marshall High	Annandale High Stuart High Woodson High TJHSST	Hayfield Secondary Mount Vernon High West Potomac High
Cluster V	Cluster VI	Cluster VII	Cluster VIII
Edison High Lee High South County Secondary	Lake Braddock Secondary Robinson Secondary West Springfield High	Centreville High Chantilly High Fairfax High	Oakton High South Lakes High Westfield High



Department of Special Services Administration Center

A majority of administrative staff members for DSS are currently located at Fairfax Ridge Administrative Center located at 3877 Fairfax Ridge Road, Fairfax, VA 22030.

Staff members in the central offices of DSS plan and coordinate special education instruction on a divisionwide basis. Staff members in clusters and pyramids are responsible for coordinating and monitoring the complex special education procedures required by federal and state laws and regulations.

School Board

(Meets at Jackson Middle School)

An elected 12-member School Board and one nonvoting student representative govern FCPS. To communicate with the School Board or to obtain information about School Board procedures, call the clerk of the Board or the Board administrative assistant at 571-423-1075, or contact a member of the Board via e-mail at SchoolBoardMembers@fcps.edu.

The School Board appoints local citizens as members of the Fairfax County Advisory Committee for Students with Disabilities (ACSD). The ACSD advises the School Board about special education policies, procedures, and services. Interested citizens are encouraged to express their views to the committee by writing to the chairperson. All meetings of the ACSD are open to the public; it meets on the second Wednesday of each month except August and September. For more information, contact the FCPS Parent Resource Center at 703-204-3941, via e-mail at prc@fcps.edu, or see the ACSD website at <http://www.fcps.edu/dss/ACSD/>.

Special Considerations for Families



Students are entitled to an evaluation by qualified personnel. When feasible, students are evaluated in the primary language of the home or in the primary mode of communication. Translation services may be requested by the school or by the parent. Parents of students who receive special education services should receive information in the primary language of the home or in the primary mode of communication (e.g., Braille) unless it is clearly not feasible to do so. Parents may also request that the school arrange for an interpreter to be present at school meetings.

Translations of this handbook and other Fairfax County Public Schools (FCPS) documents related to special education are available from the Parent Resource Center at 703-204-3941, or you may send a request by e-mail to: prc@fcps.edu. (¿Habla usted español? Llame al 703-204-3955). The Special Education Handbook is also available online at <http://www.fcps.edu/cco/prc/>.

Children with disabilities or their parents are also entitled to the following:

- Nondiscriminatory testing and evaluation.
- Information about independent educational evaluations (IEE).
- Annual individualized education program (IEP) reviews.
- Triennial reevaluations for eligibility and placement.
- Access to student records and confidentiality of records.
- Availability of schools without architectural barriers.
- Options for dispute resolution or appeal through administrative review, mediation, complaint, or due process hearings.

The Special Education Process

This section of the handbook describes the special education process. The process occurs sequentially, over a period of time, with each step building upon the previous step(s). It is important for **parents** to have an understanding of how the special education process works, so they can effectively participate as partners and collaborate with school staff members in making appropriate decisions regarding their child's educational needs. Parents are an integral part of the decision-making team.

The steps of the process are briefly summarized below, and each step is described in more detail in the following pages.

Important Elements of the Special Education Process

What is special education?

The Individuals with Disabilities Education Improvement Act (IDEA '04, Public Law 108-446) is a **law** that ensures the provision of services to children with disabilities. IDEA governs how states provide early intervention, special education, and related services to eligible students.

As required by federal and state regulations, Fairfax County Public Schools (FCPS) actively seeks to identify, locate, and evaluate those

children residing in Fairfax County from birth to age 21 years, who are in need of special education and related services. The Virginia Department of Education (VDOE) defines special education as specifically designed instruction, at no cost to the parent(s), to meet the unique needs of a child with a disability, including instruction conducted in a classroom, in the home, in hospitals, in institutions, and in other settings. VDOE regulations define a child with a disability as a child with a developmental delay, an intellectual disability, a hearing impairment, deafness, a speech or language impairment, a visual impairment (including blindness), a serious emotional disability, an orthopedic impairment, autism, a traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities who, by reason thereof, needs special education and related services. The term "related services" means transportation and such developmental, corrective, and other supportive services as are required to help a child

with a disability benefit from special education.

How do parents and school staff members determine if a student meets the requirement to be found eligible for special education services and which services would be appropriate to meet the student's unique needs?

The following pages describe the referral, evaluation, eligibility, and placement process. Information is also available for viewing at the Parent Resource Center, at your local school, at the public library, or on the website for FCPS: <http://www.fcps.edu/dss/>.

A Brief Overview of the Special Education Process

Identification:

Recognition on the part of a parent, a teacher, or another person that a child may have special learning needs.



PARENT—Parent means a biological or adoptive parent, a foster parent, a guardian, a surrogate parent, or an individual acting in the place of a biological or adoptive parent with whom the child lives or who is legally responsible for the child's welfare. This term includes a number of qualifiers and exceptions; for further details, see the glossary in the 2010 Virginia Special Education Handbook:

http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf.

LAW—Law means any state or federal law, regulation, or statute.

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Questions related to identification may be directed to Infant and Toddler Connection (Fairfax County) for children aged birth to 36 months at 703-246-7121. For preschool-age children (age two through five) contact Fairfax County Public Schools Early Childhood Identification and Services/**Child Find** at 703-204-6760 (Dunn Loring), 703-317-1400 (Virginia Hills), or 703-802-7788 (Rocky Run). For school-age children, you may direct questions related to identification to your child's base-school principal.

Referral:

The process of informing a school that a student is experiencing some type of difficulty and/or may have special learning needs.

A parent, teacher, staff member, or other interested party may refer a student. To refer a student, request a Multi-Purpose Referral Form from the school, complete it, and return it to the person designated to receive referrals at the school, along with any pertinent supporting documentation (e.g., outside evaluations) that you may have. Referrals may also be made orally or electronically to designated school personnel. Please request assistance from your primary contact person, if needed, to complete the Multi-Purpose Referral Form (SS/SE 5). The primary contact person may be the principal, the special education teacher, or the special education **procedural support liaison (PSL)**. Students do not have to attend public school to be referred. Refer to Appendix E to review the Special Education Referral to Eligibility Meetings and Timeline.

In FCPS, referrals for school-age students are received and reviewed by

the local screening committee (LSC) at the student's neighborhood (base) school. Students who are residents of Fairfax County but attend a private school in a different county should be referred to the public school closest to their private school in the county in which the private school is located. Questions related to referral may be directed to Infant and Toddler Connection for children birth to 36 months of age at 703-246-7121; for preschool-age children (age 2 through 5) to Early Childhood Identification and Services/Child Find at 703-204-6760 (Dunn Loring), 703-317-1400 (Virginia Hills), or 703-802-7788 (Rocky Run); and to your child's base-school principal for school-age children.

Evaluation:

The process of collecting and analyzing information and assessments such as those provided by parents; classroom-based, local, and state assessments; observations; and educational, psychological, sociocultural, medical, and other appropriate information about a child, all of

which are used to determine if a student needs or continues to need special education.

If it has been determined that your child will be evaluated for special education and you have questions regarding the evaluation process, please contact your school's principal or his or her designee, the LSC chairperson, the school psychologist, or the special education PSL.

Eligibility:

Eligibility is the process undertaken by an **eligibility committee**, composed of professional FCPS staff members and parents, which considers pertinent information, evaluative data (discussed above), and the unique needs of a student and determines whether the student is eligible for special education. If your child is being evaluated and will be considered for special education and you have questions about the eligibility process, please contact the LSC chairperson, your school's principal or his or her designee, the school psychologist, or the special education PSL.



CHILD FIND—A public school program that locates and identifies children and young adults from 2 through 21 years of age who may be in need of special education and related services.

PROCEDURAL SUPPORT LIAISON (PSL)—An FCPS staff member from the Office of Special Education Procedural Support who serves as a resource to parents and school staff by providing information about services and facilitating communication between parents and school staff in support of a collaborative decision-making process. A PSL may serve as an additional IEP team member. The PSL can provide guidance to parents and staff when there are questions related to federal, state, and local special education guidelines and procedures. One PSL is assigned to each pyramid.

ELIGIBILITY COMMITTEE—A committee of professional staff members and the parent that considers the individual needs of a student and determines whether the student is eligible for special education and related services. Eligibility committees usually meet at the student's school.

The Special Education Process

Eligibility and individualized education program (IEP) and/or reevaluation committees usually convene at your student's school. If the student is found eligible for initial special education services, parents and school staff members meet within 30 **calendar days** to develop an IEP.

Dismissal:

Dismissal is the process undertaken by an IEP and/or reevaluation committee, composed of professional FCPS staff members and parents, which considers pertinent information, evaluative data (discussed above), and the unique needs of a student and determines, with parental consent, that the student is no longer eligible for special education.

If your student is currently eligible for special education and you have questions related to dismissal from special education, please contact your student's special education teacher and/or case manager, the special education PSL, or your school's principal.

Individualized Education Program (IEP):

An IEP is a written statement for a student with a disability that is developed, reviewed, and revised in a team meeting.

The IEP specifies the individual educational needs of your student and what special education and related services are necessary to meet the student's educational needs. The IEP is developed by FCPS staff members with input from, and in collaboration with, the parents of the student. The

IEP team consists of parents, the student (if appropriate), the student's special education teacher, a general education teacher if the student participates or may participate in general education classes, a representative of the school system who is qualified to provide or supervise special education services, and others as appropriate. IDEA requires that an IEP contain the following:

- A description of the student's present level of academic achievement and functional performance, as well as any concerns of the parents.
- A statement of measurable annual goals, which may also include short-term instructional objectives.
- A statement of the specific special education and related services to be provided to the student.
- A statement concerning the extent to which the student will participate in general education activities.
- The date when special services will begin, the frequency and duration of the services, and how long the services will last.

- Information about how and when the student's progress toward IEP goals will be evaluated.
- A list of needed curriculum, testing, and classroom accommodations and modifications.
- A statement concerning statewide and divisionwide assessments and accommodations that a student will need during testing.
- A statement of needed transition services for students 14 years of age or older.

If you have questions related to the IEP process, please contact your child's special education teacher and/or case manager, special education PSL, or principal.

Annual Review:

A scheduled meeting of school staff members and parents to develop, review, and revise the IEP of a student receiving special education services.

If you have questions related to the IEP annual review process, please contact your child's special education teacher and/or case manager, special education PSL, or principal.



CALENDAR DAYS—Consecutive days, inclusive of Saturdays and Sundays. Whenever any period of time fixed by the term "calendar days" shall expire on a Saturday, Sunday, or federal or state holiday, the period of time for taking such action shall be extended to the next day, not a Saturday, a Sunday, or a federal or state holiday.

IEP TEAM—A group consisting of parents, a special education teacher, a general education teacher, the student (when appropriate), a representative of the school system qualified to provide or supervise special education services, and others as requested, who meet at a conference to develop the IEP.

The Special Education Process

Reevaluation:

A review to decide if additional and/or updated information is needed to determine individual needs and eligibility status for special education and related services.

A reevaluation is required every three years or more frequently if conditions warrant, or upon request by the parent(s). If you have questions related to the reevaluation process, please contact your child's special education teacher and/or case manager, PSL, or principal.

The Steps in the Special Education Process in Depth

Referral:

Federal law, including both No Child Left Behind (NCLB) and the reauthorization of the Individuals with Disabilities Education Act (IDEA) of 2004, supports the use of early intervening services to help at-risk students before they are referred for special education services. Please note that this practice is different from early intervention services, which provide support to preschool-age children who have already been found eligible for special education services. FCPS has always strongly supported this position through an extensive kindergarten screening program and prereferral intervention and support services. However, if you or a school staff member feels that early intervening services have not adequately helped your child and you suspect that he or she may have a disability and be in need of special education services,

either you may make a referral to the LSC at your child's school. To refer a child, request a Multi-Purpose Referral Form from the school, or print a copy of the *Multi-Purpose Referral Form (SS/SE 5)* from the FCPS website at <http://www.fcps.edu/dss/seps/dueprocess-eligibility/se5.pdf>, complete it, and return it with any pertinent supporting documentation to the person designated to receive referrals at the school. Provide all requested information and attach copies of any documentation that you feel supports your concerns (e.g., outside evaluations, work samples, doctor's reports). Be sure to keep a copy of the referral for your records. Referrals may also be made orally or electronically to designated school personnel. Please request assistance from your primary contact person, if needed, to complete the referral process. The LSC is the team that reviews referrals related to the special education process. The LSC includes the principal or principal's designee, the school psychologist, a general education teacher, and a special education teacher. It may also include other professional staff members such as the speech and language clinician, school counselor, school social worker, et al. The LSC reviews referrals for special education within 10 **working days** to determine ways in which the student's needs may be met within the school and/or whether an individual evaluation for special education is warranted.



WORKING DAYS—Monday through Friday, 12 months of the year, not counting federal and state holidays.

The school will invite you to the LSC. As the student's parent(s), your participation and input are very important, strongly considered, and fundamental to the decision-making process. The LSC committee will be most interested in the information you provide, your perspective regarding your child's education, and your views related to the decision whether or not to evaluate your child for special education. In making decisions about conducting an evaluation for special education, the LSC may choose from several options. The consensus of the committee may be that an evaluation for special education is warranted, in which case your informed written consent is required before your child can be evaluated. The consensus of the committee may be, instead, to observe your child further and perhaps request a consultation from staff members (e.g., the reading teacher, the psychologist) to clarify your child's needs and then reconvene at a later date. The LSC committee may develop a plan and/or strategies to help your child within the regular classroom setting and determine that evaluation for special education services is not warranted.

Regardless of the LSC committee's action, you will be informed in writing of this decision.

The LSC is also responsible for deciding if qualification for a Section 504 plan is warranted for a student with a disability(ies) who may not be eligible for special education services. For more information on 504 qualification, see the section of this manual titled *Understanding Section 504*.

If you disagree with the decision of the LSC, you have a right to appeal.

The Special Education Process

For information on how to appeal a decision of the LSC, please see the section of this manual titled *The Appeals Process*.

Preparing for and Participating in the Local Screening Committee (LSC) Meeting

- Review and consider the concerns noted in the referral.
- Gather and provide, preferably prior to the LSC meeting, pertinent information that you have about your child that supports and documents your concerns. You may provide information related to your concerns such as a medical diagnosis, private evaluations, and work samples, including tests, homework, etc.
- Organize your thoughts so that you can present your concerns clearly and succinctly. At the time the meeting is scheduled, FCPS provides parents with a form, *Parent Information for IEP*, to fill out and bring to meetings related to the referral, eligibility, and IEP process. To help you with this process, you may also want to use the *Student Profile-Parent Form* or the *Student Profile-Student Form* available from the Parent Resource Center or online at http://www.fcps.edu/ccoprc/seasonal/handbook_supplements.shtml.
- Be prepared to discuss strategies that have been used to help your child and if they were or were not successful.
- If the LSC proposes to evaluate your child, note the areas that are to be assessed and seek clarification, if necessary.

Evaluation:

If the LSC determines that evaluation for special education is warranted for your child, the process must be completed and the results forwarded to the eligibility committee for consideration within 65 working days from the date of the referral. The school system must receive informed written **consent** from a parent before his or her child can be evaluated initially. If the student is currently eligible for special education and is to be reevaluated, the school will seek parent permission but may proceed without it if the school does not hear from the parents after a reasonable amount of effort. These efforts must be documented through telephone logs, copies of letters, etc. If the parent(s) refuses to provide consent, the school system may appeal if the school system feels an evaluation is necessary.

Regulations require that students be assessed in all areas of suspected disability. The evaluative process may include psychological, sociocultural, educational, and other assessments. It is up to the LSC to determine which evaluations are needed in order to meet the requirement for a comprehensive evaluation that identifies all the student's special education and related services needs. If a parent has concerns about a specific skill area, the parent can request an assessment of that skill. The FCPS evaluator determines

the specific tests or assessment procedure(s) that will be used to assess the skill. Both formal and informal measures can be used to gather information. Additional tests may be included that assess such things as your child's speech and language abilities, gross and fine motor skills, hearing, and vision.

When the evaluations have been completed and before the eligibility committee meeting, school personnel, usually the psychologist, will make an appointment with the parent(s) to review the results of the testing. This is called an interpretive conference. At this meeting, your child's test scores will be reviewed and discussed. In order to help the student succeed, it is important that parents understand what the results mean in terms of their child's strengths and weaknesses, learning style, and the impact on their child's performance in the classroom. During the interpretive conference, the staff member can discuss the criteria related to special education; however, only the eligibility committee can make a decision about your child's eligibility for special education. The evaluation reports are part of the packet of information, called an eligibility packet, considered by the eligibility committee. Eligibility packets must be made available to parents three days prior to the eligibility committee meeting.



CONSENT—*The parent(s) or eligible student has been fully informed of all information relevant to the activity for which consent is sought in the parent's or eligible student's native language, or other mode of communication; the parent(s) or eligible student understands and agrees, in writing, to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and the parent(s) or eligible student understands that the granting of consent is voluntary on the part of the parent(s) or eligible student and may be revoked at any time.*

The Special Education Process

Preparing for the Evaluation Process

When you give your informed written consent to evaluate, be sure to note the name of the case manager (usually the psychologist) because this will be your primary contact person regarding the eligibility process. Prepare your child for the evaluation by letting your child know that people at the school will be asking to work with him or her outside the classroom. You may not know the specific days when the testing will take place, so try to be sure that your child is well-rested and eats a nutritious breakfast each day during the evaluation period. If conditions exist that may affect your child adversely on certain days (e.g., if your child has a cold or allergies), let the teacher know so the evaluators can reschedule the testing if necessary.

