

# Special Education

HANDBOOK FOR PARENTS



This version of the Special Education Handbook for Parents has been developed in consultation with a committee composed of Fairfax County Public Schools principals, central special education administrators from departments and offices to include: Instruction, Procedural Support, School Psychology Services, Multiagency, Section 504, Career and Transition, Family Resource Center (FRC) as well as parents.

The Department of Special Services expresses appreciation to the committee whose knowledge, experience, and expertise contributed materially to this handbook.

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## Foreword

The Individuals with Disabilities Education Improvement 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 aged 2 through 21 who need such services and reside in Virginia be identified and evaluated and have available a FAPE. Fairfax County Public Schools (FCPS) is responsible for the provision of special education services for eligible students.

The cornerstone of federal special education law is the requirement that parents are invited to be active participants in determining the services that will appropriately address the special education needs of their child. 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 students with disabilities.

This handbook is intended to help parents, educators, and students with disabilities work together for the common goals of successful learning and outcomes for children. 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. For additional information and support, contact the Office of Special Education Procedural Support (OSEPS) at 572-423-4290; the Family Resource Center (FRC) at 703-204-3941; or visit the website <https://www.fcps.edu/resources/family-engagement/family-resource-center>.

You may contact the staff at your local school, regional office, your procedural support liaison (PSL), the Family Resource Center (FRC), staff members in the Department of Special Services (DSS), or community support groups such as the Advisory Committee for Students with Disabilities (ACSD).

Call the FRC at 703-204-3941 if you would like to receive a hard copy of this handbook.

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## Fairfax County Public Schools

### Our School System...

- is the largest school division in the state of Virginia
- is the 10th largest school district in the United States
- educates more than 188,000 students
- provides special education services to more than 267,000 students
- manages more than 198 schools and centers.

### Neighborhood Base School

Newcomers to the county can go to <https://www.fcps.edu/schools-centers> to find out which schools serve their home address. School assignment is determined by residence address. Visit the boundary (attendance area) locator, <http://boundary.fcps.edu/boundary/> to determine the school assignment for your address. School boundaries are reevaluated each year and may be adjusted. School boundary information is provided for the current school year only. For any address located in a new development, contact the Office of Facilities Planning Services at 571- 423-2330 to verify school assignment.

Parents will find information regarding how to register their child online at: <https://www.fcps.edu/registration>. Special education services are provided at the neighborhood base school unless the student's individualized education program (IEP) requires a different placement and location. Registration for students, including students with special needs, takes place at their neighborhood base schools.

### Student Registration Welcome Centers

Student Registration Welcome Centers are conveniently located at the following locations. You may contact the location closest to you for a student registration appointment. There are bilingual registrars available to assist with the registration process.

Dunn Loring Center  
2334 Gallows Road,  
Dunn Loring, VA 22027  
Phone: 703-204-6740  
8 a.m. to 4 p.m. weekdays  
Information for legal  
guardians: 703-204-6744

Herndon Center  
455 Springpark Place, Suite  
200,  
Herndon, VA 20170  
Phone: 703-227-2270  
8 a.m. to 4 p.m. weekdays

South County Center  
8333 Richmond Highway,  
Alexandria, VA 22309  
Phone: 703-742-4900  
8 a.m. to 4 p.m. weekdays



Register with one of our three centers (mentioned above) if the following applies to you:

- Kindergarten students registering after the beginning of the school year who have a language other than, or in addition to, English on the Home Language Survey.
- Grades 1 through 12 students who have a language other than, or in addition to, English on the Home Language Survey.

Depending on circumstances (foster care, homelessness, acceptable circumstances of legal guardianship, etc.), registration will take place at either the local school or a Student Registration Welcome Center. Please see Special Registration Situations. (See Home Instruction for the option of home schooling your child.)

At a Student Registration Welcome Center, professionals may assess your student's English language proficiency and/or educational level conduct additional assessments to inform course placement. These assessments can provide valuable information to the local school and support your child's instructional needs.

### Division Superintendent and Central Administration

FCPS Superintendent, Michelle Reid, is advised by a Leadership Team comprised of a deputy superintendent, chief operating officer, chief equity officer, chief academic officer, chief information officer, division counsel, director of operations, and assistant superintendents of five departments. Regional assistant superintendents and executive principals also serve on the Leadership Team; others serve or attend Leadership Team meetings at the discretion of the Superintendent.

### The Region Offices

FCPS is organized into six regions. Each region has an assistant superintendent and two executive principals. Each region consists of three to five pyramids. A pyramid consists of a high school and all its middle and elementary feeder schools.

### The Department of Special Services (DSS)

DSS consists of four offices. The director in the Offices of Special Education Procedural Support, Intervention and Prevention Services, Operations and Strategic Planning, and Special Education Instruction and their staff members (coordinators, program managers, specialists, procedural support liaisons (PSL), school psychologists, resource teachers, school social workers, interpreters, et al.) report to the assistant superintendent of DSS.

Parents are encouraged to contact the 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 Office of Special Education Procedural Support webpage. <https://www.fcps.edu/academics/academic-overview/special-education-instruction/special-education-procedural-support-1>

The DSS offices are currently located at the Willow Oaks Administrative Center, 8270 Willow Oaks Corporate Drive, Fairfax, VA 22031 or the Gatehouse Administrative Center at 8115 Gatehouse Road, Falls Church, VA 22042. Staff members in the central offices of DSS plan and coordinate special education service delivery on a division wide basis. Staff members assigned by pyramids are responsible for coordinating and monitoring the complex special education procedures required by federal and state laws and regulations.