Eligibility:

Once the evaluation team has completed its assessments, the results are provided to the eligibility committee, a team of FCPS professionals knowledgeable about the suspected area(s) of disability. The evaluations must be completed and the eligibility committee must meet within 65 working days of the referral. Parents are integral members of the team and are encouraged to attend and participate in the eligibility meeting. Whether you attend this meeting or not, the eligibility committee must seek your input. IDEA stipulates that parents and a team of qualified professionals determine if a child is eligible for special education and related services. Your case manager will notify you as to the date, time, and location of the meeting, but you may also call him or her for this information. If you choose not

to attend and then disagree with the decision of the eligibility committee, the committee will offer to reconvene in order to consider your input.

Eligibility committee meetings are usually held at the school the child attends. An eligibility committee is composed of a team of qualified professionals, one of whom should have either assessed or observed the student, and the parent(s). Parents and school staff members may invite people who can provide additional information about the student. As a result, there may be people in attendance who are not actually committee members. Attendees who are part of the consensus-building team and decision-making process should be identified during introductions.

At the eligibility meeting, the psychologist and/or other team members will usually begin by summarizing the issues and concerns raised in the referral and the most pertinent parts of your child's history, and then succinctly review information and the results of the completed evaluations. Before the eligibility meeting you will have participated in an interpretive conference and received an eligibility packet at least three days prior; each committee member will have reviewed the eligibility packet. You will be given the opportunity to present pertinent information and express your thoughts and concerns. Committee members and parent(s) have the opportunity to ask questions and clarify issues related to your child. When this process has been completed, the committee will determine through consensus whether your child meets specific criteria required to be found eligible as a child with a disability and in need of special education by using the applicable *Basis for Committee*

Decision forms (BCDs). There is a BCD for each of the 14 special education categories. Samples of the BCDs are located at <http://www.fcps.edu/dss/sei/additionalinfo/overview.shtml> and in Appendix A of this handbook.

To be found eligible for initial special education services, the eligibility committee must find that your child meets ALL the criteria listed in the relevant BCD in one or more of the 14 disability categories. Parental consent is required for a student to be found eligible for initial special education services.

There are several possible outcomes for the eligibility meeting. The committee members may decide:

1. That your child meets the criteria for one of the 14 categories of disabilities; and if that disability affects your child's ability to access a Free Appropriate Public Education (FAPE) to the extent that special education goals and services are necessary, an IEP meeting will be scheduled.
2. That your child does not qualify for special education services, nor does he or she require further evaluation at this time. If your child is not found eligible for special education services, the eligibility committee members may refer him or her to the local screening committee for consideration as disabled under Section 504.

The fundamental purpose of the eligibility committee is to determine whether your child is eligible for special education. Children who turn 2 years of age on or before September 30 are eligible to receive special education services through Early Childhood Special Education programs.

The Special Education Process

School-age children, aged 5 through 22, are eligible to receive special education services through their base school. Students who graduate with a modified standard diploma or a special diploma are eligible to receive services in the FCPS system through the school year they turn 22 years of age, if they have not reached their 22nd birthday by September 30. Students with IEPs who graduate with a standard, advanced, or technical diploma are no longer eligible to receive special education services after graduation. If it is the consensus of the eligibility committee that your child meets all criteria listed on one or more BCDs, your informed written consent is required before your child can be found initially eligible for and receive special education services. If, with parental consent, your child is found to be eligible for special education, an IEP team must convene within 30 calendar days to develop an IEP. The eligibility committee *does not* determine placement. Placement decisions are made by the IEP team following the development of the IEP. Initial placement requires parental consent.

With IDEA and the finalization of the VDOE Regulations in July 2009, some changes were made regarding the special education categories. The categories are briefly defined below:

AUTISM means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, which adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in

daily routines, and unusual responses to sensory experiences. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disability. A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in this definition are satisfied.

DEAF-BLINDNESS means simultaneous hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that the student cannot be accommodated in special educational programs solely for children with deafness or children with blindness.

DEAFNESS means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, which adversely affects the child's educational performance.

DEVELOPMENTAL DELAY means a disability affecting a child aged two (by September 30) to six, inclusive (age two up to age seven), who: 1) is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development or 2) has an established physical or mental condition that has a high probability of resulting in developmental delays.

EMOTIONAL DISABILITY means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree

that adversely affects educational performance: 1) an inability to learn that cannot be explained by intellectual, sensory, or health factors; 2) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; 3) inappropriate types of behavior or feelings under normal circumstances; 4) a general pervasive mood of unhappiness or depression; or 5) a tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to a child who is socially maladjusted, unless it is determined that he or she has an emotional disability.

HEARING IMPAIRMENT means impairment in hearing, in one or both ears, with or without amplification, whether permanent or fluctuating, that adversely affects a child's educational performance but is not included under the definition of deafness.

INTELLECTUAL DISABILITY means significantly below-average general intellectual functioning, existing concurrently with deficits in adaptive behavior, and manifested during the developmental period, that adversely affects a child's educational performance (deficits in cognitive ability and adaptive behavior that are not primarily caused by visual or auditory deficits, motor deficits, emotional disability, learning disability, or environmental, cultural, or economic disadvantage).

MULTIPLE DISABILITIES means two or more impairments at the same time (for example, intellectual disability–blindness, learning disability–orthopedic impairment), the combination of which causes such severe educational needs that they

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cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

ORTHOPEDIC IMPAIRMENT means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., club foot, absence of some member), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

OTHER HEALTH IMPAIRMENT means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: 1) is due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, arthritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, and Tourette syndrome and 2) adversely affects a child's educational performance.

SPECIFIC LEARNING DISABILITY means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing,

or motor disabilities; of intellectual disabilities; of emotional disabilities; or of environmental, cultural, or economic disadvantage.

SPEECH AND/OR LANGUAGE IMPAIRMENT means a communication disorder such as stuttering, impaired articulation, expressive language and/or receptive language impairment, or voice impairments that adversely affects a child's educational performance.

TRAUMATIC BRAIN INJURY means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual, and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.

VISUAL IMPAIRMENT including blindness means impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

Preparing for the Eligibility Meeting

- Review the eligibility packet regarding your child. Note your child's strengths and weaknesses and any areas in which your child is functioning significantly below expected age and grade levels.

- Be prepared to discuss your concerns about your child's progress in school.
- Review the *Basis for Committee Decisions forms* located at <http://www.fcps.edu/dss/sei/additionalinfo/overview.shtml> to help you understand how eligibility determinations are made.
- Prepare a list of any questions you have for the committee.

Reevaluation:

The reevaluation process applies to students who have previously been identified as being eligible for special education services. A reevaluation must be conducted every three years at a minimum and is initiated by the IEP or reevaluation team in sufficient time to complete the process before the three-year anniversary of the previous eligibility determination. These IEP team members, including the parent(s), review existing evaluation data related to the student. This data may include information provided by the parent(s), classroom-based assessments and observations from the teacher and related service personnel, and reports of the progress that has been made toward meeting IEP goals. On the basis of that review, the IEP team decides what, if any, additional evaluations are needed to determine if the student continues to be eligible for special education.

If no additional data are needed, the school-based eligibility committee can move forward and determine eligibility. If the FCPS members of the IEP team find that no additional evaluations are needed, but the parent(s) requests them, evaluations will be conducted. If it is agreed that no new evaluations are needed and the required committee members are present at the meeting,

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an eligibility determination can be made at that time. The new IEP can be developed after the eligibility determination if agreeable with the parent or at a later, mutually agreed upon time. If, however, the IEP team decides that additional evaluation information is needed, the case proceeds in the same manner as an initial evaluation (i.e., the assessments are requested, parental consent is requested, and if provided, the assessments are administered and the results forwarded to an eligibility committee).

Preparing for the Reevaluation Meeting

- Review the most recent evaluation information on your child. If you do not have a copy of the evaluations, ask the school for a copy.
- Highlight any areas of significant strengths and weaknesses, note any changes, and decide if you think that those areas need to be reevaluated.
- Discuss with your child's teacher any informal evaluations that have been completed to help determine if your child is making sufficient progress.
- Be prepared to discuss your concerns about your child's progress in school. It may be helpful to organize your thoughts with the *Student Profile-Parent Form* available online at <http://www.fcps.edu/cco/prc/>



Least Restrictive Environment (LRE)—*The setting determined by the IEP team that gives the child as much time as possible in general education settings and activities, while meeting the child's learning and physical needs. It also means that special classes, separate schooling, or other removal of a child with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.*

[seasonal/handbook_supplements.shtml](#) or from the Parent Resource Center at 703-204-3941.

- Review the BCD forms for each area of disability, which can be found at <http://www.fcps.edu/dss/sei/additionalinfo/overview.shtml> to help you understand how eligibility determinations are made.
- List any questions you have for the committee.

The Individualized Education Program (IEP) Development

This section of the handbook will help you understand the IEP. The IEP is a written plan for special education and related services for a student who has been determined to be eligible for services.

What Is an IEP?

The IEP is a written plan for the special education services for a student. It describes the special education and related services specifically designed to meet the unique educational needs of the student. It contains measurable goals (for some students, objectives based on the student's present level of educational performance), specifies the educational placement and setting where the services will be delivered, and describes the related services and supports necessary to reach the goals and objectives. See *Parts of*



the IEP in this handbook for a more detailed explanation of each of these components.

The IEP is more than a planning and management tool for the student's special education program. The IEP is an opportunity for parents, the student (if appropriate), and educators to work together as team members to identify the student's needs, to identify services that will be provided to meet those needs, and to describe the anticipated outcomes. It serves as a focal point for clarifying issues and helps parents, the student, and school personnel work collaboratively in making decisions that are in the best interest of the student. Since parents are part of the team, it is important that you understand the process and take an active role in developing the IEP. Parent consent is required before an initial IEP can be implemented. Therefore, it is also important that you know the procedures and the steps you can take if you and your child's school team have difficulty reaching agreement.

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The IEP describes what your child needs to learn to access the general education curriculum. It lists the supports, services, and accommodations that your child will need in order to make progress in the **least restrictive environment**. IEPs must be reviewed and rewritten at least once a year, but the IEP team can reconvene at any time to review and revise the document should there be a concern on the part of any team member, including the parents.

The IEP is a fluid document. As your child grows, learns, and changes, the IEP will need to change. It must be reviewed at least once each year, but it may be changed as often as you and the school agree that it needs to be changed.

The IEP: What It Is Not

The IEP is not a daily lesson plan. It is a long-term plan and, thus, will not tell you everything that a teacher will do with your child. It won't take the place of the lesson plans that teachers write for a day or a week.

The IEP is not a contract. The IEP describes things that you and the school have agreed to do for your child, but it is not a guarantee that the interventions will work. If, however, you review the IEP and feel that the interventions are not successful, you need to reconvene the IEP team, express your concerns, and discuss alternative strategies. Remember that an IEP team can be reconvened at any time.

Characteristics of an Effective IEP

- It is comprehensive. It covers disability areas that are a priority for you, your child, and your child's teachers.

- It is specific. Goals and objectives (if required) are based on the student's present level of function.
- It is sequential. It is based on developmental or functional skills that are acquired by typical children and in a similar sequence.
- It is realistic and appropriate. Goals and objectives fit the student's current level of functioning and growth rate.
- It is understandable. It is written in language that is comprehensible to both parents and professionals.
- It has been mutually developed. It represents consensus among parents, the student (when appropriate), and school personnel.
- It is measurable. Progress on goals can be measured objectively.

Parts of the IEP

The IEP has a number of different sections. Among them are:

- **An agenda**, which lists the topics that will be discussed during the meeting.
- **The present level of educational performance**, which includes a statement about the strengths of the student and indicates the student's level of functioning in area(s) of need. The present level of educational performance is a statement about how the student's learning needs affect his or her involvement and progress in the general education curriculum. There should be a direct relationship between the present level of performance and other components of the IEP. If, for example, the testing indicates deficits in specific areas, those areas should be addressed in the IEP.

- **Annual goals**, which are statements of what a student receiving special education services can reasonably be expected to accomplish in specific areas of the curriculum during the duration of the IEP (typically one year). Goals answer the question:

What do we want the student to be able to do at the end of the timeframe of this IEP?

Priorities are established in choosing goals based on the student's ability to access the general education curriculum, his or her strengths and needs, plans and expectations for the future, and the student's age. There must be a relationship between the present level of performance and the annual goals. If a goal is included in the IEP, it should refer back to the present level of performance. Goals should generalize across programs and be written to meet the needs of the student, not to address specific methodology, curriculum, or course requirements in special or general education. They should be written to address the unique needs of the student, not to describe the specific program in which the student will participate. When developing goals, staff members and parents should remember that IDEA stipulates that students receiving special education services must have access to the general education curriculum. Goals must be measurable.

- **Short-term instructional objectives**, which may also be included for some students. IDEA stipulates that, for most students, the IEP does not have to document short-term objectives if the IEP team is in agreement. The IEPs of students who participate in alternative assessments, however, must still include short-term objectives. Objectives describe

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the steps the student must master in moving toward accomplishment of each goal. Objectives are not as specific as lesson plans but represent the steps between the student's current educational performance and the annual goal.

- **Appropriate objective criteria, evaluation procedures, and schedules** that are needed to determine whether sufficient progress is being made to achieve the goals within the duration of the IEP. Evaluation criteria refer to the level of performance necessary for mastery of a given objective. They can be expressed as percentages of accuracy required the number of times a student will do a task correctly, etc. They measure the student's progress in areas of disability. If a student is not meeting his or her objectives and goals, the IEP team needs to discuss the possible reasons. It may be that the goals were unrealistic for the student, or the teacher may need to explore other instructional methods. Similarly, if a student meets the objectives very quickly, the IEP team needs to meet to develop new and perhaps more challenging goals.
- **A statement of how the student's progress toward the annual goals will be measured and a statement of how the student's parents will be informed of their child's progress.**
- For students 14 years of age and older, **a statement of transition services** that will enable the student to move from the school to the community after graduation.

- **A statement of the specific special education and related services**, and supplementary aids and services that will be provided to the student to help him or her advance toward the goals. This section lists the aids and accommodations that will be provided to enable a student to progress in the general curriculum, participate in extracurricular activities, and participate in these activities with typical peers, as well as with other students who receive special education services.
- **Projected dates for the initiation of services and accommodations and the anticipated frequency, location, and duration of the services and modifications.**
- **A description of the student's special transportation needs, if any.**
- **A statement of the student's participation and individual accommodations in the administration of tests** that includes information about the Virginia Standards of Learning (SOL) assessments and divisionwide assessments. If the IEP team determines that the student will not participate in all or part of these assessments, the IEP includes a statement of why the assessment is not appropriate for the student and alternative methods that will be used to assess the student.

It is critical that parents understand the state's testing requirements and diploma options.

- For students 17 years of age (or at the IEP meeting immediately preceding the 17th birthday), **a statement that the student has been informed of the rights that will transfer to him or her upon reaching the age of 18.**

The IEP May Also Include

The IEP will include specific information about these items only if it is appropriate for the individual student:

- A behavior plan, including positive behavioral interventions, strategies, and supports for the student for whom behavior is a concern.
- Consideration of the language and communication needs of a student with limited English proficiency or a student who is deaf or hard of hearing.
- Consideration of the use of Braille for a student who is blind or visually impaired.
- Consideration of the student's needs for assistive technology devices and services.
- A statement of extended school year (ESY) services.

For excellent resources about how to write goals, objectives, and evaluation criteria, you may visit the FCPS Parent Resource Center library located at 2334 Gallows Road, Dunn Loring, VA 22027. To view the Parent Resource Center library's extensive resource list, search the online catalog at <http://www.fcps.edu/cco/prc/resources/library.shtml> or call 703-204-3941 for information.

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Schedule for the IEP Meeting

The IEP team must meet within 30 calendar days after an eligibility meeting. After the initial IEP meeting, the team must meet at least annually to review the IEP and to develop a new one for the current year. However, the IEP team can amend the IEP at any time. The team can choose to meet to develop the amendments, but, if the parents and school division agree, the IEP can be amended without a meeting. The changes must be documented in writing. However, best practice dictates that there should be a meeting if any member of the team is contemplating significant changes. The IEP must be completed before special education and related services can begin. No services can be provided before the development of the initial IEP for which parent consent has been obtained.

Parents must be notified, in writing, within a “reasonable” amount of time prior to the IEP meeting. The meeting must be scheduled at a time and place that is convenient for the parents and others who need to attend. If the parents cannot attend, the school must use other methods to ensure parent participation and/or document why the parent has not participated. IEPs can be conducted with parents by phone.

Participants in the IEP Meeting

The IEP team includes:

- One or both parent(s).
- A special education teacher.
- The principal, the principal’s designee, or another representative of the school division who is qualified to provide or supervise the provision of special education services and

knowledgeable about the general curriculum and the availability of resources of the school system.

- A general education teacher of the student (if the student is, or may be, participating in the general education environment).

The IEP Team May Also Include as Appropriate:

- The student (required when a transition plan is part of the IEP). FCPS encourages the participation of all students at their own IEP meetings. This helps students develop self-awareness about their particular learning styles, as well as the self-advocacy skills they need to be successful in and outside school. If a student cannot attend the IEP meeting, his or her input should be sought before the meeting to the extent it is appropriate.
- Other professional staff members.
- Other individuals, at the discretion of the parents or the school division, who have knowledge or special expertise regarding the student.
- Please note that in accordance with IDEA, parents and the school division may jointly excuse an IEP team member from attending the IEP meeting under certain conditions. If the team member’s curriculum area or related service is not being modified or discussed, the team member may be excused from the meeting. If the curriculum area or related service is to be discussed, a team member who must miss the meeting may also submit his or her input in writing. In either case, the agreement between the parent(s) and the school division to excuse the member must be in writing.

Strategies to Consider When Preparing for the IEP Meeting

- Organize yourself on paper. Use the **Parent Information** form, available from the school, or **Student Profile** forms available from the Parent Resource Center or online at http://www.fcps.edu/ccopr/seasonal/handbook_supplements.shtml to help you list your concerns. You may have already done this in preparing for the local screening or eligibility committee meetings.
- If this is an IEP following evaluation or reevaluation, review your copy of the evaluations. Go through the reports and note your child’s strengths and weaknesses. List present level of functioning across areas: academic skills, developmental skills, communication, fine and gross motor skills, emotional skills, behaviors, social skills, self-help skills, and vocational skills.
 - Summarize the results.
 - Organize them into areas of need, e.g., reading, communication, social skills.
- If this is an annual IEP that is not following evaluation or reevaluation, review the previous IEP and note areas in which your child has made sufficient and/or insufficient progress. This will help you develop ideas about the areas in which your child still needs to be working on IEP goals.

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- Speak with your child's teacher(s) about any assessments he or she has used to determine your child's progress and discuss the results. Consider speaking with your child's teacher prior to the IEP meeting without the time constraints of an IEP. This can also be done at the IEP meeting, but it may be easier to do before the meeting.
- Use the FCPS Program of Studies (POS), SOL, curriculum guides, and publications from the Department of Special Services, and other sources of information to develop goals to address areas mentioned in the evaluation report. These documents are available in the Parent Resource Center. The SOLs for Virginia are also located on the website of the VDOE, www.doe.virginia.gov/testing/index.shtml.
- Ask for a draft copy of the IEP before the meeting. This will allow you time to go over it in depth and to make notes. If the draft does not address your areas of concern, contact the teacher. Remember that you are a member of the IEP team and should have as much input into the IEP as anyone else.
- If you have questions to be resolved or issues of concern for one or two staff members, try to address them before the annual review. You should have an ongoing dialogue with your child's teacher and open communication all year long so that issues can be resolved as they arise. Don't save your concerns for the annual review and then try to solve them all at once. This will be frustrating for you and result in long and difficult meetings.

- Become familiar with the IEP forms, what they look like, and what they include. You may view the IEP forms used in Fairfax County at <http://www.fcps.edu/forms.shtml> or on the Parent Resource Center website <http://www.fcps.edu/cco/prc/>.
- Contact your child's teacher to discuss observing your child in the classroom.

At the IEP Meeting

- With the staff, discuss how much progress has been made on goals from the last IEP, which goals will need to be continued, which will need to be modified, and identify any new areas of need. You may want to see specific examples of how progress has been measured on the current IEP.
- If the IEP team has discussed a change in placement, request to visit sites that have been proposed, if necessary.
- If you feel that the proposed IEP accurately describes your child's strengths and needs and you feel that the proposed placement can meet those needs, sign the document indicating that you agree with the IEP, and services can start immediately.
- Remember that your signature is required for initial special education services; however, you may agree with some services and disagree with others. Signify this when you sign the IEP so that the services with which you agree can start.
- If you have not seen the IEP draft in advance and you need more time to consider it, let the staff know that you would like to take it home with

you and return it within the next few days. Be sure to get back to the staff within a reasonable amount of time because staff members need to follow up on unsigned IEPs.

- Do not sign an IEP with which you do not feel comfortable. Ask to reconvene the meeting so you can have a few days to think about your concerns. Discuss your concerns with other people if you need to, and then try again to resolve your differences with the school staff. For example, the procedural support liaison (PSL) assigned to your school can serve as a resource to assist you and the school staff in addressing your concerns.
- If you cannot reach agreement and you are beginning to feel upset, frustrated, or uncomfortable, calmly ask to end the meeting and reconvene at another time. Before the meeting ends, agree on a date to reconvene. It will be easier to make a good decision when you are feeling better.
- If you do not agree with the IEP and cannot reach consensus with the rest of the team, sign that you disagree and take the appropriate steps to appeal the recommendation. For information on how to appeal a decision, please see the section of the handbook titled *The Appeals Process*.

Additional Elements of Special Education

Range of Services and Least Restrictive Environment

A full range of service options is available to implement each student's individualized education program (IEP) in accordance with the principle of least restrictive environment. The term "least restrictive environment" refers to the setting determined by the IEP team to give the student as much contact as possible with typical age-appropriate peers while meeting the student's unique educational needs. It also means that special classes, separate schooling, or other removal of a student who receives special education services from the regular educational environment occurs only when the nature or severity of the student's needs is such that education in general education classes with or without the use of supplementary aids and services cannot be achieved satisfactorily. Supplementary aids and services may include such things as proactive, anticipatory, preventative intervention strategies, and behavior supports.

Students often receive services in more than one setting. For example, a student may spend part of the day in a general education classroom and part of the day in a special education classroom. As a student's needs change, different educational environments may be appropriate.



Fairfax County Public Schools' (FCPS) IEPs specify the special education services a student receives, as well as the setting (including general education and/or special education classrooms) in which those services are delivered.

FCPS is committed to inclusive schools in which students who receive special education services are educated with their peers, to the greatest extent appropriate, while engaged in a challenging curriculum that allows for progress toward their IEP goals.

Related Services

Students who are eligible for special education may require the additional support of a related service. The federal definition of related service is a service required to assist a student with a disability to benefit from special education (34CFR 300.24). Related Services are specialized interventions that the IEP team may determine are necessary in order for a student with a disability to successfully participate in his special education program experiences. Related services should be provided in the least restrictive and

Additional Elements of Special Education

natural environments of the classroom and other educational settings. They should be directly related to special educational services and support the student's access to the curriculum.

The following is a list of related services with a brief description of each:

- **Audiology:** Audiologists consult with classroom teachers, parents, and support staff regarding a student's hearing loss and technical aspects of the hearing loss; interpret audiological testing results; assess the classroom environment and individual auditory skills to make appropriate recommendations for assistive listening devices and aural habilitation; monitor hearing aid function and middle ear status using a variety of audiological tests and equipment; provide informational presentations regarding hearing loss and related technology to the school community and may serve as liaisons between the schools and private health care professionals in matters related to hearing loss.
- **Counseling:** Services provided by qualified social workers, psychologists, and guidance counselors.
- **Early identification and assessment of disabilities in children:** The implementation of a formal plan for identifying and assessing any special learning needs as early as possible in a child's life. This is a function of Child Find, which includes the identification of children of all ages.
- **Occupational therapy:** Occupational therapy may be determined necessary to support special education students who require additional specialized interventions to successfully access their special education activities and participate in educational experiences. Occupational therapists may provide direct assistance to students and consult with staff members and families. Occupational therapists identify modifications, specialized supports, and adapted equipment needed by a special education student to improve the ability to perform school tasks and promote independent functioning in school. Occupational therapists make suggestions to school staff members about ways to modify the educational environment to meet the needs of the student when functioning is impaired or lost.
- **Orientation and mobility:** Provided to blind or visually impaired students to enable them to move safely within their school, home, and community.
- **Parent counseling and training:** Services that help parents understand the special needs of their child and provide parents with information about child development; helping parents acquire the skills that will allow them to support the implementation of their child's IEP.
- **Physical therapy:** School based physical therapists assist students with disabilities by addressing needs that impact their ability to participate and access instructional programs and school settings. Therapy services in the educational setting support special education students who require additional specialized interventions to successfully participate in their educational programs. Physical therapists work closely with teachers and other school professionals to assess the needs of students and establish plans that will help students to access instructional programs and be more successful in their educational settings. Physical therapists assist in identification of required interventions, modifications, accommodations, and specialized supports related to motor skills. Therapists make recommendations regarding environmental adaptations or equipment needed by the student to participate successfully in school activities, negotiate the educational environment, and maximize opportunities for independent functioning in the school setting.
- **School psychology:** Services may include a psychological assessment of a student to determine the presence of an educational disability and to guide instructional or behavioral intervention; individual and group counseling; crisis intervention; and consultation with parents, staff members, and community-based service providers.
- **Recreation:** The assessment of functioning in skill areas related to recreational activities; the provision of recreation programs and services. In FCPS, this is typically done through the physical education program.
- **Rehabilitation counseling:** Counseling that focuses on career development, employment preparation, the achievement of independence, and integration into the workplace for a student who receives special education services. The Office of Career and Transition Services meets this need for students in FCPS.

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- **School social work:** Services that may include conducting a socio-cultural assessment with a family, providing group or individual counseling with the child and family regarding problems that affect the child's adjustment in school, serving as a liaison to connect families with school and community resources, and helping to develop positive behavioral intervention strategies.
- **Speech and language:** School based speech-language pathology services include screening and identification of students with speech or language impairments. Speech-language pathologists evaluate and diagnose specific speech or language impairments including voice, fluency, articulation, receptive and expressive language disorders that adversely impact educational performance. Pathology services include medical referrals and interpretation of reports related to communication impairments. Support from the pathologists may include counseling and guidance for teachers, staff, and parents to address the communication needs of students; provision of speech and language therapy interventions for special education students who require additional specialized supports for access to curriculum; and successful participation and communication in the educational setting
- **Transportation:** Travel to and from school and between schools; the provision of specialized equipment, accommodations, and/or supports if they are required to provide transportation for a student who receives special education services.

Although Hearing Impairment (HI), Vision Impairment (VI), and Adapted Physical Education (APE) are not considered to be related services, FCPS makes additional services available for consideration by IEP teams. The following is a list of additional services with a brief description of each:

- **Adapted Physical Education (APE):** Adapted physical education (APE) is developmentally appropriate physical education that includes adapting or modifying the physical education curriculum to meet the individualized needs of students when their disabilities significantly impact the ability to participate in general physical education. In FCPS, adapted physical education services are offered through a multi-disciplinary collaborative team approach. APE teachers collaborate with physical education and special education teachers to design and implement a variety of strategies and adaptations in the physical education curriculum that ensure students experience safe and successful participation.
- **Deaf/Hard-of-Hearing Services:** Students who are deaf or hard-of-hearing may require specialized intervention services to participate successfully in their educational programs. Within the Deaf and Hard of Hearing Program, a continuum of services exists including itinerant supports for students attending their neighborhood (base) schools and intensive services in three modalities in five center programs. Students may receive supports in three instructional modalities: auditory/oral, American Sign Language/Total Communication, and Cued Speech. Programs for hearing impaired

and deaf students focus on access to instruction, self-advocacy, and development of content knowledge. Itinerant teachers for the hearing impaired collaborate with school staff, provide resource support, provide consultation services, and help to determine appropriate accommodations or modifications that may be needed by students with hearing impairments.

- **Vision Services:** Students who are vision impaired may require specialized intervention services to participate successfully in their educational programs. Within the program for vision impaired students, there is a continuum of services that includes itinerant supports for students attending their neighborhood (base) schools in addition to the option for center based VI programs. Programming is designed to provide specialized instruction and resources to teachers and students including specialized print material and low vision aids. VI may be added by an IEP team when the student requires technology or individualized support to access classroom content, compensatory strategies, and/or mobility and orientation training to safely and independently navigate the educational environment.

More information about related services and special education program profiles can be found at www.fcps.edu/dss/sei/index.shtml.

Additional Elements of Special Education

Extended School Year (ESY) Services

ESY services refer to special education and/or related services provided beyond the normal school year of a public agency for the purpose of providing a free appropriate public education (FAPE) to a student with a disability in accordance with the child's IEP, at no cost to the family. The IEP team must discuss ESY services at an initial IEP meeting and at every annual IEP meeting. Team members may also discuss ESY services through an addendum to the annual IEP, if necessary. School staff members, parent(s), and/or the student may request an IEP meeting at any time to discuss ESY services.

ESY services are only necessary to FAPE when the benefits a disabled child gains during the regular school year will be *significantly jeopardized* if the child is not provided with an educational program during breaks in instruction. ESY services are intended to address **critical life skills**.

Any child receiving special education services, regardless of disability category, may be eligible to receive ESY services if the IEP team determines that the services are necessary for the student to receive FAPE. The IEP team members should discuss the following factors when they are considering ESY services:



CRITICAL LIFE SKILLS—A critical life skill includes any skill determined by the IEP team to be critical to the student's overall educational progress, including social and behavior skills. In determining critical life skills for the specific needs of the student, the school division may consider those skills that lead to independent living, including toileting, feeding, communicating, dressing, and other self-help skills. In some cases, the school division may consider and address academic and behavioral issues. Depending on factors such as a student's age, ability, and the number of years the student has left in school, the areas of reading, math, and written language could be considered critical life skills.

- **Regression and Recoupment**—The IEP team must determine whether, without these services, there is a likelihood of substantial regression of critical life skills caused by a school break **and** it is expected that the student will not recover those lost skills within a reasonable amount of time following the school break (e.g., six to eight weeks after summer break).
- **Degree of Progress**—The IEP team must review the student's progress toward the IEP goals and objectives targeting critical life skills and determine whether, without these services, the student's degree or rate of progress toward those goals or objectives significantly jeopardizes the student's receipt of educational benefit from his or her educational program during the regular school year.
- **Emerging Skills and Breakthrough Opportunities**—The IEP team reviews all IEP goals targeting critical life skills to determine whether any of these skills are at a breakthrough point. When critical life skills are at this point, the IEP team needs to determine whether the interruption in services and instruction on those goals or objectives during the school break is likely to significantly jeopardize the student's receipt of educational benefit from his or her educational

program during the regular school year.

- **Interfering Behaviors**—The IEP team determines whether the student demonstrates any interfering behavior(s) such as stereotypic, ritualistic, aggressive, or self-injurious behavior(s) targeted by the IEP goals that substantially jeopardizes the student's receipt of educational benefit from his or her educational program during the regular school year. The team also determines whether the interruption of programming for these interfering behaviors is likely to significantly jeopardize the student's receipt of benefit from his or her educational programming during the next school year.
- **Nature and/or Severity of the Disability**—The IEP team determines whether, without ESY services, the nature and/or severity of the student's disability is likely to significantly jeopardize the student's receipt of benefit from his or her educational program during the regular school year.
- **Special Circumstances or Other Factors**—The IEP team determines whether, without ESY services, there are any special circumstances that will significantly jeopardize the student's receipt of benefit from his or her education program during the regular school year.

ESY services may be delivered through a variety of settings and methods, examples of which might include classroom instruction, a parent-guided home program with progress periodically monitored by the teacher, and/or consultative or supervisory support from staff members within community settings. While ESY services could be provided at any time of the year, as

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determined to be required by the IEP team to provide FAPE, most students who are eligible for ESY services receive services during some portion of the extended summer break. ESY services could be provided in combination with existing summer school intervention programs, if such programs are available and are appropriate for the individual student. However, the division is not required under the least restrictive environment provisions of the Individuals with Disabilities Education Act (IDEA) of 2004 to create a general education setting for delivery of ESY services.

Summary:

ESY services are uniquely designed to provide FAPE to certain students with disabilities. Therefore, it is necessary to emphasize that these services:

- Are available to any student who receives special education services, if ESY is required to ensure that the student is provided FAPE.
- Must be discussed at each annual IEP meeting, while recognizing that it may be necessary to convene an IEP addendum at a later time, if additional data are needed to make decisions regarding ESY.
- Must ensure that the individual needs of the student are addressed and that the services are provided based on those needs. IEP teams should identify the specific goal(s) and/or objective(s) from the current IEP that require service, since all goals may not be affected.
- Vary in type, duration, and amount, in order to meet the unique needs of the student.



For further information, see the *Virginia Department of Education Technical Assistance Resource Document: Extended School Year Services, December 2007*: http://www.doe.virginia.gov/special_ed/regulations/federal/extended_schoolyear_services.pdf.

Assistive Technology Services (ATS)

Assistive technology (AT) is defined in IDEA as “any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.”

Assistive Technology Services (ATS), a section within the Office of Special Education Instruction, Department of Special Services, provides AT support

to FCPS students with disabilities who receive special education services and the staff members who support them. Many students who receive special education services require specific technology interventions to maximize their ability to meet goals established in their individual education programs. AT is frequently used to support Program of Studies and/or Standards of Learning (SOL) accommodations and goals and has become an essential tool in helping students who receive special education services as they are educated in inclusive settings. The IEP team, in coordination with the classroom teacher, a clinician, or a therapist, can initiate the referral process for an individual assessment by an ATS staff member to determine if a student requires AT. Parents who feel their child would benefit from the services provided by ATS can discuss their concerns with their child’s classroom teacher.

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Parents can learn more about ATS by going to the ATS website at www.fcps.edu/dss/sei/ats/index.shtml.

More information about AT and state requirements can be found at the Virginia Department of Education site: http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/assistive_technology/index.shtml.

To view the handbook published by the Virginia ATS, go to <http://www.vats.org/downloads/ATHandbook-rp.doc> and download *Assistive Technology in the Student's Individualized Education Program: A Handbook for Parents and School Personnel*.