### Fairfax County School Board

An elected 12-member School Board and one nonvoting student representative govern FCPS. The School Board meets at Luther Jackson Middle School. Additional information can be found on the school board webpage. <https://www.fcps.edu/school-board>.

To communicate with the School Board or to obtain information about School Board procedures, call the clerk of the School Board or the School Board administrative assistant at 571-423-1075 or contact a member of the School Board via email at [SchoolBoardMember@fcps.edu](mailto:SchoolBoardMember@fcps.edu).

### Advisory Committee for Students with Disabilities (ACSD)

The School Board appoints local citizens as members of the Fairfax County ACSD. The ACSD advises the School Board through the Division Superintendent about special education policies, procedures, and services. Interested citizens are encouraged to express their views to the committee by providing written or oral input. The ACSD fulfills the Virginia regulatory requirement for the school division to have a special education advisory committee, known as the Special Education Advisory Committee (SEAC) in other school divisions. ACSD meetings are open to the public and citizens are encouraged to express their views, each month, during the Public Comment time in person, or in writing to the Committee at [ACSDchair@fcps.edu](mailto:ACSDchair@fcps.edu). The ACSD meets on the second Wednesday of the month; excluding July and August. There is one School Board member assigned as the School Board liaison each year and the staff liaison is the director of the Office of Special Education Instruction. For more information, contact the staff liaison at 571-423-4100, email the ACSD President and Vice President at [ACSDchair@fcps.edu](mailto:ACSDchair@fcps.edu), or see the ACSD website <https://www.fcps.edu/committee/advisory-committee-students-disabilities-acsd>.

### Special Education Parent Teacher Association (SEPTA)

The SEPTA is an additional parent run organization to the local school PTA. SEPTA encourages parents, students, and professionals to connect and support one another; fund, sponsor, provide special trainings; and understand and navigate the special education system. The Fairfax County SEPTA has a mission that states, "Empowering and connecting families, students, and educators to ensure students with disabilities develop their full potential as individuals and community members." Additional Information about the SEPTA can be found by accessing their website [www.fairfaxcountysepta.org](http://www.fairfaxcountysepta.org) or emailing [info@FairfaxCountySEPTA.org](mailto:info@FairfaxCountySEPTA.org).



## Family and Student Ombuds

The FCPS Office of the Ombuds is an independent, confidential resource for students, families, and community members, offering informal help to resolve concerns, problems, complaints, and other student-related issues. If you have a question or concern and you do not know where to begin your advocacy, the ombudsman may be able to help. The ombudsman or the ombudsman specialist for special education will listen, review, and provide resources for information and referral; serve as a neutral advocate for fairness, equity, inclusion, consistency; and foster positive working relationships.

If you would like assistance from the Office of the Ombuds, call 571-423- 4014, or send an e-mail to [ombuds@fcps.edu](mailto:ombuds@fcps.edu).

## Your Family's Special Education Rights

There are several ways that parents and families may obtain information about their child's education. "Your Family's Special Education Rights" identifies key parts of IDEA 2004, a federal law governing the education of students with disabilities. Individuals with Disabilities Act 2004 (IDEA) requires that families be informed of their special education rights, including how families and schools can resolve problems. The special education procedural safeguards document <https://www.fcps.edu/form/ssse-4-virginia-special-education-procedural-safeguard-requirements> is provided to parents at many different stages within the special education process. You may also access the safeguards document by going to the Virginia Department of Education (VDOE) website <https://www.doe.virginia.gov/programs-services/special-education/regulations-laws-policies>

## Special Considerations for Families

### Translation and Interpretation Services

Translation and interpretation 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 (for example, 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 FCPS documents related to special education are available from the Family Resource Center at 703-204-3941.

## Positive Behavior Approaches

All schools in Fairfax County public schools must design a positive behavior approach that enables learning environments that teach students to lead responsible, fulfilling, and respectful lives. Each school determines a plan for its students' social-emotional and behavioral learning. Two specific approaches, Positive Behavioral Interventions and Supports (PBIS) and Responsive Classroom<sup>®</sup>, have been promoted as practices used in the design of a school's Positive Behavior Approach.

## The Special Education Process

### What is Special Education?

IDEA 2004, 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, FCPS actively seeks to identify, locate, and evaluate those children residing in Fairfax County from birth to age 21, who need special education and related services. The VDOE defines special education as specially 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), an emotional disability, an orthopedic impairment, autism, a traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities who, by reason thereof, needs special education and related services.

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 understand how the special education process works, so they can effectively participate 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.

### Important Elements of the Special Education Process

#### Identification

If a parent, caregiver, teacher, or other concerned party suspects a child may have special learning needs, he or she may direct questions about identification of a learning problem or disability to the following offices or locations:

- Children aged birth to 36 months, questions related to identification may be directed to Infant and Toddler Connection (Fairfax County) at 703-246-7121.
- Preschool-age children (aged two through five), contact Fairfax County Public Schools Early Childhood Identification and Services/Child Find at 571-423-4121.
- School-age children, you may direct questions related to identification to your child's base-school principal.

## Referral

Federal law, including both Every Student Succeeds Act (ESSA) and IDEA 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 the process of intervening and identifying children through pre-referral intervention and support services.