Positive Behavior Approaches

All schools in Fairfax County Public Schools are asked to design a Positive Behavior Approach so as to create learning environments that teach students to lead responsible, fulfilling, and respectful lives. Each school, based upon their results, determines a plan for their students' social-emotional and behavioral learning. Two specific approaches, Positive Behavioral Interventions and Supports (PBIS) and Responsive Classroom®, have been promoted as practices used in the design of a school's Positive Behavior Approach.

Positive Behavioral Interventions and Supports is a three-tiered, decision-making framework that allows schools to select, integrate, and implement the best practices for supporting and improving the behavioral outcomes for all students. Schools implementing Positive Behavioral Interventions and Supports establish a school culture of positive, appropriate behaviors and

provide a continuum of support for those students requiring additional intervention. By focusing on their results, a school's problem-solving team is able to intervene in a timely manner when the schoolwide system does not meet the needs of some students and for the few students who exhibit the most intensive needs.

The Responsive Classroom® approach is based upon the premise that students learn best when they have both effective academic and social skills and includes classroom and school-wide practices. Individual teachers are trained and come together as a school community for whole school implementation. Ten teaching practices (i.e., Morning Meeting, Rule Creation, Interactive Modeling, Positive Teacher Language, Logical Consequences, Guided Discovery, Academic Choice, Classroom Organization, Working with Families, Collaborative Problem-Solving) are the hallmark of this approach.

On a yearly basis, schools implementing a Positive Behavior Approach collect program evaluation data. These results are used to determine effectiveness, implementation maturity, and sustainability.

Functional Behavioral Assessment (FBA) and Behavioral Intervention Plans (BIP)

An FBA may be conducted and a BIP developed whenever a behavior

demonstrated by a student significantly impedes the student's learning and/or the learning of other students. The IEP team will be the appropriate team to develop an FBA and a BIP for those students who receive special education services. The FBA is conducted by the team with the BIP based on the results.

Interventions are designed to reinforce socially appropriate behaviors, teach new skills, and modify instruction if necessary, so that the student experiences success in the classroom and school setting. A properly constituted IEP team must conduct an FBA and develop a BIP for a student with a disability *whose behavior has resulted in a disciplinary removal of more than ten school days, if the behavior is determined by the IEP team to be a manifestation of the student's disability*.

The purpose of an FBA is to develop a hypothesis about the function of the problem behavior (i.e., to determine how the student is using the behavior to try to meet his or her needs). Once the team develops the hypothesis, the team members consider appropriate replacement behaviors that can serve the same function as the problem behavior. The team should review the plan within a specified time period to ensure that it is implemented as designed, to monitor progress, and to revise the plan as needed. Parents who would like more information



FUNCTIONAL BEHAVIORAL ASSESSMENT (FBA)—When a student behaves in a way that significantly interferes with the student's learning and/or the learning of others, an FBA may be conducted by a team in order to develop a hypothesis about the function of the problem behavior. This leads to the development of a BIP.

BEHAVIORAL INTERVENTION PLAN (BIP)—A plan that follows an FBA that utilizes positive behavioral interventions and supports to address behaviors that interfere with the learning of the students, that interferes with the learning of others, or that require disciplinary action.

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about FBAs and BIPs can download an overview from the following link: <http://www.ttac.odu.edu/FBA/Overview/Overview.pdf>.

Career and Transition Programs and Services

Planning students' transitions from school to post-school options is a critical part of each student's IEP process in the middle and high school years. Transition planning is ongoing and outcome-oriented, based on collaboration between students with disabilities, their families, the school, adult service personnel, and the community. IDEA defines transition services as follows:

A coordinated set of activities for a child with a disability that:

- Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
- Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests.
- Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. [Part A, Section 602(34)].

FCPS requires that each student's IEP include a transition plan *beginning in grade 8 or at age 14, whichever comes first*. The transition plan identifies each student's postsecondary goals and outlines the steps necessary to achieve them. A student's transition needs, as outlined in the transition plan, drive the content of the IEP so that, by graduation, a student is equipped with the skills necessary to meet the opportunities and challenges of life after high school. For a more comprehensive explanation of the transition planning process, please refer to the *Transition Toolkit for Parents*. It is available for download from the CTS website http://www.fcps.edu/dss/sei/careertransition/ToolKit_TRGdownloads.shtml. Copies are available at the Parent Resource Center 703-204-3941.

Career and Transition Services (CTS) provides students with the opportunities and resources necessary for transition to a variety of postsecondary options. Successful transition is achieved through a continuum of instructional strategies, collaborative interdisciplinary team supports, use of technology, and awareness of, and access to, community resources. These services help students develop essential skills for self-determination, independent living, further education, and employment in order to maximize participation in their communities. Among the services offered by CTS are:

Career and Transition Assessment Services

Comprehensive Assessment

This in-depth evaluation of high school students' interests, abilities, and aptitudes uses a variety of

tools including hands-on simulated work tasks, paper-and-pencil tests, career-related inventories, and career-exploration activities. Two assessment centers are staffed by certified vocational evaluators. A comprehensive report is sent to the student's school for the IEP Case Manager-Special Services file, employment and transition representative (ETR), and parents.

Career Snapshot

Staff members work with students to conduct brief group assessments of interests, work preferences, and characteristics. Results may be used to identify career options for exploration, to access materials and resources available in the school Career Center and community, and to develop a career action plan. The Career Snapshot takes place at the student's school over three days. Students receive a brief profile of their interests, work-related characteristics, work preferences, strengths, and career resources to use in transition planning.

Interest and Aptitude Screening

The *Careerscope* assessment provides a quick career assessment of three major areas: aptitudes, occupational interests, and educational abilities in math and language arts. A computer-generated report helps students in their decision-making while in school and after graduation and includes considerations for further high school coursework, postsecondary education and training options, and employment.

Postsecondary Education Rehabilitation Transition (PERT) Assessment

The Virginia Department of Rehabilitative Services (DRS) offers a comprehensive assessment each year to

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a limited number of students who are at least 16 years of age and 2½ years from graduation or the completion of their school program through PERT. Students have the opportunity to live in a campus-like setting for an initial 7–10 day assessment at Woodrow Wilson Rehabilitation Center (WWRC) in Fishersville, Virginia. Areas assessed include career interests and abilities, independent living, and leisure skills. Students may return for supplemental follow-up assessments in their final 2 years, as needed. A comprehensive report is provided to the IEP team that includes recommendations for transition planning. Additional information can be found at <http://wwrc.virginia.gov/>.

CTS Support to General Education Career-Related Courses

Career Academy Support

In academy courses, students learn advanced technical applications of many occupations while preparing for higher education or entry-level employment. Career academies are located at Chantilly High School, Edison High School, Fairfax High School, Falls Church High School, Marshall High School, and West Potomac High School. Academy support teachers provide assistance to students with disabilities and staff members regarding accommodations for success. Learn more about the academies at <http://www.fcps.edu/is/cte/academies.shtml>. Learn more about the academy support teams (CTS) at www.fcps.edu/dss/sei/careertransition/crtnacad.shtml.

CTS Modified Course Offerings

Work Awareness and Transition (WAT)

This career exploration course is offered to students with disabilities in selected middle schools and is available to all high school special education students. WAT enables students to develop tentative career goals based on interests and aptitudes while building awareness and experience in job-keeping skills. You can find additional information about the WAT program at <http://www.fcps.edu/dss/sei/careertransition/crtnwath.shtml>.

Office Technology and Procedures (OTP)

This two-to-three-year course provides instruction in Microsoft computer applications and office procedures. Following in-depth classroom instruction, students practice skills at community employment sites including local businesses, county agencies, and schools. OTP is offered at four sites: Fairfax Ridge, Falls Church High School, Westfield High School, and Hayfield Secondary School. Additional information can be found at <http://www.fcps.edu/dss/sei/careertransition/crtnoftk.shtml>.

Special Career Centers

The S. John Davis Career Center, Earl L. Pulley Career Center, and Chantilly Secondary Transition to Employment program (STEP) provide career and employment skills instruction to students with disabilities needing more support than is available in general education courses. Students are usually 18–22 years of age, and instruction is offered at a wide variety

of community businesses. Additional information about the Earl L. Pulley Center can be found at <http://www.fcps.edu/dss/sei/careertransition/crtnpulh.shtml>. Information about the S. John Davis Center can be found at <http://www.fcps.edu/dss/sei/careertransition/ctrndaviscnt.shtml>. Information about the Chantilly Secondary Transition to Employment program (STEP) can be found at <http://www.fcps.edu/dss/sei/careertransition/SecondaryTransition2EmploymentProgram.pdf>.

Work Experience and Transition Support

Employment and Transition Support

Employment and transition representatives (ETRs) facilitate students' transitions from secondary to postsecondary environments. ETRs serve as a transition resource to students, staff members, parents, and the community. ETRs are assigned to all FCPS high schools, special career centers, and alternative education high schools. For additional information, go to <http://www.fcps.edu/dss/sei/careertransition/crtnemph.shtml>.

Job Coach Services

Job coach services are designed to support students' success as independent workers. Job coaches help students with special needs who have the potential for independent employment but need specialized, short-term, on-the-job support and training to succeed. Learn more about job coaches at <http://www.fcps.edu/dss/sei/careertransition/crtnjobc.shtml>.

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Transition Resource Services

Transition liaisons provide information, resources, and training for parents, students, and school personnel related to transition, adult services, and postsecondary education. Each liaison specializes in one or two areas— curriculum, training, transition planning, self-determination, postsecondary linkages, program evaluation, and the survey of graduates.

Transition to Adult Services

CTS participates on an interagency transition team and has had a three-way formal cooperative agreement for more than 25 years with the Virginia Department of Rehabilitative Services (DRS) and the Fairfax-Falls Church Community Services Board. The purpose of the agreement is to provide cooperation and coordination among the agencies that will help to facilitate effective transition services for students with disabilities allowing them to engage in gainful employment, postsecondary education, and community living. For more information, contact the Office of Career and Transition Services section of the Office of Special Education Instruction at 571-423-4150 or visit the web site: <http://www.fcps.edu/dss/sei/careertransition/>.

Transition Tools

Transition Tool Kit for Parents

This document provides resource information related to transition in FCPS. It is available for download from the CTS website: http://www.fcps.edu/dss/sei/careertransition/ToolKit_TRGdownloads.shtml. Copies are available at the Parent Resource Center. A Spanish version is also available online.

Tools for Self-Advocacy

A set of curriculum modules, developed by FCPS special education teachers, teaches students to become decision-makers in their transition planning process and to advocate for themselves in achieving their goals. This curriculum consists of four units: *Understanding Self-Advocacy*, *Knowing My Strengths and Weaknesses*, *Participating in My Transition Plan*, and *Leading My IEP Meeting*. An additional stand-alone unit, *My Steps to Transition*, is designed for students with very limited reading ability.

Career Portfolio

A career portfolio should be included in each student's school special services file beginning at the time of the first transition IEP; it facilitates long-term planning and is a good location for collecting important transition information for completing each student's Secondary School Transition Summary prior to graduation or the completion of his or her school program.

The Participation of Students Who Receive Special Education Services in Virginia's Assessment and Accountability System

The federal Elementary and Secondary Education Act, referred to as the No Child Left Behind Act of 2001, the Individuals with Disabilities Education Act (IDEA) 2004, and Regulations Governing Special Education Programs for Children with Disabilities in Virginia (Revised 2009) require that **all** students who receive special education services or have 504 plans must participate in the Virginia assessment and

accountability system. Exemption from individual tests based on special education status is no longer allowed. Students can participate either through the SOL assessments or the Virginia Alternate Assessment program (VAAP). The SOL assessments include the Virginia Grade Level Assessment (VGLA), the Virginia Modified Achievement Standards Test (VMASST), and the Virginia Substitute Evaluation program (VSEP), as well as the multiple-choice "pencil-and-paper" or online SOL tests.

For all students who receive special education services, the IEP team must determine how the student will participate in the accountability system. For students identified under Section 504 (504) of the Rehabilitation Act of 1973, the 504 committee determines how the student will participate. A student's IEP or 504 plan must document whether the student meets criteria to use specific accommodations or to participate in one of the non-multiple-choice assessment options.

Students who have entered the United States within the last 12 months, and those who have not yet developed an adequate level of English proficiency, continue to have options for exemption or use of special accommodations or alternative tests. Assessment decisions for students who are dual-identified as having limited English proficiency and a disability are made by the IEP team or 504 committee with input from the child's English Speakers of Other Languages (ESOL) teacher, so all appropriate assessments and accommodations can be considered.

Students may participate in the accountability and assessment system in one of a number of ways. Some students participate

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in the SOL assessments with no accommodations, and others use the same accommodations they use in the classroom setting. IEP team members should discuss specific accommodations and consider evidence of student performance and the specific impact of the student's disability when making assessment and accommodation decisions. Students may not have accommodations solely for SOL testing. The Virginia Department of Education (VDOE) has set strict criteria regarding which students may use specific accommodations on the reading and math assessments, and the IEP or 504 committee must review evidence that the student meets these criteria before indicating that the accommodations can be used for the SOL.

Students in grades 3 through 8 who have an IEP or a 504 plan and are learning the content of the SOLs, but who have difficulty demonstrating their individual achievement on tests with a multiple-choice format even with accommodations, may participate in the VGLA. The IEP or 504 team must review student work to document that the student is better able to demonstrate his or her true understanding of the content when tested using some format other than multiple choice such as verbally explaining the answer, using a graphic organizer, using short answers, matching, etc. When using the VGLA, the teacher and the student develop a collection of independent work that demonstrates the student's level of proficiency on the same grade-level SOL that is assessed on the multiple-choice test. VDOE announced in April 2010 that the VGLA assessment option for students with disabilities will be phased out and will not be available for Mathematics in 2011–12 and will not be available for Reading in 2012–13.



For more information about the Virginia assessment and accountability system for students who receive special education services, go to the following websites:

Virginia Department of Education Division of Assessment and Reporting

(This home page has links to information about the VGLA, the VSEP, the VAAP, and other important information.)

http://www.doe.virginia.gov/testing/alternative_assessments/index.shtml

Fairfax County Public Schools Department of Special Education Instruction-Assessment

<http://www.fcps.edu/dss/sei/assessment/index.shtml>

The Virginia Modified Achievement Standards Test (VMAST) will be available for grades 3 through 8 Mathematics and Algebra 1 in 2011–12, and available for grades 3 through 8 and end-of-course high school Reading in 2012–13. VMAST is a modified, online SOL assessment that will be available for students with disabilities who meet specific criteria. Additional information regarding the VMAST will be made available as information is received from VDOE.

Students at the high school level may verify credits for the end-of-course (EOC) SOL assessment through the VSEP. To participate in this assessment, the teacher and the student assemble a coursework compilation (CWC) done independently by the student that demonstrates the student's proficiency on the same content SOL that is tested on the multiple-choice test. Credits verified by a pass on the VSEP may be used toward a standard or advanced diploma in place of the SOL for the same course. A VSEP on eighth-grade reading or math content can also be used to verify literacy or numeracy credit, respectively, for the modified standard diploma.

Students with significant cognitive disabilities may participate in the state's assessment system through the use of the Virginia Alternate Assessment program (VAAP). The VAAP measures

the achievement of students on the Aligned Standards of Learning (ASOL). The ASOLs are based on the SOLs used for all students; however, the ASOLs have reduced depth, breadth, and complexity, and do not have grade levels attached. Only students who are working toward a special diploma can participate in the VAAP during high school, because the VAAP does not verify credit for any other diploma options.

Children Placed in Private Schools by Their Parents

Parents may place their children in a private school at their own expense. The school division is not required to pay for the cost of educating children unilaterally placed by the parents in private schools, if the division made a FAPE available to the child. Federal and state special education laws address the public school division's Child Find responsibilities regarding locating, identifying, and evaluating children who attend private schools, may have a disability, and are in need of specialized instruction. The Child Find process and making the determination whether a student is eligible for special education is very similar to the process that would be employed if the student attended FCPS. The process begins with a referral. When a referral is made on behalf of a student attending a private

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school located in Fairfax County, or a student being home-schooled in Fairfax County, a local screening committee (LSC) must convene to review the referral. If the referred student is a Fairfax County resident and attends a private school in Fairfax County, the LSC at the student's FCPS base school would receive and act upon the referral. If the referred student lives outside of Fairfax County and attends a private school in Fairfax County, the LSC at the FCPS school closest to the private school would receive and act upon the referral. The student is required to register at the school because registration provides an identification number required for initiating the case and data management purposes. **Registration does not mean that the student is enrolled to attend the FCPS school.**

As with all referrals for special education, the LSC convenes within ten working days of receipt of the referral to review all available information regarding the student, including information provided by the parents, and reports of achievement from the private school. With parental consent, it is appropriate to invite staff members from the private school to participate in the LSC meeting. If the LSC determines there is sufficient evidence to warrant an evaluation for special education, procedures for obtaining parent consent, completing evaluations, and determining eligibility are consistent with the procedures followed and previously discussed in the special education process section of this manual.

If the student is found eligible for special education, school staff members will discuss service options available

to the student. For Fairfax County residents, an IEP can be developed and proposed that will articulate the services and placement required in order for your child to receive a FAPE if your child were to enroll in FCPS. If you determine that your child will maintain enrollment in the private school, it may be appropriate to develop an individual service plan (ISP). The option of an ISP would be considered if your child requires related services of speech and language, vision, occupational therapy, and/or physical therapy on the proposed IEP. The school team will determine how, where, and by whom the related services will be provided for parentally placed private-school children with disabilities based on guidelines developed by the school division. Each year, the parents of children receiving services through the ISP will be contacted by the school division to determine if the parent wants to enroll the child in the division to receive the special education program and services offered in the IEP. If not, the ISP may continue, if appropriate. The child will be reevaluated every three years to determine if he or she continues to be eligible for special education services.