If there are concerns that early intervention services have not adequately helped your child and/or you suspect that he or she may have a disability and needs special education services, a referral to the local screening committee (LSC) can be made at your child's school. The LSC is the team that reviews referrals related to the special education process. This referral may be submitted by parents, school staff, or anyone with a vested interest in your child.

Referrals can be made to any staff member at school and can be made in written, electronic, or oral format. Referrals can be made through the use of the Multi-Purpose Referral (SS/SE-5) form which parents or school staff may be asked to complete. <https://www.fcps.edu/form/ssse-5-multipurpose-referral>. Provide all requested information and attach copies of any documentation that you feel supports your concerns (for example, outside evaluations, work samples, and doctor's reports). You may wish to keep a copy of the referral for your records. Assistance may be requested from your school, if needed, to complete the referral process.

Students do not have to attend public school to be referred. In FCPS, referrals for school-age students are received and reviewed by the 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.

### **LSC Meeting**

Each school has an LSC which:

- Reviews records and other performance evidence of student's referrals to make recommendations to meet the students' educational and behavioral needs and/or determine whether an evaluation for special education is warranted.
- Determines assessments that are required if an evaluation is warranted.
- Obtains informed written consent from parent(s).
- Forwards the completed assessments to the eligibility committee for determination of eligibility for special education services.

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 staff members who could contribute to the committee. The LSC reviews referrals for special education within 10 business days from the receipt of the referral, 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.

The school will send a written invitation to attend 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 to evaluate your child for special education. You may bring guest(s) with you to the meeting to provide input regarding your child or to provide support to you. If so, you will be asked to provide consent for release of your child's confidential information during the meeting.

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 to clarify your child's needs and then reconvene at a later date. The LSC committee may develop a plan and/or strategy to help your child within the regular classroom setting and determine that evaluation for special education services is not warranted. You will be informed in writing of this decision of the LSC committee.

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. 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 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.
- Be prepared to discuss strategies, both in and out of school, to help your student, and if they were or were not successful.

- If the LSC proposes to evaluate your student, note the areas that are to be assessed and seek clarification, if necessary.
- A member of the LSC team will be taking notes during the meeting. You will be provided with a copy of the *Local Screening Committee Report* at the conclusion of the meeting.
- Your child can also participate in LSC to provide input as to his or her strengths and challenges.

## Evaluation

If the LSC determines that an evaluation for special education is warranted for your child, the school system must receive informed written consent from a parent before his or her child can be evaluated. The evaluation process must be completed within 65 business days from the date of the referral. If the student is currently eligible for special education, the school system must complete a reevaluation every three years. Informed parental consent is required before conducting any reevaluation of a child with a disability.

Regulations require that students be assessed in all areas of suspected disability. The evaluative process may include psychological, sociocultural, educational, and other assessments as appropriate.

If you have a concern about a specific skill area, you may request consideration of an assessment of that skill. It is up to the LSC to determine which evaluations are needed in order to meet the requirement for an evaluation that identifies all the student's special education needs. 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 your child's speech and language abilities, gross and fine motor skills, hearing, and/or vision.

Members of the LSC can help you identify ways to talk with your child about his or her upcoming evaluations. If conditions exist that may affect your student adversely on certain days (for example, if your child has a cold or allergies, or if your child missed taking daily medication the day of testing), let the school know so the evaluators can reschedule the testing if necessary.

When the evaluations have been completed and before the eligibility committee meeting, school personnel (usually the school psychologist) will schedule an interpretive conference with you to review and discuss the results of the testing. In order to help the student succeed, it is important that you understand the results of the testing in terms of your student's strengths and weaknesses, learning style, and the impact on their child's performance in the classroom. If you disagree with the evaluation, you have the right to request an Independent Educational Evaluation (IEE). You can contact the Due Process and Eligibility office at 571-423-4470 for more information.

During the interpretive conference, (offered 3 or more days before the eligibility meeting) the staff member can discuss the criteria related to special education; however, only the eligibility committee can decide about your student's eligibility for special education. Evaluation reports must be made available to parents three days prior to the eligibility committee meeting.

## Eligibility

Once the evaluation team has completed its assessments, the school will schedule an eligibility meeting. The school will notify you in writing as to the date, time, and location of the meeting. Eligibility committee meetings are usually held at the school the student attends.

The eligibility committee is comprised of FCPS professionals that are knowledgeable about the suspected area(s) of disability, one of whom should have either assessed or observed the student. Parents are also integral members of the team and are encouraged to attend and participate in the eligibility meeting. 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. Parents and school staff members may invite people who can provide additional information about the student.

### Preparing for the Eligibility Meeting

- Review the evaluation reports 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 Decision* forms, located in Appendix A, to help you understand how eligibility determinations are made.
- Prepare a list of any questions you have for the committee.

At the eligibility meeting, the school psychologist and/or other team members will usually begin by reviewing the LSC referral concerns and then summarizing the results of the evaluations. 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 services. The committee will make this decision 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 in Appendix A of this handbook.

To be found eligible for special education services, the eligibility committee must find that your child meets ALL the criteria listed on 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. For students who are already eligible for special education services,



parental consent is required for any changes to eligibility, such as a change in eligibility category or ineligibility.

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

- That your child meets all the criteria for one of the 14 categories of disabilities, and an IEP meeting will be scheduled within 30 calendar days.
- 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 LSC for consideration under Section 504.