It is important to know that private-school and home-schooled children with disabilities do not have a right to receive some or all of the special education and related services that public-school children would receive.

Students who are residents of Fairfax County and attend a private school that is located in a county other than Fairfax County fall under that county's Child Find guidelines and, if found eligible for special education, may receive ISP services from the school division in which the private school is located.

Discipline and the Student Who Receives Special Education Services

The Student Rights and Responsibilities booklet (Regulation 2601) is sent home at the beginning of the school year. A portion of the booklet which gives details about the discipline process, *Removal (Suspension, Expulsion, or Exclusion) of Students from School* (Regulation 2610), is sent home again if the student is suspended or recommended for expulsion. When necessary, school personnel may remove a child for short periods of time to the extent that similar measures are applied to students who do not receive special education services, as long as the removal does not constitute a change in placement. Change in placement occurs when a child is removed for more than ten consecutive days or is subjected to a series of removals of more than ten days in a school year that evidence a pattern.

Expulsion or Change in Placement for More Than Ten Days

If a disciplinary action involving a recommendation for expulsion or other actions involving removal for more than ten days is considered, the IEP team must convene to determine whether the misconduct is a manifestation of the student's disability. This is referred to as a manifestation determination review (MDR) and is discussed below. Depending on the nature of the misconduct, a hearing may be conducted by a Superintendent's hearing officer.

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Possible recommendations from the hearing may include:

- Placement in an interim alternative educational setting for up to 45 school days.
- Referral to the IEP team for consideration for placement.
- Return to school on probationary status.
- Referral to School Board.
- Referral to outside agency for appropriate services.

Manifestation Determination Review (MDR)

An MDR is the process of reviewing all relevant information and the relationship between the child's disability and the behavior subject to the disciplinary action. An MDR must convene within ten school days after the date on which the decision to change the student's placement was made. Relevant members of the IEP team must decide whether the behavior was caused by, or had a direct or substantial relationship to, the disability or that the behavior was the direct result of the failure of the school to implement the IEP. If the team determines that the behavior was not a manifestation of the student's disability, disciplinary procedures applicable to students who do not receive special education services may be used. If the team finds the student's behavior was related to his or her disability, the procedural protections of IDEA apply to the case. If the parents disagree with a manifestation determination or a placement decision, they may initiate an appeal by requesting administrative review, mediation, or an expedited due process hearing.

Functional Behavior Assessment and Behavioral Intervention Plan

If the behavior in question was a manifestation of the student's disability, FCPS must convene a properly constituted IEP team and hold an IEP meeting to develop a plan to address the problem behavior either before or not later than ten days after taking disciplinary action involving a change of placement of more than ten days. Many such students will already have behavior plans in place; if so, the IEP team must review the plans and modify them as necessary to address the behavior.

Placement in an Alternative Educational Setting

FCPS may move your student to an appropriate interim alternative educational setting (IAES) for up to 45 calendar days if he or she does one of more of the following:

- Carries a weapon to, or possesses a weapon at, a school or carries a weapon to or possesses a weapon at an FCPS function under the jurisdiction of FCPS.
- Knowingly possesses or uses illegal drugs including alcohol, or sells or solicits the sale of a controlled substance while at school or at an FCPS function under the jurisdiction of the state or FCPS.
- Inflicts serious bodily injury upon another person at school or at a school event.

Concerns About Safety

A state-appointed hearing officer may order a change in the placement of a student who receives special education services to an appropriate

interim alternative education setting for not more than 45 school days, if the hearing officer determines that FCPS has demonstrated by substantial evidence that maintaining the current placement of such a student is likely to result in injury to the student or to others. The hearing officer also considers the appropriateness of the child's current placement and considers whether FCPS has made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services. Supplementary aids and services may include such things as proactive, anticipatory, and preventive intervention strategies and behavior supports. The IAES must enable the student to continue to participate in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP. Services and modifications designed to address the behavior so that it does not recur are included in the IAES.

Parent Appeal and Student Placement During the Appeals Process

Parents have a right to request a due process hearing to challenge a disciplinary action resulting in a placement in an IAES or to challenge a determination that the student's behavior was or was not a manifestation of his or her disability. The student remains in the IAES pending the decision of the due process hearing officer or until the expiration of the 45-day period, whichever comes first, unless the parent and FCPS agree otherwise. If the student is placed in an IAES and FCPS proposes to change

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the placement after the expiration date but while the decision is pending, the student returns to the placement he or she was in prior to the IAES. If FCPS believes this presents a danger to the student or others, the school system may request an expedited hearing. For more information, see *Regulations Governing Special Education Programs for Children with Disabilities in Virginia, January 25, 2010* (pages 79–85) at http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf.

The Appeals Process

FCPS involves parents in each step of the special education process. Parent input is strongly considered and fundamental in the process of making appropriate decisions for students. Consensus is sought regarding the complex issues related to special education. Sometimes agreement between school teams and parents is not reached despite the best efforts of all involved. If an issue arises related to the identification, evaluation, placement, or provision of a FAPE regarding your child that you have been unable to resolve despite the best efforts by you and the school team, there are procedural safeguards and parental rights specified in IDEA that you can use to resolve the issue. Options for dispute resolution or appeal are described in the Virginia Special Education Procedural Safeguards Notice, titled *Your Family's Special Education Rights*. This document is provided to parents with the LSC notice letter and, for special education-eligible students, at least once a year at annual IEP meetings, when a request

for a due process hearing has been filed, or when a parent requests a copy. Copies of the safeguards are available at your child's school, at the Parent Resource Center, and on the website of the VDOE at http://www.doe.virginia.gov/special_ed/regulations/state/procedural_safeguards/english_procedural_safeguards.pdf (revised August 2009). If you need help understanding the document, you may call the FCPS Office of Special Education Procedural Support at 571-423-4290. The options for resolving differences are summarized in the Resolving Differences section of the handbook and explained further in the safeguards notice and other documents provided by VDOE. Parents should also visit the website of the VDOE's Office of Dispute Resolution and Administrative Services at http://www.doe.virginia.gov/special_ed/resolving_disputes/mediation/index.shtml, or they may call 804-225-2013 to reach the Office of Dispute Resolution and Administrative Services directly. When a parent wants to appeal an action taken by FCPS, or when FCPS refuses a proposal made by a parent related to the identification, evaluation, educational placement, or provision of FAPE, the parent can notify FCPS of his or her intention to appeal by writing the coordinator of due process and eligibility. FCPS has developed a form, *Notice of Appeal (SS/SE-130)* located at <http://www.fcps.edu/dss/sei/documents/iep/se130.pdf>, which can be used by a parent to communicate the information needed to initiate an appeal. The form provides an opportunity for the parent to describe the nature of the problem, the cause of the problem, and possible solutions and to indicate the appeal option(s) preferred by the parent. This form can also be obtained at your local school.

In addition to the options described in the *Virginia Special Education Procedural Safeguards Notice*, FCPS has also instituted a procedure, the administrative review, to serve as a problem-solving mechanism for parents and staff members.

Administrative Review

A parent or FCPS principal may request an administrative review to resolve disputes. The administrative review process is voluntary and does not preclude the parent or FCPS from taking further steps, such as mediation or a due process hearing. An administrative review cannot be used to delay a due process hearing. Administrative reviews may provide informal mediation and frequently lead to a successful resolution of differences. Administrative reviews are convened with parents and FCPS staff members at a mutually agreeable time and location. The review committee is chaired by a due process and eligibility specialist and includes professional FCPS staff members who have not had prior direct involvement with the case. This committee includes a minimum of three professional staff members who are knowledgeable regarding the issue under review. The committee may include a teacher, a school psychologist, a school social worker, a special education representative, and/or a school administrator. Additional staff members may be considered for inclusion, as appropriate. Parents attend and participate in the review, providing the committee with information that supports their perspective and position regarding the issue under review. Parents may bring an advocate or an attorney if they choose to do so. The administrative review committee considers all pertinent oral and written

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information offered by the parents and school staff members in their deliberations. At the conclusion of the deliberations, while the parents are present, committee members make a recommendation(s) and/or reach a decision regarding the issue under appeal. The committee chairperson issues a written summary statement of the committee's findings and recommendations. If FCPS staff members and parents do not agree, either may take other steps, including mediation, complaint, or a due process hearing, to resolve the dispute.

Mediation

Mediation is another option offered to parents who are attempting to resolve disagreements with the school system. FCPS principals or certain staff members may also request mediation when they feel it would be appropriate. The VDOE assigns a qualified, trained, and impartial mediator to facilitate the process. Mediation is available, at a minimum, whenever a parent or an FCPS principal requests a due process hearing; however, a parent may request mediation whenever there is a disagreement the parent feels he or she cannot resolve in other ways. Mediation is a voluntary process in which the parties must be willing to meet and discuss their concerns in order to negotiate a solution. It provides the opportunity and structure for the participants to discuss the issues and work collaboratively to solve a problem. Discussions that occur during the mediation session are confidential. The mediation session will conclude with a written agreement, if resolution is reached.

One of the primary advantages of mediation is that it seeks to be non-adversarial; it can lead to a resolution of differences between parent and school without damaging the relationship of the two parties. The goal of mediation is to reach a solution that is mutually developed by, and agreeable to, the participants. Since the parent(s) and the school working together reach the decision, both parties will be more likely to feel satisfied that the needs of the student, as well as their needs, are going to be met. The mediator's primary role is to facilitate the conflict resolution process. His or her job is to clarify issues, concerns, and possible solutions and to maintain a respectful and nonadversarial atmosphere.

In addition to maintaining a nonadversarial relationship between parties, mediation is less costly than typical due process hearings. In Virginia, the state will pay the initial expenses of the mediator, so there is no cost to the parent. If the parent(s) or school system cannot come to an agreement as a result of mediation, either party may request a due process hearing.

File a Complaint with the VDOE

If parents or other interested parties believe that FCPS has violated federal or state laws pertaining to special education, a complaint may be filed with the VDOE. The VDOE investigates and makes decisions regarding the allegations. The complainant must provide a written signed statement that a violation of special education law has occurred within a year from when the complaint is received by VDOE. The complaint must specify the facts on which the statement is based, the contact information for the person

filing the complaint, and the name of the student, including the name of the school the student attends. The complaint must propose a resolution to the problem, and relevant documents and supporting information should be provided. A copy of the complaint must be sent to both VDOE and FCPS at the same time. The VDOE must investigate and resolve the complaint within 60 calendar days of its receipt, unless exceptional circumstances exist or unless the school and complainant agree to participate in mediation or another type of resolution. More information about filing a complaint can be found within the *Parent's Guide to Dispute Resolution*, VDOE at http://www.doe.virginia.gov/special_ed/resolving_disputes/parents_guide_dispute_resolution.pdf.

Resolution Meeting

IDEA requires the school system to convene a resolution meeting with parents and relevant IEP team members when a due process hearing has been requested. The purpose of the meeting is to provide an opportunity for parents and educators to resolve the dispute that is the basis of the due process complaint. A resolution meeting must occur within 15 days of receiving the due process notice, unless it is waived by both parties.

Due Process Hearing

A due process hearing is a formal administrative procedure conducted by an impartial special education hearing officer appointed by the Virginia Supreme Court, who is not an employee of the school system and does not have a personal or professional interest that would conflict with his or her objectivity. The hearing

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resolves disagreements regarding the identification, evaluation, educational placement and services, and provision of a FAPE that arise between a parent and a local educational agency such as FCPS. The hearing officer conducts the hearing, reviews evidence, and determines what is educationally appropriate for the child with a disability. Parents or FCPS may initiate a hearing about certain matters relating to proposals and refusals to initiate or change the identification, evaluation, or educational placement of a student. The request for a hearing must be made in writing to the FCPS coordinator of due process and eligibility. The decision in a hearing must be rendered within 45 calendar days after the receipt of the request for a hearing, unless the parents and school system enter into a resolution meeting as discussed above. A decision made in a hearing is final, unless either party appeals to a state circuit court or a federal district court.

Student Records

FCPS maintains student records in compliance with the laws of both the Commonwealth of Virginia and the federal government. The term scholastic records means those records that are directly related to a student and maintained by FCPS or by a party acting for FCPS. Primary guidance for the handling of scholastic records is from the Family Educational Rights and Privacy Act (FERPA), sometimes referred to as the Buckley Amendment. FERPA addresses the confidentiality of student records and to whom and under what circumstances student records can be reviewed. FERPA gives parents (and students 18 years or older) the right to inspect and review records directly relating to their children. Schools are required to establish written procedures to carry out these rights. For example, FERPA:

- Provides parents the right to inspect all records relating directly to their dependents, including information sent to the schools by doctors, hospitals, clinics, and private professionals.
- Provides that parents may request and receive an explanation of record contents from a qualified person.

- Authorizes students 18 years of age or older, or students with written parental permission, to inspect their records.
- Provides for the release of information to others only under carefully described conditions.
- Establishes fees for the duplication of records.
- Provides a procedure for challenging the contents of a student's records.

Information from the school records may be needed to secure help such as Social Security benefits and postsecondary services through the DRS. Schools can provide parents with the information needed to obtain school records. Components of a student's scholastic record are maintained for various periods of time by school systems. A retention schedule specifies how long different record types are retained. Information about school records may be found in the FCPS *Management of Student Scholastic Records Manual*, available on the FCPS website at <http://www.fcps.edu/is/schoolcounseling/documents/ssrm.pdf>.

Understanding Section 504 and the Americans with Disabilities Amendments Act of 2008

A Parent Guide to Section 504, ADA, and Regulation 1454.6

Section 504 (504) of the **Rehabilitation Act of 1973 (Title 5)** and the ADA Amendments Act of 2008 are federal statutes that prohibit any program or activity that receives federal financial assistance, such as Fairfax County Public Schools (FCPS), from discriminating against anyone on the basis of a **disability**. FCPS Regulation 1454.6 describes procedures regarding the implementation of 504 and the ADA Amendments Act in FCPS. Essentially, these statutes and the FCPS regulation level the playing field and provide equal access for students with disabilities and require that no 504-qualified student with a disability shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity offered by FCPS. It is required that each 504-qualified student have an opportunity to access all activities and programs, cannot be denied participation because of his or her disability, and must be offered a free appropriate public education (FAPE). A student who is 504-qualified may require a 504 Plan, which means that FCPS will provide the needed reasonable accommodations, adaptations, or modifications necessary for the 504-qualified student to have

equal access and equal opportunity in the school's activities, which includes learning.

The school's local screening committee (LSC) determines 504 qualification for a student. If a student is 504-qualified (found eligible), a committee composed of the principal or his or her designee, the teacher(s), and other school staff members as appropriate, known as a **knowledgeable committee**, invite the parents to meet to discuss what accommodations, adaptations, or modifications, if any, are necessary for the 504-qualified student to have equal opportunity and access to the school's activities.

Additional information about 504 and 504 plans can be found in the Section 504 Procedures Manual, <http://www.fcps.edu/dss/seps/dueprocess-eligibility/504manual.pdf> and at the FCPS site <http://www.fcps.edu/dss/seps/dueprocess-eligibility/index.shtml>.



REHABILITATION ACT OF 1973 (TITLE 5)—A federal law that prohibits discrimination against people with disabilities in any program or activity receiving federal funds.

CHILD WITH A DISABILITY—Those children evaluated and identified, in accordance with regulations governing special education, as having intellectual disabilities, hearing impairments, speech or language impairments, autism, visual impairments, emotional disabilities, orthopedic impairments, other health impairments, traumatic brain injuries, multiple disabilities, developmental delays, or specific learning disabilities and who, because of these disabilities, need special education and related services.

KNOWLEDGEABLE COMMITTEE—A committee composed of the principal or his or her designee, the teacher(s), and other school staff members as appropriate.

Questions and Answers

If there is a reason to suspect a disability, why is it important for a student to be considered for possible qualification under 504?

504 protects the rights of people with disabilities and affords them the opportunity for equal access to programs and activities receiving federal financial assistance, including those sponsored by schools. Often, a person with disabilities may not require specialized instruction, but may need accommodations, adaptations, or modifications to the environment or activity to participate. 504 guarantees his or her right to reasonable accommodations when necessary.

Understanding Section 504 and the Americans with Disabilities Amendments Act of 2008

What happens when a student is considered for possible qualification under 504?

The local screening committee (LSC) at the child's school makes decisions regarding qualification under 504. When a student is referred to the LSC, pertinent information regarding his or her school functioning will be reviewed. The LSC will review information from a variety of sources. This information might include the referral, educational records such as group testing, previous report cards, oral or written reports from teachers or other school personnel, information from parents, and/or reports from specialists (e.g., medical reports). The LSC will also consider the results of any private evaluations. After reviewing the available information and considering the student's present performance in the school setting, the members of the LSC will determine if the student should be evaluated for special education, considered for 504 qualification, or recommended for another action. If the LSC does not believe that enough information is available, the decision regarding 504 qualification may be deferred while additional data are collected. If formal, individualized testing is recommended by the LSC for possible 504 qualification, the school will seek permission from the parents for testing. Evaluations required by the LSC are provided at no cost to the parents.



MAJOR LIFE ACTIVITIES—*Functions such as caring for self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.*



When does a student qualify under 504?