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 an applied studies 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 or advanced diploma are no longer eligible to receive special education services after graduation.

## Reevaluation

The reevaluation process applies to students who have previously been identified as being eligible as a student with a disability. A reevaluation process must be conducted every three years, at a minimum, and is initiated in sufficient time to complete the process before the three-year anniversary of the previous eligibility determination.

The team members, including the parent(s), review existing evaluation data related to the student. The student may attend this meeting, as well as any guest(s) invited by the parent(s). The evaluation data may include information provided by the parent(s), student, 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.

### **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.
- Be prepared to discuss your concerns about your child's progress in school.

- Review the BCD forms for each area of disability, which can be found in Appendix A to help you understand how eligibility determinations are made.
- List any questions you have for the committee.

Based on 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 services. If no additional data is needed, the eligibility committee can move forward and determine eligibility. If it is agreed that no new evaluations are needed and the required eligibility committee members are present at the meeting, an eligibility determination can be made at that time.

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

### Dismissal/Termination of Special Education Eligibility

Dismissal 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 the student. The committee considers and determines whether or not the student continues to qualify as a student with a disability. Written, informed parental consent is required before dismissal and termination of special education service occurs.

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

### Disability Categories

The 14 disability categories are briefly defined below (Virginia Department of Education, 2019):

**Autism:** means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, which adversely affects a student'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 student's educational performance is adversely affected primarily because the child has an emotional disability. A student 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 students with deafness or students 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 student'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 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, adaptive development, or 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 a student's 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 students who are socially maladjusted, unless it is determined that they have 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 student'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 student'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; environmental, cultural, or economic disadvantage; and/or limited English proficiency).

**Multiple Disabilities:** means simultaneous impairments (for example, intellectual disability with blindness or intellectual disability with an orthopedic impairment), the combination of which causes such severe educational needs that they 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 student's educational performance. The term includes impairments caused by congenital anomaly (for example, club foot, absence of some member), impairments caused by disease (for example, poliomyelitis, bone tuberculosis), and impairments from other causes (such as, cerebral palsy, amputations, fractures or burns that cause contractures, etc.).

**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 student'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/Language Impairment:** means a communication disorder such as stuttering disorder, impaired articulation, expressive language and/or receptive language impairment, or voice impairments that adversely affects a student's educational performance.

**Traumatic Brain Injury:** an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability, psychosocial impairment, or both, that adversely affects a student'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, psychosocial behavior, physical functions, information processing, speech, and sensory, perceptual, and/or motor abilities. The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.

**Visual Impairment:** means impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

## The IEP

### **IEP Development**

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 (and, for some students, objectives that lead to these goals) based on the student's present level of academic and functional performance. The IEP specifies the educational placement and setting where the special education services will be delivered and describes the related services and accommodations 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 tool for planning and managing the student's special education program. The IEP is a process that provides 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 interests of the student. Since parents are members of the team, it is important that you understand the process and take an active role in developing the IEP. Parental 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.

The IEP describes what your child needs to learn in order 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 (see below for a detailed description of LRE). The IEP must be reviewed and rewritten at least once a year, though 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: Common Misconceptions**

The IEP is not a daily lesson plan. It specifies what your child will need to learn over the course of a year's time, but it will not spell out everything that a teacher will do to help your child learn. It will not take the place of the lesson plans that teachers write on a daily or weekly basis.

The IEP is not a contract. The IEP describes the types of specialized instruction and services the IEP team has agreed your child needs, yet it is not a guarantee that these interventions will lead your child to meet all of the goals articulated in the IEP. If you review the IEP and feel that the interventions have not been successful, contact your child's teacher or the school team. Remember that an IEP team can be reconvened at any time.

## Characteristics of an Effective IEP

- It is comprehensive. It specifies the disability or disabilities impacting your child's performance and services that your child will receive.
- It is specific. Goals (and objectives, if required) are based on the student's present level of functioning and academic performance.
- It is sequential. It is designed to help students acquire the same developmental or functional skills, in a similar sequence, as their non-disabled peers.
- It is based on present levels of performance. Goals and objectives fit the student's current level of functioning and growth rate.
- It is understandable. It is written in language that is understood by both parents and professionals.
- It is developed collaboratively. It represents consensus among parents, the student (when appropriate), and school personnel.
- It is measurable. Progress on goals and objectives can be measured objectively.

## Parts of the IEP

The IEP has several different sections. Among them are:

- **Cover page:** lists the members of the IEP team participating in the meeting. Members sign this page to document their attendance and participation in the meeting.
- **Transition:** for students who will be 14 years of age and older during the life of the IEP, a statement of transition services which enables the student to move from the school to the community after graduation. In FCPS we ensure this is done no later than eighth grade. For students aged 17 (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 present level of academic and functional performance (PLOP):** includes a statement about the academic and functional strengths of the student and indicates the student's current area(s) of need. In FCPS, there is a PLOP IEP 309, used for specific, brief documentation of specific information, if needed as well as statements that relate to each area of need and goal on the individual goal IEP pages. The PLOP elaborates on how the student's learning needs impact his or her involvement and progress in the general education curriculum. There should be a direct relationship between the PLOP and other components of the IEP. If, for example, the testing indicates deficits in specific areas, those areas should be addressed in the IEP. If a goal is included in the IEP, it should be connected to the information documented in the PLOP.



- **Annual goals and short-term objectives:** state what the student can reasonably be expected to accomplish in specific areas 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?* Goals should be written to address the unique needs of the student, not to describe the specific program in which the student will participate. Goals must be measurable. The IDEA states for most students, short-term objectives are not required. The IEPs of students who participate in alternative assessments, must include short-term objectives. Objectives describe the steps the student must accomplish in order to master each goal. A discussion and documentation of how the student's progress toward the annual goals will be measured is included. An IEP progress report for the goals is provided to parents quarterly, at the same time report cards are distributed.
- **Classroom accommodations:** provide students with disabilities the opportunity to access the curriculum and demonstrate achievement. Accommodations also provide access to nonacademic and extracurricular activities and educationally related settings. Accommodations may include but are not limited to, the areas of: timing, scheduling, setting, presentation and response, including assistive technology, and/or accessible materials. The IEP team will discuss possible accommodations and document them in the IEP based on student need. Classroom accommodations may also become testing accommodations.
- **Participation and individual accommodations during the administration of tests:** include information about the Virginia Standards of Learning (SOL) assessments and division wide assessments. If the IEP team determines that the student will not participate in all or part of these assessments, the IEP will include a statement of why the assessment is not appropriate for the student and alternative methods that will be used to assess the student. Testing accommodations can be chosen from the current classroom accommodations and are required to be provided on all classroom and state assessments as documented within the IEP. *It is critical that parents understand the state's testing requirements and diploma options.*
- **Least restrictive environment (LRE):** means that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational 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.
- **General education participation:** discussion should include consideration for participation in general education classes and/or subjects, assemblies, natural environment (early childhood special education only), recess (elementary school only), general education specials and/or electives, adult and/or community setting, hallways and/or transition, cafeteria, and other settings, as appropriate.
- **Special education and related services:** are the services and related services that will be provided to the student to help him or her advance toward progress in the IEP goals and general curriculum.

- **Placement:** is a discussion of placement options (the setting in which the student will receive his or her instruction) to include general education classes, special classes, public separate day school, private day school, state operated program, private residential school, home-based instruction, homebound services, etc. The IEP team should identify all that were *considered* as well as all that were *selected*.
- **Transportation:** includes travel to and from school and between schools and specialized equipment (such as special or adapted buses, lifts, and ramps) if required, to provide special transportation for a child with a disability.
- **Extended school year (ESY):** includes services provided to a student with a disability beyond the normal school year, in accordance with his or her IEP, when it has been determined the student requires the extended service.
- **Agenda:** lists all the components of the IEP which should be discussed during the IEP meeting.
- **Consent:** means that the parent(s) or eligible student understands and agrees, in writing, to the implementation of the IEP; parent(s) may sign “I agree,” “I disagree,” or note a partial agreement to components of the IEP. A partial agreement can be documented by signing “I agree,” but then writing a comment that clearly articulates the specific areas to which the parents agree and do not agree. Parents or eligible students should work with the school team or PSL in order to clearly document a partial agreement.

### **Additional Considerations**

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

- Functional behavioral assessment (FBA), in the case of a student whose behavior impedes the learning of a student with a disability or the learning of peers, is a process to determine the underlying cause of, or functions of, a child’s behavior.
- Behavior intervention plan (BIP), including positive behavioral interventions and strategies.
- Language and communication needs of a student with limited English proficiency or for a student who is Deaf or hard of hearing.
- The use of Braille for a student who is blind or visually impaired.
- Need or use of assistive technology devices and services.
- Statement of ESY services.

### *Timeline and Participation in the IEP Meeting*

The IEP team must meet within 30 calendar days after an eligibility meeting to develop the Individual Education Plan for the student. Following 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 (which includes the parent and/or eligible student) can meet to consider a request to amend the IEP at any time. The team can choose to meet to develop the amendments if the parents and school division agree however, the IEP may be amended without a meeting. Amendments 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 to the IEP. The IEP must be completed, and consent obtained before special education and related services can begin.

Additionally, 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 location that are mutually convenient for the parents and list the school division personnel who will attend. If the parents cannot attend the meeting, the school must use other methods to ensure parent participation and/or document why the parent has not participated. Parents may also participate by phone.

The IEP team must include the following regulatory required members

- One or both parent(s) who have been invited and choose to attend.
- A special education teacher.
- The school 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 is knowledgeable about the general curriculum and the availability of resources of the school system. This is the local education agency (LEA) representative.
- A general education teacher of the student (if the student is, or potentially 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 of sufficient age and development at their own IEP meetings. This helps students develop self-awareness about their particular learning styles and practice the self-advocacy skills they need to be successful in and out of 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. Consider accessing the VDOE self-advocacy resources located at <http://imdetermined.org/>.
- 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.

- In accordance with IDEA, parents and the school division may jointly excuse any required 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 obtained in writing using the FCPS designated form.