The decision regarding whether or not a student qualifies under 504 is made on a case-by-case basis. LSCs review the pertinent information available and review each child's individual profile to determine if criteria are met regarding the presence of a physical or mental impairment that substantially limits a **major life activity**.

Under what circumstances or under what conditions is it to the benefit of a student to be qualified under 504?

Qualification under 504 may result in the development of a 504 plan that specifies the adaptation, accommodations, and modifications that a student may need to participate in programs and activities offered by FCPS. Often, students, parents, and school staff members can agree informally to supports that will be provided to the student. However, a written plan documenting needed

and reasonable accommodations, modifications, and adaptations in the school or educational setting may be required to support the student's individual needs.

If a child is found ineligible for special education services, should a referral for a 504 screening automatically be made?

Decisions regarding the appropriateness of a referral are made on a case-by-case basis. Some students who do not qualify for special education under the Individuals with Disabilities Education Act (IDEA) may be considered for services under 504.

Can a student who is eligible for special education services also qualify under 504?

504 is a part of IDEA, which applies to all students with disabilities. Therefore, students who are eligible under IDEA also fall under the umbrella of 504, and developing an IEP is one way of meeting 504's requirements.

Understanding Section 504 and the Americans with Disabilities Amendments Act of 2008

How are the parents involved in decisions regarding their child's qualification under 504 or the 504 plan?

Parents are provided with procedural safeguards regarding decisions made under 504 pertaining to evaluation, identification, and/or placement. Notice is provided to parents prior to evaluation, reevaluation, significant change in placement, and/or initiation of a 504 plan. Input from parents is considered when decisions are made, and parents are encouraged to attend the LSC and, if the student is 504-qualified, the knowledgeable committee, which may determine that a 504 plan should be developed. As stated above, parents are welcome to share information regarding the child based on their observations of the child's development. Parents are often able to provide valuable insight regarding the child's early history that is typically unavailable from other sources.

How are 504 plans written?

A knowledgeable committee at the child's school determines if a 504 plan should be developed. Members of the committee include the school's principal or his or her designee and at least one teacher who works directly with the child. Other professional staff members from the school are included, as appropriate, and are identified based on the needs of the child. Parents may provide input to the committee when a 504 plan is considered, developed, or reviewed. School personnel often find it helpful to hear about the strategies that parents perceive as helpful to the child. The actual content and implementation of 504 plans are the responsibility of the school.

When considering whether a 504 plan should be developed, the knowledgeable committee reviews a child's specific needs in the school setting. If a 504 plan is developed, reasonable and appropriate accommodations are identified based on the unique needs of the child as a result of the disability. Accommodations included on 504 plans relate directly to the area of disability and are designed to provide the opportunity to access and receive benefit from the programs and activities offered by the school division rather than to improve performance or scores.

What areas should be addressed by a 504 plan?

If the knowledgeable committee determines that a 504 plan is warranted, the plan should address:

- **The nature of the student's disability and the major life activity it limits.** Remember that not all students with a disability, or who are 504-qualified, will have a 504 plan. There will be students who qualify as disabled under 504 who do not require accommodations. The disability must cause a substantial limitation on a major life activity. In the school setting, this is usually learning; however, it is not limited to learning and may include other activities such as mobility. The multidisciplinary team must describe how the disability limits the child's ability to access and benefit from the educational program so the appropriate accommodations can be developed.
- **The basis for determining the disability.** 504, like IDEA, requires schools to meet certain criteria when determining a disability, and the

evaluations that were used in the determination must be mentioned. These may include, but are not limited to, formal and informal evaluations, medical reports, observations, and work samples.

- **Necessary accommodations.** The heart of the 504 plan should include the modifications, adaptations, and services needed to ensure that the student with a disability has equal access to education.

If a child has a 504 plan, are accommodations for state standardized testing provided?

If a student is scheduled to take one of the standardized state assessments such as the Standards of Learning (SOL) assessment(s) and the student has testing accommodations listed on the 504 plan as part of the regular instructional program, then accommodations for the state assessment program(s) should be considered by the knowledgeable committee. Testing accommodations are only provided to give the student an equal opportunity to demonstrate achievement, not an increased advantage to obtain a better score. The second page of the FCPS 504 plan covers state standardized testing and should be completed when the student receives testing accommodations as part of the regular instructional program and the student is scheduled to take one of the state assessments.

Understanding Section 504 and the Americans with Disabilities Amendments Act of 2008



Can a student have a 504 plan to receive extended time testing on the Scholastic Assessment Tests (SAT, PSAT), Advanced Placement (AP) exams, American College Testing (ACT), and other standardized testing?

The SAT, AP exams, ACT, and other standardized tests provide accommodations for students with physical and mental disabilities, including extended time, according to the guidelines and deadlines posted on their sites. Receiving a 504 plan does not, however, automatically provide the same accommodations on standardized tests that the student receives in the school setting. The 504 plan may, however, be a part of the documentation necessary to receive testing accommodations. The College Board states that, in order to receive extended time, “the student’s documentation must demonstrate not only that he or she has a disability, but also that the student **requires** the accommodation being requested.”

For requirements, documentation forms, and deadlines, please review the information found at the sites below.

ETS, Test Takers with Disabilities:

<http://www.ets.org/disabilities>

ACT Test Accommodations Chart:

<http://www.act.org/aap/disab/chart.html>

College Board Services for Students with Disabilities (SSD)—SAT, SAT Subject Tests, the PSAT, AP, and the CLEP: <http://professionals.collegeboard.com/testing/ssd/guidelines/sat>

Resources and Information

The Parent Resource Center

The Parent Resource Center (PRC) of Fairfax County Public Schools (FCPS) promotes parent awareness of the services provided by FCPS for students who receive special education services or who have Rehabilitation Act of 1973, Section 504 (504) plans. The PRC encourages parent participation in the educational decision-making process by providing free seminars, training programs, and information to foster the parent-professional partnership. The PRC also serves as a resource for educators and the community.

Parent education program workshops and trainings

The PRC plans and develops a yearlong parent education program for parents who have children with disabilities or special needs. Workshops for parents related to special education are offered countywide through collaboration with the Department of Special Services (DSS), the DSS community, and local, regional, and national presenters. Training topics include the special education process, study and organizational skills, social skills, behavior management, postsecondary options, learning disabilities, homework help, recreation opportunities, and more. PRC-sponsored events are offered to non-English-speaking parents of children who receive special education services with the support

of Translation Services. Additional accommodations are supported through PRC and DSS staff members. All activity and workshop information is available on the PRC website <http://www.fcps.edu/ccco/prc/resources/events/index.shtml>.

The Parent Resource Center Library at Dunn Loring Center for Parent Services

The PRC maintains an extensive free lending library for parents and educators containing over 4,000 titles including books, DVDs, CDs, videos, and articles on special education, 504 plans, behavior, areas of disability, curriculum support, and the latest trends in special education. Many of the library resources are available in multiple languages. The library also houses publications of DSS and the Virginia Department of Education (VDOE), as well as the FCPS Program of Studies, current special education regulations, information about program curricula, program guides, and the Virginia Standards of Learning (SOL). To use the Parent Resource Center Library catalog online, go to <http://www.fcps.edu/ccco/prc/resources/library.shtml>.

Resources available online and through *Keep in Touch*

The PRC publishes and distributes resources for parents, educators, and community members on the PRC website, which can be accessed at www.fcps.edu/ccco/prc/. Subscribers to *Keep in Touch Plus* can receive regular e-mails about workshops, activities, upcoming events, and news directly from the PRC and DSS. Parents, staff members, and community members may join the mailing list by signing up for *Keep in Touch PLUS* on the FCPS home page or following the directions at <http://www.fcps.edu/kit/>. **Please indicate that you would like information about special education services.**

In-person, online, or phone consultations

The PRC also provides support to parents through confidential consultations in person, by phone, or by e-mail that may include information about education issues, community resources, and technical assistance. All PRC library materials, workshops, training programs, and consultations are provided free-of-charge to FCPS parents and educators. Parents can call the PRC at 703-204-3941 or e-mail the PRC at PRC@fcps.edu.

Resources and Information

The Importance of Good Communication

Strategies for Team Building

Communication is key to successful collaboration with your child's school. FCPS uses the collaborative model for formal and informal meetings and the IEP team-building. This means special education staff members, general education teachers, administrators, and other staff members welcome and integrate the input of parents to the process. When working together, all partners in the team should feel that their opinions are respected and all participants should feel that they can express their thoughts directly, honestly, and appropriately. This is especially important for parents who are new to the special education process and who find themselves thrust into the position of parent advocate for their student.

Effective communication skills are important for both staff members and parents, and the following tips will help every team member build a positive, strong, and caring relationship working for the best interests of the student.

- **Assume honorable intentions.** Both parents and staff members typically act out of genuine concern for the child and in the best interests of the student. Every teacher wants each of his or her students to succeed, and parents want to support the learning process. Parents may disagree with the opinions and decisions of the school staff, but all parents, staff members, and administrators who participate in eligibility, individualized education program (IEP), or other meetings should presume that each person is operating in the best interest of the child involved.
- **Have an agenda.** During IEP meetings, there is a formalized agenda (IEP 101), which explains parents' participation and contribution to the collection of information and to the decision-making process while writing the IEP. For other formal and informal meetings between staff members and parents, parents can create an agenda or ask staff members to provide one so that everyone is better-prepared to discuss related concerns.
- **Schedule a time to meet.** Find out in advance how much time is scheduled for the meeting. If, by the end of the meeting, all agenda items have not been covered, then suggest adjournment and find a time to reconvene later. It is easier to determine the date for a new meeting while all members are present.
- **Work to keep the meeting focused and stick to the agenda.** Make sure that your concerns as a parent, as well as those of the school staff members, are addressed at the meeting. If other issues come up, save them for another meeting unless they are important and relevant to the discussion.
- **Organize your thoughts and document your concerns.** Parent Information and Student Profile forms are located online at http://www.fcps.edu/cco/prc/seasonal/handbook_supplements.shtml. Completing these may help you, as a parent, clarify your perceptions of unaddressed needs. Parent input is an important part of the IEP process, and IEP form 102 (*Parent Information for IEP*), and form 309 (*Information Related to Present Level of Performance*) are documents on which parents' concerns can be documented as part of the IEP.
- **Leave past feelings behind.** Past experiences may have an impact on parents' feelings toward the school system or the school; try not to let those feelings affect the task at hand and try, instead, to move forward. For example, if you feel that services or accommodations you discussed at a previous meeting were never implemented, this is a time to document the important points, to make sure that these are discussed at the meeting, and to ensure that a follow-up plan is enacted.
- **Take someone to the meeting if you feel you need support.** IEP 201 Meeting Notification and Contact Log specifies that a person knowledgeable about the student's performance may attend the meeting.
- **Ask questions or ask for explanations.** Many educators are familiar with acronyms and educational terminology that is new for many parents. Ask for clarification. A list of acronyms and a glossary of special education terms is located in Appendix C of this handbook.
- **Use active listening skills.** When there are multiple members at a meeting in your child's school, sometimes understanding everything that is discussed is difficult. A useful technique is to rephrase a statement ("Let me see if I understood that correctly: ...") or to ask someone to repeat information stated. Written reports are useful, but asking questions during conversations and explanations at the meeting can help to clarify any important points when the staff member is present to answer.

Resources and Information

- **Take notes, or ask someone at the meeting to take notes.** Meeting about your child's school progress can be difficult and there may be many opinions and new information. Sometimes the information is conveyed unclearly or misunderstood. It is important that each member knows what was agreed upon and how it is to be implemented. Taking notes and reading back what your perception is can help clarify information before you leave the meeting.

- **Write down the names and the titles of staff members for your records.**

- **After an informal meeting, write a brief thank you with a summary of your understanding of the plan developed.**

- **The goal of any meeting should be the resolution of the issues brought forward.** If you are in agreement with the completed documents, signing them will expedite the process. However, you are not required to sign any documents with which you are not in agreement, or about which you have questions. Tell the school staff members that you would like to take a draft with you to read carefully and discuss with others, or tell them that you simply need more time. It is a courtesy to let the school know within a reasonable amount of time if you will sign or if you need more time.

- **FCPS appreciates its diverse population.** Cultural differences are common, but not always understood by parents or staff members. If you feel there is a misunderstanding, please bring it to the attention of the school staff and help correct staff members' assumptions.

- **Communication breakdowns happen.** If you are feeling frustrated, or that no further progress will be made, agree to end the meeting and find a mutually acceptable time to reconvene.

Resolving Differences

Building a strong collaborative relationship with your school, knowing your rights, and learning to be assertive are ways that you can ensure that your child gets the services he or she needs. Sometimes, however, despite the best intentions and efforts of staff members and parents, the team cannot reach agreement regarding the appropriate educational supports for your child. At such times, it is important to understand how to handle these disagreements and to understand what your rights and responsibilities are as a parent.

Examples of areas of disagreement may include:

- The local screening committee's (LSC) decision not to evaluate your child.
- Your belief that the evaluation is not a true picture of your child.
- The decision to find your child not eligible for special education and related services.
- An IEP that you believe does not meet your child's needs.

- A recommendation for a placement that you believe does not meet your child's needs.

When there is disagreement, some options for resolving these differences informally can be found in the literature for dispute resolution and mediation and in the *Parents' Guide to Special Education Dispute Resolution* issued by the VDOE (http://www.doe.virginia.gov/special_ed/resolving_disputes/parents_guide_dispute_resolution.pdf).

Some of the techniques from these sources are as follows:

While parents can invoke due process or legal proceedings when they feel the school system is not meeting the special education needs of their child, parents are urged to meet with the child's case manager, the child's teacher, members of the IEP team, the principal or his or her designee, or the procedural support liaison first. Meeting at the local level often leads to the quickest resolution of problems, disagreements, and misunderstandings. Before any formal dispute resolutions are begun, please consider all other options, including these techniques:

- **Identify what is important and focus on your child's needs, your concerns, and your goals for your child. Speak directly with your case manager or other school employee.** Present your concerns, document your efforts to identify your child's area of need, and work with the school on the common goal of an appropriate education for your child. Always begin with a clear statement of your goal for your child.

Resources and Information

- **Realize that the way others see your child may differ.** How school staff members see your child is in relation to many other children his or her age, and that perspective may offer different insights into your child's educational performance.
- **When past experiences with school staff members have been a problem, try to maintain a cooperative attitude.** This may be a challenge, but attempt to work collaboratively with school staff members in order to obtain a better outcome for your child.
- **Accept the feelings of others about the issue.** Even though you may disagree, each person has a right to his or her own points of view. Teachers and school personnel typically have strong commitments to educating their students and want what will work best for each of their students.
- **Understand that expectations of outcomes may be different.** As parents, you will come to each meeting with a certain idea of what you would like. By keeping an open mind to other points of view and suggestions, fresh ideas for helping your child succeed may be found.
- **Understand that some school personnel may not have complete knowledge about your child's disability.** Be prepared to share reports and documentation from outside the school in order to educate school staff members on the needs of your child and help bring a better understanding of his or her disability.

- **Understand the procedures and the limitations of the system.** Not all services that you may feel your child needs are mandated by special education law. The Individuals with Disabilities Act (IDEA) of 2004 offers many rights for your students, and those are specified in the *Virginia Special Education Procedural Safeguards Requirements* booklet, revised August 2009, which can be found at: <http://www.fcps.edu/it/forms/se4.pdf>.

While FCPS maintains one of the nation's highest standards of education, the school system is only required to provide a program that is reasonably designed to offer educational benefit.

If possible, use conflict resolution strategies to find a positive outcome that will work for you, your child, and the school:

- **Agree on a problem statement.** Identify key concerns and clearly state the issues without being confrontational. Misunderstandings and miscommunication often lead to disagreement. A clear written statement of the problem will lead to a better understanding and may lead to a better solution.
- **Focus on the issues, not the personalities.**
- **Take turns listening and offering solutions.** Brainstorm possible solutions. Both sides should listen and respectfully respond to suggestions.

These sites were used as references for "Resolving Differences":

Virginia Department of Education Revised 2010 Parent's Guide to Special Education:

http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

Virginia's Special Education Procedural Safeguards:

http://www.doe.virginia.gov/special_ed/regulations/state/procedural_safeguards/english_procedural_safeguards.pdf (revised August 2009)

Regulations Governing Special Education Programs for Children with Disabilities in Virginia: http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf (January 25, 2010)

Parents' Guide to Special Education Dispute Resolution, issued by VDOE:

http://www.doe.virginia.gov/special_ed/resolving_disputes/parents_guide_dispute_resolution.pdf

CADRE (Center for Appropriate Dispute Resolution in Special Education):

<http://www.directionservice.org/cadre/>

Resources and Information

- **Clarify and discuss solutions.** Try to remain objective in the discussion.
- **Brainstorm possible consequences to different solutions.** Try to find a common ground that achieves the educational outcome your child needs to succeed.
- **If possible, develop a plan and implement it.** Write an outcome plan so that all can understand and agree to their parts in it.
- **Establish a plan to evaluate progress, and make adjustments and revisions as needed.**
- **Set a date to review the plan.**
- **Identify an alternative plan if the strategy adopted is not successful.**
- **Monitor for progress, and look for success.**

If you feel as if you have tried every way to resolve the problem, but you cannot reach agreement, remember that you have the right to challenge the decisions relating to evaluation, eligibility, and placements. Under the law, you have three options when you feel you need to do more: mediation, complaints, and due process.

Information for Newcomers

Forms: Information and links to all forms necessary to register a new student in FCPS can be found online at <http://www.fcps.edu/dss/osp/StudentRegistration/>. This information is also available in Arabic, Chinese, Farsi, Korean, Spanish, Urdu, and Vietnamese.

Special education transfer: If a student receiving special education services transfers to FCPS from another school division, the student will receive, in consultation with the parent, special education services consistent with the current IEP, unless parents and FCPS staff members agree otherwise.

Where to register: School-age children, including those children who receive special education services, must register at their neighborhood schools. Exceptions are noted in the next paragraph. To locate the school serving the address of the family, the parents may call the boundary information phone line at 703-329-9831, 24 hours a day, or they may enter their street address at <http://boundary.fcps.edu/boundary/>. Most FCPS elementary schools offer grades K–6, most middle schools offer grades 7–8, and all high schools offer grades 9–12. Please contact your child’s school to make arrangements for enrollment. Schools begin gathering information in late March or early April for parents of incoming kindergartners, and many schools host an orientation or open house.

Other language speakers, foreign exchange students, tuition-paying students, and other special circumstances: If the family’s home language is other than (or in addition to) English, students will be enrolled at the Office of Student Registration. Foreign exchange students, students with 1-20 visas, students whose families live outside Fairfax County, and students who pay tuition will also register with the Office of Student Registration.

Kindergarten information:

Children who turn five years old by September 30 are eligible to enter kindergarten that school year. Effective, September 2011, all Fairfax County elementary schools will offer full-day kindergarten. Visit the FCPS site for “Starting School in Kindergarten” at <http://www.fcps.edu/parents/start/keligible.shtml>. A child who will be six years old on or before September 30 must attend school.

Preschool children who may

need special services: Parents of preschool-age children who may be eligible for special education services can contact one of the Early Childhood Identification Services/Child Find offices: Dunn Loring Child Find at 703-204-6760, Rocky Run Child Find in Chantilly at 703-802-7788, or Virginia Hills Child Find in Alexandria at 703-317-1400.

Home instruction: A qualifying parent may elect to provide home instruction for his or her school-age child in lieu of school attendance. Information can be found at <http://www.fcps.edu/dss/osp/StudentRegistration/homeinstruction/> or by calling 571-423- 4460.

Homeless students: FCPS has implemented procedures for the enrollment of homeless students. Parents or guardians of families experiencing homelessness may contact Student Registration at 703-204-6740 or any Fairfax County public school for enrollment assistance. More information about services available can be found at <http://www.fcps.edu/dss/ips/homelessinfo/>.

Resources and Information

Documents needed for registration:

A parent or guardian must register his or her children in person and present photo identification. Other documents required for registration are listed below. Details and forms are available online at <http://www.fcps.edu/dss/osp/StudentRegistration/>.

- 1. Proof of residency:** A deed, lease agreement, or resident manager's letter is acceptable.
- 2. Proof of birth:**
An original birth certificate is required for every student. If a birth certificate is not available, an affidavit with substantiating documentation is required.
- 3. Documentation of previous educational program:**
School records and/or original transcripts are required of secondary students and recommended for elementary students. Recent periods of nonschool attendance must be accounted for. If a translated document is submitted, the original document in the original language must also be supplied.
- 4. Health documentation includes a record of a physical exam within the past 12 months:** Current and up-to-date immunization records and evidence of a negative tuberculin skin test (TST) or Quantiferon TB gold blood test (QFT) and a negative symptom screen that has been certified by a licensed physician or department of health and completed within 90 calendar days prior to registration, a normal X-ray taken within 90 days prior to registration, or documentation of a negative symptom screen and risk assessment after treatment.

For a complete list of items required for a student's Health Documentation, please refer to <http://www.fcps.edu/dss/osp/StudentRegistration/>.

See FCPS Regulation 2101 for more information at [http://www.boarddocs.com/vsba/fairfax/Board.nsf/legacy-content/867SHQ2A8613/\\$FILE/R2101.pdf](http://www.boarddocs.com/vsba/fairfax/Board.nsf/legacy-content/867SHQ2A8613/$FILE/R2101.pdf).

Special education students: When students who receive special education services register, parents should also:

- Sign a release to enable FCPS to obtain copies of your child's school records from the previous school.
- Bring an extra copy of your child's records.
- Note that the local school or Student Registration office will process the appropriate forms and send the relevant information to the special education staff.
- Note that the local school or cluster office will also schedule a meeting with you as soon as possible.

FCPS Handbook: *Building the Future...Child by Child*: For an overview of the Fairfax County public school system, ask for a copy of this handbook from your neighborhood school or download a copy at: <http://www.fcps.edu/cco/pubs/handbook.pdf>.

Resources and Information

Where to Go for Help (Directory)

There are many organizations, agencies, groups, and offices that offer information or services to parents of students with special needs and to staff members. Listed below are frequently used phone numbers and/or links that may be helpful.

Fairfax County Public Schools www.fcps.edu/

The FCPS link to Parent Resources, including the school and community, can be found at <http://www.fcps.edu/parents/>.

Advisory Committee for Students with Disabilities	703-204-3941
Assistive Technology Services	703-208-7997
Attendance and School Engagement	571-423-4310
Autism/Applied Behavior Analysis (ABA)	571-423-4130
Career and Transition Services	571-423-4150
Career and Technical Education	571-423-4505
Academy Support Teams	571-423-4150
Child Find—Early Childhood Identification and Services	571-423-4121
Dunn Loring Child Find	703-204-6760
Rocky Run Child Find	703-802-7788
Virginia Hills Child Find	703-317-1400
Facilities and Transportation	571-423-2350
FECEP/Headstart	
English	703-204-6700
Spanish	703-204-6701
Homeless Liaison Office	571-423-4332
Office of Special Education Instruction	571-423-4100
Parent Resource Center	
English	703-204-3941
Spanish	703-204-3955
School Age Child Care (SACC)	703-449-8989
Special Education Procedural Support	571-423-4290
Student Registration	703-204-6740
Department of Special Services	571-423-4010

Resources and Information

Frequently used links

Department of Special Services: <http://www.fcps.edu/dss>

Directory information: <http://www.fcps.edu/dss/contacts.shtml>

Communications and Community Outreach: <http://www.fcps.edu/cco/>

Facilities and Transportation: <http://www.fcps.edu/fts/>

FCPS Cluster Offices: <http://www.fcps.edu/clusters/>

Graduation Options: <http://www.fcps.edu/is/schoolcounseling/graduation.shtml>

Homeless Information and Resources: <http://www.fcps.edu/dss/ips/homelessinfo/>

Overview of Disabilities: <http://www.fcps.edu/dss/sei/additionalinfo/overview.shtml>

Middle School After-School Programs: http://www.fcps.edu/supt/activities/afterschool_more.shtml

Parent Resource Center: <http://www.fcps.edu/cco/prc/>

Special Education Information: <http://www.fcps.edu/dss/sei/>

Special Education Resources: <http://www.fcps.edu/dss/sei/additionalinfo/>

Special Education Handbook: <http://www.fcps.edu/dss/sei/Handbook/>

Parent Resource Center <http://www.fcps.edu/cco/prc/> 703-204-3941

The Parent Resource Center (PRC) promotes parent awareness of the services provided by FCPS for children with special needs and their families. The PRC offers a comprehensive website, an extensive lending library, workshops, parenting classes, and resources for parents and educators of children with special needs.

Fairfax County Government: <http://www.fairfaxcounty.gov/>

Abuse and Neglect of Children <http://www.fairfaxcounty.gov/dfs>

Child Protective Services—Hotline 703-324-7400

Adult Protective Services 703-324-7450

Child Care Assistance and Referral: <http://www.fairfaxcounty.gov/ofc/CCAR.htm>

Coordinated Services Planning (Fairfax County): <http://www.fairfaxcounty.gov/dsm/csp/>

Community Health Care Network: <http://www.fairfaxcounty.gov/hd/pchs/hdchcn.htm>

Courts and Corrections: <http://www.fairfaxcounty.gov/courts/jdr/>

Resources and Information

Department of Family Services: <http://www.fairfaxcounty.gov/dfs/>

Child and Family Services, Foster Care and Adoption: <http://www.fairfaxcounty.gov/dfs/childreneyouth/>

Financial Assistance Programs: <http://www.fairfaxcounty.gov/dfs/ss/>

Department of Transportation (pedestrian program): <http://www.fairfaxcounty.gov/fcdot/pedestrian/>

Fairfax Disability Services Board: <http://www.fairfaxcounty.gov/dfs/dspd/>

Fairfax-Falls Church Community Services Board for Intellectual Disability: <http://www.fairfaxcounty.gov/csb/ids/>

Fairfax-Falls Church Community Services Board for Mental Health: <http://www.fairfaxcounty.gov/csb/mhs/>

Health Department: <http://www.fairfaxcounty.gov/hd/>

Human Services Resource Guide: <http://www.fairfaxcounty.gov/rim>

Homelessness Resources and Information: <http://www.fairfaxcounty.gov/homeless/>

Intellectual Disabilities Services: <http://www.fairfaxcounty.gov/csb/ids/>

Parks and Recreation: <http://www.fairfaxcounty.gov/parks/>

Resources on Parenting and Child Supervision: <http://www.fairfaxcounty.gov/dfs/childreneyouth/parenting-childsupervision-resources.htm>

School Age Child Care (SACC): <http://www.fairfaxcounty.gov/ofc/Sacc.htm>

Therapeutic Recreation Services: <http://www.fairfaxcounty.gov/rec/trs/>

Community and Other Resources

2-1-1

For social services and other help, dial 2-1-1 or contact Virginia's Information and Referral Service:

<http://www.211virginia.org>

Quick Guide: An Index of Public and Private Agencies Offering a Wide Variety of Services to Northern Virginia:

www.novaregion.org/quickguide

ADHD Resource Group of Northern Virginia: <http://www.adhdnova.com/>

American Council of the Blind: <http://www.acb.org/node/115>

Autism Society of America (Northern Virginia Chapter): http://support.autism-society.org/site/Clubs?club_id=1200&pg=main

American Speech-Language-Hearing Association: <http://www.asha.org/>

The Arc of Northern Virginia: <http://www.thearcofnova.org/>

Brain Injury Services: <http://www.biav.net/>

Children and Adults with Attention Deficit/Hyperactivity Disorder (C.H.A.D.D.) – Northern Virginia Chapter:

<http://www.chadd.net/115>

Resources and Information

- Council for Exceptional Children (CEC): <http://www.cec.sped.org/>
- Crisis Link–703-527-4077: <http://crisislink.org>
- Fairfax Futures: <http://www.fairfax-futures.org/>
- Down Syndrome Association (Northern Virginia): <http://dsanv.org>
- Infant and Toddler Connection of Virginia: <http://www.infantva.org/>
- INOVA Care Connection for Children: <http://www.inova.org/inova-in-the-community/care-connection-for-children/index.jsp>
- Jewish Social Service Agency Northern Virginia: <http://www.jssa.org>
- National Alliance on Mental Illness (NAMI)—Northern Virginia: <http://www.nami.org/MSTemplate.cfm?MicrositeID=197>
- National Dissemination Center for Children with Disabilities: <http://nichcy.org/>
- National Institute of Child Health and Human Development: <http://www.nichd.nih.gov/>
- Northern Virginia Family Services: <http://nvfs.org/>
- Northern Virginia Resource Center for Deaf and Hard of Hearing Persons: <http://www.nvrc.org>
- Organization for Autism Research (OAR): <http://www.researchautism.org/>
- Parent Resource Center: <http://www.fcps.edu/cco/prc/>
- Parents of Autistic Children, Northern Virginia Chapter: <http://www.poac-nova.org>
- Parents of Exceptional Children: <http://poec.org>
- Parent Education Advocacy Training Center: <http://www.peatc.org/>
- Recording for the Blind and Dyslexic: <http://www.rfbd.org/>
- SCAN of Northern Virginia: <http://scanva.org/>
- Special Needs Registry: <http://www.fairfaxcounty.gov/specialneeds/>
- Virginia Department of Education: <http://www.doe.virginia.gov/>
- Virginia Department of Behavioral Health and Developmental Services: <http://www.dbhds.virginia.gov/>
- Virginia Department for the Blind and Vision Impaired: <http://www.vdbvi.org/>

Appendix A

Basis for the Eligibility Committee Decisions

Eligibility committees determine by consensus if students are eligible to receive special education services based upon the definitions and specific criteria articulated on the Basis for Committee Decisions (BCD) forms. Students must meet ALL of the criteria in order to be found eligible for special education. The BCD forms for each area of disability can be found at <http://www.fcps.edu/dss/sei/additionalinfo/overview.shtml>.

To understand the operational definitions of disabilities and eligibility criteria used as the BCDs in each area of disability, use the link above or contact the Parent Resource Center at 703-204-3941. A brief overview of each BCD can be found in the eligibility section of this handbook.



Autism
Deaf-Blindness
Deafness
Developmental Delay
Emotional Disability
Hearing Impairment
Intellectual Disability
Multiple Disabilities
Orthopedic Impairment
Other Health Impairment
Specific Learning Disability
Speech and Language Impairment
Traumatic Brain Injury
Visual Impairment

Appendix B

Glossary of Terms

Glossary of Terms Related to Public Education in the State of Virginia: <http://www.doe.virginia.gov/glossaries/glossary.pdf> and Fairfax County Public Schools (FCPS).

504 PLAN—A plan that specifies the adaptations, accommodations, and modifications that a student with a disability that limits a major life activity (but who does not qualify for an IEP) may need to participate in programs and activities offered by Fairfax County Public Schools (FCPS). (Also see Section 504.)

ADMINISTRATIVE REVIEW—A voluntary, informal mediation process permitting presentation of differences between parents and school staff members to an appointed committee composed of staff members not directly involved with the student.

ANNUAL REVIEW—A scheduled meeting of school staff members and parents to develop, review, and revise a student's IEP goals and objectives and to determine the appropriateness of new or continued services.

ASSISTIVE TECHNOLOGY SERVICES (ATS)—ATS uses computers, augmentative communication devices, and adaptive technology peripherals to maximize the potential of Fairfax County Public Schools (FCPS) students with disabilities.

BASE SCHOOL—The school serving the local home address.

BASIS FOR COMMITTEE DECISION (BCD)—Definitions and criteria used by eligibility committees to determine if students are eligible to receive special education services. Students must have been evaluated in accordance with established procedures.

BEHAVIORAL INTERVENTION PLAN (BIP)—A plan that follows a functional behavioral assessment (FBA) that uses positive behavioral interventions and supports to address behaviors that interfere with the learning of students with disabilities or with the learning of others or behaviors that require disciplinary action. (Also see Functional Behavioral Assessment.)

BUSINESS DAYS—Monday through Friday, 12 months of the year, exclusive of federal and state holidays.

CALENDAR DAYS—Consecutive days, inclusive of Saturdays and Sundays. Whenever any period of time fixed by the term "calendar days" shall expire on a Saturday, a Sunday, or a federal or state holiday, the period of time for taking such action shall be extended to the next day, not a Saturday, a Sunday, or a federal or state holiday.

CASE MANAGER—Staff member responsible for collecting, monitoring, and processing information pertaining to an individual student.

CHILD FIND—A public school program that locates and identifies children and young adults from 2 through 21 years of age who may be in need of special education and related services.

CHILD WITH A DISABILITY—Those children evaluated and identified, in accordance with regulations governing special education, as having intellectual disabilities, hearing impairments, speech or language impairments, autism, visual impairments, emotional disabilities, orthopedic impairments, other health impairments, traumatic brain injuries, multiple disabilities, developmental delays, or specific learning disabilities and who, because of these disabilities, need special education and related services.

COMMUNITY SERVICES BOARD—The local government agency that provides services to adults with intellectual disabilities and mental illness to help them become as self-supporting as possible.

CONSENT—The parent(s) or eligible student has been fully informed of all information relevant to the activity for which consent is sought in the parent's(s') or eligible student's native language, or other mode of communication; the parent(s) or eligible student understands and agrees, in writing, to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and the parent(s) or eligible student understands that the granting of consent is voluntary on the part of the parent(s) or eligible student and may be revoked at any time.

CONTINUUM OF SERVICES—Refers to the range of service delivery options offered to eligible students.

COUNSELING SERVICES—A service related to a student's individualized education program (IEP) defined as a short-term structured intervention with specific aims and objectives to promote that student's social, emotional, and academic growth within the school environment.

DEPARTMENT OF REHABILITATIVE SERVICES (DRS)—The agency of the Virginia government that offers assistance to persons with physical, intellectual, and emotional disabilities so that they may become as self-supporting as possible.

DUE PROCESS HEARING—A formal procedure used to resolve conflicts between parents and school systems over the provision of special education services. (Also see Impartial Hearing.)

Appendix B

EARLY INTERVENTION—Specialized services provided to infants and toddlers who are at risk for, or showing signs of, developmental delay.

EDUCATIONAL EVALUATION—(See Evaluation.)

ELIGIBILITY COMMITTEE—A committee of professional staff members and the parent that considers the individual needs of a student and determines whether the student is eligible for special education and related services. Eligibility committees usually meet at the student’s school.