### *Strategies to Consider When Preparing for the IEP Meeting*

- Organize yourself on paper. You or your student may have already done this in preparation for the local screening or eligibility committee meetings. Give consideration to your student's areas of strengths and needs.
- If this is an IEP following an evaluation or reevaluation, review your copy of the evaluations. Read through the reports and note your child's strengths and weaknesses.
- List present level of functioning across various skill areas: academic, developmental, communication, fine and gross motor, emotional regulation, behavioral, interpersonal/social, self-help, and vocational skills.
- Summarize your results.
- Organize the results into areas of need, for example, reading, communication, or social skills.
- If this is an annual IEP that is not following an 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 to be addressed in new IEP goals.
- 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. This can also be done at the IEP meeting, but it may be easier to do so beforehand.
- Consider ideas for goals to address areas of need identified in the evaluation report.
- Ask for a draft copy of the IEP goals and objectives before the meeting. This will allow you time to read through them in depth and to make notes. If the draft does not address your areas of concern, contact the teacher. Remember that you are a valued member of the IEP team and should have a significant role in the IEP development.
- If you have questions to be resolved or issues of concern for one or two specific staff members, try to address them before the annual review meeting. You should have an

ongoing dialogue with your child's teacher throughout the school year so that issues can be resolved as they arise. Don't save your concerns for the annual review meeting 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 FCPS IEP forms, what they look like, and what information they include. You may view the IEP forms used in Fairfax County Public Schools at <https://www.fcps.edu/academics/special-education/forms>.
- Contact your child's teacher to discuss potentially observing your child in the classroom.

### *Strategies to Consider at the IEP Meeting*

- Bring a spouse, partner, or friend with you to the meeting to take notes and "be an extra set of ears" as meetings can be lengthy and review significant amounts of information. You will be asked to sign a release of information form for the records to protect confidentiality if you bring a guest who isn't a parent.
- You may request to audio record the IEP meeting. If you record the meeting, note that the school system will also have the right to do so. Only specific process related meetings (local screening, eligibility, IEP or Manifestation) may be audio recorded.
- With the staff, discuss how much progress has been made on goals from the last IEP, which goals will need to be continued, with modification or revision, and identify any new areas of need. You may want to see documentation 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.
- Your consent is required for initial special education services; however, you may sign in "partial agreement" to some services and disagree with others. In this case, parents may sign on the consent line that they agree and then add a comment about which service(s) they agree and/or disagree to and with what exceptions.
- If you need more time to consider the proposed IEP, let the staff know that you would like to take it home for review.
- Do not sign an IEP with which you do not feel comfortable. You could 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 care to do so, and then try again to resolve your differences with the school staff. For example, the 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, ask to pause and take a break in the meeting. Or you may 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 calm.
- If you do not agree with the IEP and cannot reach consensus with the rest of the team, sign that you disagree and discuss ways you might wish to attempt to resolve concern, or appeal the recommendation with the PSL. For information on how to appeal a decision, please see the section of the handbook titled The Appeals Process or contact the Office of Due Process and Eligibility at 571-423-4470.



## Additional Elements of Special Education

### Least Restrictive Environment (LRE)

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 appropriate curriculum that allows for progress toward their IEP goals.

FCPS IEPs specify the special education services your child receives, as well as the general and/or special education setting in which those services are delivered.

A full range of service options is available to implement your child's IEP in accordance with the principle of LRE. The term "least restrictive environment" refers to the setting determined by the IEP team to give your child as much contact as possible with general education peers while meeting his or her unique educational needs.

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.

LRE also means special classes, separate schooling, or placement of the student in an environment outside of the general education classroom only when the nature or severity of the disability is such that education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily. Supplementary aids and services may include such things as aids, services, and other supports provided in general or other education settings to enable students with disabilities to be educated with their peers to the maximum extent appropriate.

### 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 (34CFR300.24). Related services are specialized services and could include speech, occupational or physical therapy, counseling, or orientation and mobility services, to name a few, that the IEP team may determine are necessary for a student with a disability to successfully participate in his or her special education program. Related services should be provided in the least restrictive and natural environments of the classroom and other educational settings. They should be directly related to special education 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 child'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:** School social workers, school psychologists, and school counselors may provide counseling services. School social workers provide individual and group counseling to students, using evidence-based practices and programs to develop social- emotional competencies, foster resiliency, and cope with crisis situations and conflicts. School psychologists implement evidenced-based techniques and curricula to foster social skills, address mental health concerns, and enhance self-regulation skills. The school counselor is an integral part of the total school program.
- **Occupational Therapy:** School-based occupational therapists assist students and their teams by addressing areas of need that impact their ability to access, participate in, and benefit from school occupations, tasks, roles, and routines within the school setting and educational program.
- Occupational therapy services in the school setting support students who require additional specialized interventions so that the student can participate in his or her educational program.
  - Occupational therapists work closely with the student, teachers, school staff, and the family to assess the needs of the student and develop plans that will help him or her access and participate in instructional programs and school environments.
  - Occupational therapists provide evidence-based expertise and work collaboratively with the student's team to assist in the identification and provision of interventions, modifications, accommodations, specialized supports/strategies, and adapted equipment related to the underlying performance skills needed to participate in learning, life skill, and social occupations in the school environment.
  - Occupational therapists suggest ways to modify the educational environment to meet the needs of the student and provide access to instruction and educational activities.
- **Orientation and Mobility:** Certified teachers provide instruction in orientation and mobility to instruct the blind or visually impaired student in the development of skills and knowledge that enables him or her to travel safely and independently within the home, school, and community.
- **Parent Counseling and Training:** These services help parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP. Some examples may be to provide information about child development, behavior interventions, speech and language or assistive technology techniques.
- **Physical Therapy:** School-based physical therapists assist students and their teams by addressing needs that impact the student's ability to access instructional programs and school settings. Physical therapy services in the educational setting support students who require additional specialized interventions so that the student can access, participate in, and maximize opportunities for independent functioning in the school environment.
  - Physical therapists work closely with the student, teachers, school staff, and the family to

assess, support, and develop plans that address the student's needs to access instructional programs.

- Physical therapists provide evidenced-based expertise and work collaboratively with the student's team to assist in the identification and provision of specialized interventions, modifications, accommodations, and individualized supports related to motor skills in the school setting that support the student's participation in his or her educational program.
- Physical therapists make recommendations regarding environmental adaptations or equipment needed by the student to access instruction and educational activities.
- **Employment and Transition Services:** Employment and Transition representatives (ETRs) offer instruction, community experiences, employment supports, and transition assessment to promote career and college readiness in accordance with IDEA and the district's Portrait of a Graduate initiative. ETRs are assigned to all FCPS high schools, secondary special education centers, and some of the nontraditional school programs. ETR support is given to students who have been found eligible for special education services and whose IEP team has determined that this level of support would benefit the student either on an intermittent basis or a more intensive, ongoing basis.

Identifying employment and transition service needs often begins with a conversation with the student, the student's parents, and school personnel about the student's education, career, and adult living goals. Services and support are then determined by the IEP team and are individualized based upon those needs. Although emphasis is given to juniors and seniors, freshman and sophomores may also receive this support.

- **Speech and Language:** The school-based speech-language pathologist participates in the prevention, identification, assessment, evaluation, eligibility determination, treatment plan development, and treatment management of those students with disorders in the areas of speech and language. 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. School-based speech-language services 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 supports for successful participation and communication in the educational setting. Based on a variety of factors, including but not limited to, the type or severity of the weakness, the impact on the student's ability to access the curriculum or effectively manage social interactions, and the focused integration of services with educational experiences, speech-language services are designed and delivered to best meet the individual student's needs.
- **Transportation:** FCPS offers travel to and from school and between schools and may include the provision of specialized equipment, accommodations, and/or supports as required to provide transportation for a student with a disability.

### Additional 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 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 multidisciplinary 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. Students may be serviced by itinerant services for students attending the base schools and intensive services in three modalities in three center programs. Students may receive supports in three instructional modalities: auditory and/or 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. Students may be serviced by itinerant supports for students attending their base school in addition to the option for center based VI programs. Programming is designed to provide specialized instruction and resources to teachers and students that include 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.

## 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 to provide 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. 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 when the child with a disability's educational 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:

- **Critical Life Skills** include 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.

Any student 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:

**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.

**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

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 IDEA 2004 to create a general education setting for delivery of ESY services.

ESY services are provided in multiple FCPS school buildings. The site location changes each year and students are assigned to specific early childhood, elementary, and secondary sites based on geographic areas. Specific ESY dates and bell schedules change each year and are shared with staff and parents upon confirmation by the school division. If your child requires ESY services, FCPS transportation is offered.

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 later, 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 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*: <https://www.doe.virginia.gov/programs-services/special-education/technical-assistance-professional-development/technical-assistance-guidance>.

## 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.”

ATS, a section within the Office of Special Education Instruction, DSS, 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. Some examples of AT students use are test to speech software, assistive augmentative alternative communication device and word prediction software. Parents who



feel their child would benefit from the services provided by ATS can discuss their concerns with their child's classroom teacher. Learn more about ATS by going to the ATS website at: <https://www.fcps.edu/academics/academic-overview/special-education-instruction/assistive-technology-services-ats>

Additional information about AT and state requirements can be found at the VDOE site: <https://www.doe.virginia.gov/programs-services/special-education/iep-instruction/assistive-technology>

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

## Positive Behavior Approaches

Positive Behavioral Interventions and Supports (PBIS) 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 PBIS 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 can 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<sup>©</sup> approach is based upon the premise that students learn best when they have both effective academic and social skills and includes classroom and schoolwide practices. Individual teachers are trained and come together as a school community for whole school implementation. Ten teaching practices (for example, Morning Meeting, Rule Creation, Interactive Modeling, Positive Teacher Language, Logical Consequences, Guided Discovery, Academic Choice, Classroom Organization, Working with Families, and Collaborative Problem-Solving) are the hallmark of this approach.

## Behavior Intervention Services

Behavior Intervention Services provides comprehensive behavior intervention and support to school teams for students receiving general and special education services. Services are provided for students in pre-k through grade 12. Each of the five regions within Fairfax County Public Schools has been assigned behavior intervention teachers who provide behavior support and intervention services to individual schools. Under the supervision of the program manager and the guidance of the school principal, the behavior intervention teachers provide assistance to schools on the design and implementation of behavioral prevention and intervention strategies and support services.

Behavior Intervention Services is committed to:

- Providing collaborative behavioral support to teachers and school teams to help build capacity to meet the needs of a broad range of students.



- Providing professional development opportunities for school staff in the design and implementation of research-based behavior strategies.
- Building collaborative partnerships with parents by providing workshop opportunities and bridging the home and school environments.
- Assisting school teams in the development, collection, and analysis of data to provide informed, effective behavioral programming for students
- Providing school teams with student crisis intervention support.
- A three-tiered approach to behavior support is maintained by the schools so as to provide a continuum of interventions, and Behavior Intervention Services provides support at all tiers along this continuum.