EVALUATION—The process of collecting and analyzing psychological, medical, socio-cultural, and educational information for a child so that the eligibility committee can determine if the student is eligible for special education services and the area(s) of eligibility. Eligibility committees consider information presented by parent(s) and school staff members, as well as information that the parent(s) has obtained from private practitioners:

- **Educational Assessment**—A written report describing current educational performance and identifying precise instructional needs in academic skills, language performance, and functional areas. This report includes academic testing results, the classroom teacher narrative, and classroom observation information.
- **Medical Assessment**—A written report from a licensed physician indicating general medical history and any medical or health problems that may impede educational progress.
- **Psychological Assessment**—A written report from an approved psychologist based on the use of a

battery of appropriate assessments that may include individual intelligence test(s) and psycho-educational tests.

- **Socio-cultural Assessment**—A written report describing developmental history and adaptive behavior at home and at school. A social worker or visiting teacher completes this evaluation. Other evaluation reports may include speech and language, occupational therapy, etc., when appropriate.

EXTENDED SCHOOL YEAR (ESY) SERVICES—Special education and/or related services provided beyond the normal school year for the purpose of providing a free appropriate public education (FAPE) to a student with a disability in accordance with the student’s IEP, at no cost to the family. ESY services may be delivered through a variety of settings and methods, including classroom instruction, parent-guided home programs with progress monitored by the teacher, and/or consultative support from staff members.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)—A statutory requirement that children and youth with disabilities receive a public education appropriate to their needs, at no cost to their families.

FUNCTIONAL BEHAVIORAL ASSESSMENT (FBA)—Conducted by a team in order to develop a hypothesis about the function of the problem behavior when a student behaves in a way that significantly interferes with the student’s learning and/or the learning of others. This leads to the development of a behavioral intervention plan (BIP). (Also see Behavioral Intervention Plan.)

GENERAL EDUCATION—Direct participation in a general education class or activity planned and conducted by general education staff members (e.g., includes activities such as lunch or job training in which a student is participating with general education peers).

IDEA—(See Individuals with Disabilities Education Act.)

IDENTIFICATION—Recognition on the part of a parent, teacher, or other person that a child may have special learning needs.

Individualized Education Program (IEP)—A written plan for every student receiving special education services that contains information such as the student’s special learning needs and the specific special education services required by the student.

IEP TEAM—A group consisting of parents, a special education teacher, a general education teacher, the student (when appropriate), a representative of the school system qualified to provide or supervise special education services, and others as requested who meet at a conference to develop the IEP.

IMPARTIAL HEARING—A formal procedure used to resolve conflicts between parents and school districts over the provision of special education services. (Also see Due Process Hearing.)

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)—The federal law that mandates that a free appropriate public education (FAPE) be available to all school-age children with disabilities. It is also known as Public Law 108-446.

Appendix B

LEAST RESTRICTIVE ENVIRONMENT (LRE)

–The setting determined by the IEP team that gives the child as much time as possible in general education settings and activities while meeting the child’s learning and physical needs. It also means that special classes, separate schooling, or other removal of a child with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

LOCAL EDUCATION AGENCY (LEA)

–The public school system (e.g., Fairfax County Public Schools).

LOCAL SCREENING COMMITTEE (LSC)

–A committee established in all schools to review referrals for special education and to identify the needs of students experiencing academic difficulties. An LSC includes the principal (or designee), the teacher of the child, a special education teacher, the school psychologist, the school social worker, the person initiating the referral, and other staff members, as appropriate. Parents are notified of the meeting and are encouraged to attend and participate.

MEDIATION–A process in which a neutral person facilitates communication between two parties and, without deciding the issues or imposing a solution on the parties, enables them to understand and resolve their dispute.

MEDICAL EVALUATION–
(See Evaluation.)

OCCUPATIONAL THERAPY (OT)

–A service related to a student’s IEP that emphasizes remediation of, or compensation for, perceptual, sensory, visual-motor, fine-motor, and self-care deficits.

PARENT–A biological or adoptive parent, a foster parent, a surrogate parent, a guardian, an emancipated minor, custodial stepparents, or an individual acting in place of a parent with whom the child lives or who is legally responsible for the child’s welfare. This term includes a number of qualifiers and exceptions; for further details, see the glossary in the *2010 Virginia Special Education Handbook*: http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf.

PHYSICAL THERAPY (PT)–A service related to a student’s IEP that emphasizes remediation of, or compensation for, mobility, gait, muscle strength, and postural deficits.

POSITIVE BEHAVIOR APPROACH (PBA)–A schoolwide approach to preventing and responding to behavioral concerns that support staff as they teach and promote positive behavior among all students.

PROCESSING DISORDER–A deficit in the ability to differentiate, give meaning to, and/or appropriately respond to symbols, objects, and/or events in the environment.

PROCEDURAL SUPPORT LIAISON (PSL)–An FCPS staff member from the Office of Special Education Procedural Support who serves as a resource to parents and school staff by providing information about services and facilitating communication between parents and school staff in support of a collaborative decision-making process. A PSL may serve as an additional IEP

team member. The PSL can provide guidance to parents and staff when there are questions related to federal, state, and local special education guidelines and procedures. One PSL is assigned to each pyramid.

PROGRAM OF STUDIES (POS)–The basic instructional program for Fairfax County Public Schools. It includes a series of documents containing the instructional objectives for all subjects in kindergarten through grade 12, instructional activities, catalogs of instructional materials, and tests measuring student achievement of selected objectives (available for review in local schools according to grade level).

PSYCHOLOGICAL EVALUATION–(see Evaluation.)

PUBLIC LAW 108-446–The federal law that mandates that a free appropriate public education (FAPE) be available to all school-age children with disabilities. It is also known as the Individuals with Disabilities Education Act (IDEA).

REEVALUATION–A review by the IEP team that is required every three years or more often if necessary. It determines if updated information used to decide continuing eligibility for special education is needed and the types of information needed to determine the individual needs of the student.

REFERRAL–Informing of a school or agency that a student may have special learning needs. A referral can be made by a parent, a teacher, or any staff member who has worked with the student. Children do not have to be in school to be referred.

Appendix B

RELATED SERVICES—Support services designated in a student’s IEP that are required to help a child benefit from educational resources.

SOCIO-CULTURAL EVALUATION—(See Evaluation.)

SECTION 504—A federal statute in the Rehabilitation Act of 1973 designed to eliminate discrimination on the basis of a disability in any program or activity receiving federal financial assistance. In accordance with Section 504, a qualified student with a physical or mental impairment that substantially limits one or more major life activities shall not, on the basis of that disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination in any program or activity offered by Fairfax County Public Schools (FCPS). Qualification under Section 504 may result in the development of a 504 plan that specifies the adaptation, accommodations, and modifications that a student may need to participate in programs and activities offered by FCPS.

SPECIAL EDUCATION—Specially designed instruction, at no cost to the parent, to meet the unique needs of a child with disabilities, including classroom instruction, instruction in physical education, home instruction, and instruction in hospitals and institutions. The term also includes speech therapy or any other related service and vocational education if these services consist of specially designed instruction at no cost to the parent.



STANDARDS OF LEARNING (SOL)—

The outline of the basic knowledge and skills that Virginia students will be taught in grades K–12 in the four essential academic subjects of English, math, science, and social studies.

STATE EDUCATION AGENCY

(SEA)—The state agency responsible for the implementation of school programs (e.g., Virginia Department of Education).

TRANSITION PLANNING GUIDE—A

written plan designed to help plan for the student’s transition from school to life in the community. It includes career interests and goals; interpersonal, social, self-advocacy, and independent living skills; and courses and resources to meet goals and is the final link for students completing school. A transition plan becomes part of a student’s IEP during eighth grade or when the student is 14 years of age, whichever comes first.

Appendix C

Relevant Acronyms

A list of acronyms relevant to public education in the State of Virginia and Fairfax County Public Schools (FCPS).

2E	Twice-Exceptional	DX	Diagnosis
504	A section of the Rehabilitation Act of 1973	ECSE	Early Childhood Special Education
AAC	Augmentative and Alternative Communication	ECIDS	Early Childhood Identification and Services
ABA	Applied Behavioral Analysis	ED	Emotional Disability
ACSD	Advisory Committee for Students with Disabilities	ESOL	English Speakers of Other Languages
ADA	Americans with Disabilities Act	ESY	Extended School Year
ADD	Attention Deficit Disorder, now replaced by "ADHD predominantly inattentive type"	FAPE	Free Appropriate Public Education
ADHD	Attention Deficit Hyperactivity Disorder	FBA	Functional Behavioral Assessment
APD	Auditory Processing Disorder	FCPS	Fairfax County Public Schools
ASD	Autism Spectrum Disorder	FERPA	Family Educational Rights and Privacy Act
ASL	American Sign Language	FOIA	Freedom of Information Act
ATS	Assistive Technology Services	HI	Hearing Impairment
AYP	Adequate Yearly Progress	IAES	Interim Alternative Education Setting
BCD	Basis for Committee Decision	ID	Intellectual Disability (replaces MR)
BD	Behavior Disorder	IDEA	Individuals with Disabilities Education Act
BIP	Behavior Intervention Plan	IEE	Independent Educational Evaluation
CAPD	Central Auditory Processing Disorder	IEP	Individualized Education Program
CSA	Comprehensive Services Act	ISP	Individualized Services Plan
CSB	CSB Community Services Board, Fairfax-Falls Church	IQ	Intelligence Quotient
CST	Child Study Team	KIT	Keep in Touch
CTS	Career and Transition Services	LD	Learning Disability
DD	Developmental Delay	LEA	Local Education Agency
DRS	Department of Rehabilitative Services	LEP	Limited English Proficiency
DSM-IV-TR	Diagnostic and Statistical Manual, Fourth Edition, Text Revision	LRE	Least Restrictive Environment
		LSC	Local Screening Committee
		MD	Multiple Disabilities
		MDR	Manifestation Determination Review

Appendix C

MDT	Multidisciplinary Team	SEA	State Education Agency (in Virginia, the Virginia Department of Education)
MR	Mental Retardation (now ID)	SSEAC	State Special Education Advisory Committee
NCLB	No Child Left Behind Act of 2001	SI	Sensory Integration
NVLD	Nonverbal Learning Disability	SLD	Specific Learning Disability
OCD	Obsessive-Compulsive Disorder	SLI	Speech-Language Impairment
ODD	Oppositional Defiant Disorder	SLP	Speech-Language Pathologist
OHI	Other Health Impairment	SOL	Standards of Learning Test
OI	Orthopedic Impairment	SP/L; S/L	Speech Language
OSEP	Office of Special Education Programs, U.S. Department of Education	SPD	Sensory Processing Disorder
OSERS	OSERS Office of Special Education and Rehabilitative Services, U.S. Department of Education	SPED	Special Education
OT	Occupational Therapist	TBI	Traumatic Brain Injury
PAC	Preschool Autism Class	T/TAC	Training/Technical Assistance Center
PBA	Positive Behavior Approach	USDOE	United States Department of Education
PDD	Pervasive Developmental Disorder (sometimes used as a synonym for Autism Spectrum Disorder)	VAAP	Virginia Alternative Assessment Program
PE	Physical Education	VDOE	Virginia Department of Education
PECS	Picture Exchange Communication System	VGLA	Virginia Grade Level Alternative Program
PDC	Preschool Diagnostic Center	VMAST	Virginia Modified Achievement Standards Test
PLOP	Present Levels of Performance	VI	Visual Impairment
PRC	Parent Resource Center	VR	Vocational Rehabilitative Services
PSL	Procedural Support Liaison	VSDB	Virginia School for the Deaf and Blind
PT	Physical Therapist	VSEP	Virginia Substitute Evaluation Program
PTSD	Post-Traumatic Stress Disorder		
PWN	Prior Written Notice		
RTI	Response to Intervention		
SD	Severe Disability		

Appendix D

Accommodations and Modifications

Parents often hear the terms “accommodations” and “modifications” but may not be certain as to exactly what they mean and how they can become a part of a student’s individualized education plan (IEP). Parents may also have questions about accommodations that can be included on a 504 plan.

- **Accommodations** are practices, supports, or services provided to help a student access the curriculum and validly demonstrate learning. Accommodations are provided in the areas of presentation, response, setting, and timing and/or scheduling to support equitable access during instruction and assessments for students with disabilities. Examples are preferential seating, extended time to complete assignments or take tests, graphic organizers, and/or use of books on tape. Accommodations are intended to lessen the impact of the student’s disability on his or her educational achievement and are individualized and based on the needs of the student.
- **Modifications** refer to changes made to curriculum expectations in order to meet the needs of the student. Modifications may be minimal or very complex depending on the student’s performance. Modifications must be clearly acknowledged in the IEP.

Below is a list of accommodations and modifications. The Parent Resource Center has additional information regarding accommodations and modifications to meet the needs of students with disabilities.

▸ Assignments

- Reduced level of difficulty
- Shortened assignments
- Extended time to complete assignments

▸ Materials

- Electronic text and materials
- Highlighted text and materials
- Manipulatives
- Braille materials
- ESL materials
- Calculator
- Access to a keyboard or word processor
- Keyboard modification
- Large print
- Assistive technology
- Place keeper
- Assistive listening device
- Graphic organizers
- Bilingual dictionary
- Access to audio materials
- Magnifying glass
- Spelling aids

▸ Testing

- Scheduling
- Setting
- Presentation
- Response

▸ Instruction

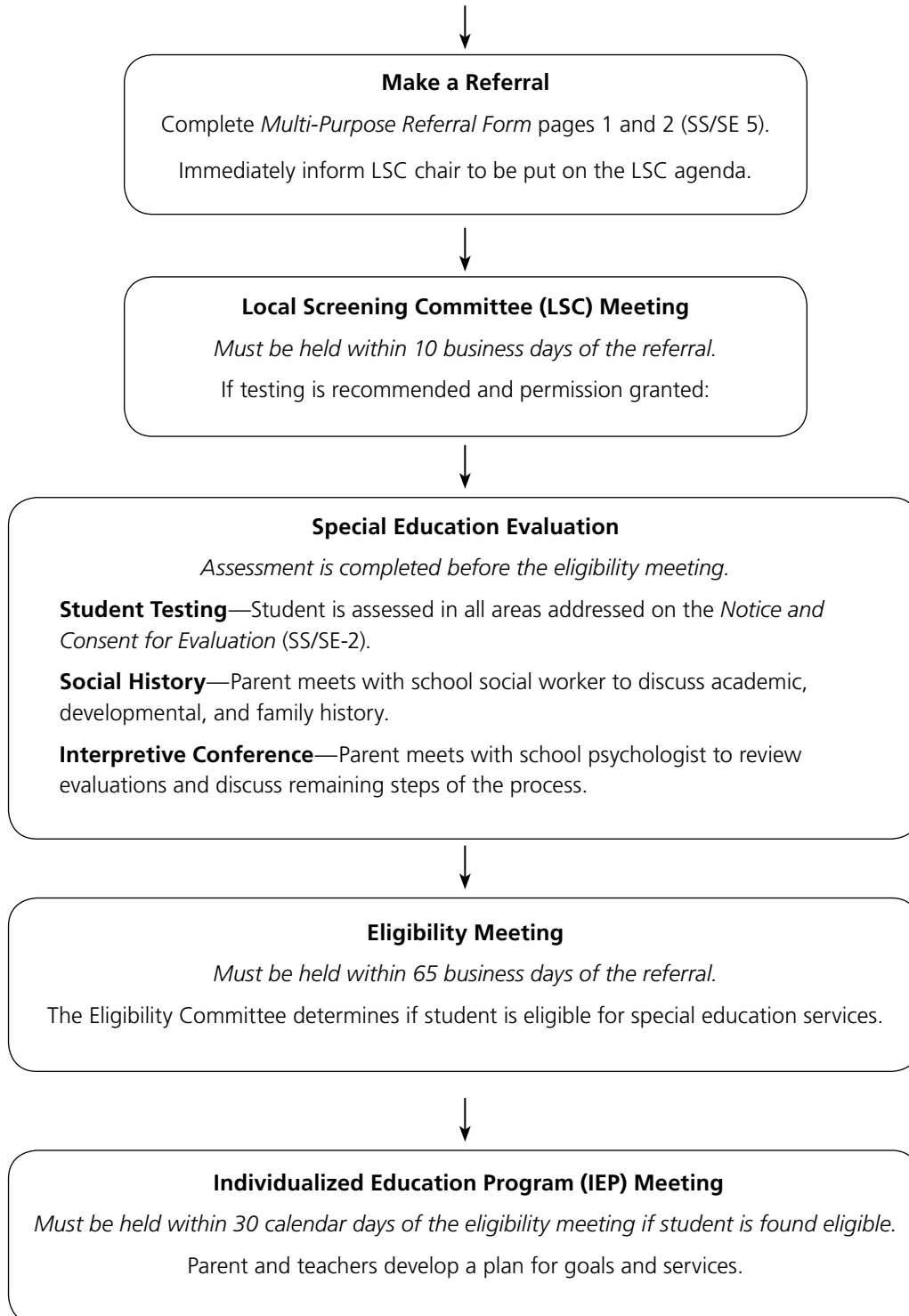
- Shortened instructions
- Use of an assignment book
- Oral exams
- Individual and small-group instruction
- Taped lectures
- Reduced language level and/or reading level
- Peer tutoring or a paired working arrangement
- Use of tape recorder for pre-writing
- Reduced paper/pencil tasks
- Dictation to a scribe

▸ Behavior

- Positive reinforcement
- Frequent breaks
- Clearly defined limits and expectations
- Behavior intervention plan

Appendix E

Special Education Referral to Eligibility Meetings and Timeline



Fairfax County Public Schools

Fairfax County, VA

Department of Special Services

<http://www.fcps.edu/dss/>



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