### Applied Behavior Analysis

Applied behavior analysis (ABA) is the application of behavioral principles to shape behaviors and teach new skills. Behaviors are observed and analyzed to determine their function. The antecedents and consequences (events preceding and subsequent to the behavior) are analyzed and manipulated in an effort to shape or change behavior. Skills are broken down into small, discrete steps and taught systematically. In designated classrooms, ABA is used to modify behaviors, teach new skills, and prepare students to function as independently as possible.

PreK-12 ABA staff provide ongoing training and direct support to school staff to enhance the delivery of services using ABA methodologies. This includes the development and implementation of individualized instructional curricula and behavioral programs.

### Restraint and Seclusion

Fairfax County Public Schools believes that each child is a valued contributor in the education process and that all students have the inherent right to be treated with dignity and respect. School personnel bear the responsibility of safeguarding this right and ensuring that the learning environment remains safe and supportive. The right to be educated in a safe and supportive climate of success extends to all students at all times, in all school environments. Mutual respect and dignity are fostered when procedures used to proactively manage student conduct emphasize prevention, positive supports, and effective and ethical approaches. When there is a need to manage challenging student behaviors in dangerous situations in school settings, there must be a balance between ensuring practices that maintain a safe and effective learning environment and those procedures that safeguard the rights of students and staff members. This balance should be reflected in intervention practices and procedures that emphasize the need to use the least restrictive intervention when behaviors require special treatment, and that students are free from the unreasonable use of physical restraint, seclusion, and any aversive intervention methods.

The safety and security of students and staff members is paramount. School staff members should ensure that any behavior management techniques used are appropriate. When possible, less restrictive measures should be used initially, and no intervention should remove a student from the

learning environment for unreasonable or unnecessary periods of time. When the behaviors have been addressed, returning the student to the learning environment is important.

When managing student behavior, physical restraint and seclusion are safety procedures used when less restrictive alternatives have failed, and the student is an immediate danger to him or herself and/or others.

### 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 develop an FBA and a BIP for those students who receive special education services. Students without disabilities may also receive behavior services resulting in an FBA and BIP development. The FBA is conducted by the IEP team and the corresponding plan is based on the results.

- 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. Following a period of time collecting data, the FBA then may lead to the development of a BIP.
- BIP is 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.

The purpose of an FBA is to develop a hypothesis about the function of the problem behavior (that is, 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 behavior intervention plan within a specified time period to ensure that it is implemented as designed, to monitor progress, and to revise the plan as needed. 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.

### Career and Transition Programs and Services (CTS)

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

IDEA 2004 defines transition services as 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, considering 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)].

Transition planning is a critical component of each student's IEP. IDEA 2004 requires the following:

1. Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually, thereafter, the IEP must include:
  - a. Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and
  - b. The transition services (including courses of study) needed to assist the student in reaching those goals. [Section 614(d)(1)(A)(VIII)]
2. Beginning not later than one year before the student reaches the age of majority under state law, a statement that the student has been informed of the student's rights under IDEA, if any, that will transfer to the student on reaching the age of majority under Section 615(m).

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.

When transition services are being considered, two additional pages are added to the IEP. The first page (IEP-303) includes transition assessment information pertaining to the student's preferences, skills, career goals, measurable postsecondary goals in the areas of education, training, employment, and, if appropriate, independent living skills, as well as transition objectives in career, self-advocacy, and independent living skills. The second page (IEP-304) lists school and postsecondary transition services to consider during the IEP meeting. At this point, the IEP team discussion should be driven by the student's postsecondary goals considering the student's current performance, his or her diploma options, planning for school courses and supports, and services that may be available after school completion. The IEP team should adopt the practice of student-centered planning at this time.

This process should be focused on the student's strengths and involve the student. Once

students reach transition age, they should attend the IEP meeting and participate to the extent they are able.

The Final Summary of Performance (SS/SE-210) is required for graduating students during the final year in school. This form is not part of the IEP but, as required by law, it must be provided to graduating students.

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 Instructional Services website within the Career and Transition Services section:

<https://www.fcps.edu/sites/default/files/media/pdf/TransitionParentToolkit.pdf>. Copies are also available at the FRC at 703-204-3941.

CTS, in the Office of Counseling and College and Career Readiness, supports the Transition IEP development and 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 Assessment Services**

Career Assessment Services expands career awareness and transition planning through identifying students' interests, aptitudes, and learning styles.

**Career Snapshot** staff members work with students to conduct brief group assessments of interests, work preferences, and temperaments. 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.

**Comprehensive Career Assessment** is an in-depth evaluation of high school students' interests, abilities, and aptitudes using a variety of tools including hands-on simulated work tasks, paper-and-pencil tests, career-related inventories, and career-exploration activities. Certified vocational evaluators complete the comprehensive assessment and provide the student, school, and parents with a comprehensive report that outlines the results of the assessment as well as recommendations for transition planning.

**Targeted Career Assessment** is a highly individualized approach to assessing an individual's vocational strengths, interests, temperaments, and aptitudes. The targeted assessment is conducted over a relatively short period of time to reduce the time out of the regular course schedule while still providing adequate time to obtain critical information needed for effective postsecondary planning. Students participating in the Targeted Assessment will complete a variety of assessments over two days in order to answer targeted questions. The wealth of resources located at the career assessment centers include real or simulated hands-on work samples, interest/temperament surveys, career exploration and awareness tools, and/or paper

pencil assessments.

**Interest and Aptitude Screening:** The CareerScope assessment provides a quick career assessment of aptitudes, work-related and 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 or training options, and employment.

**Postsecondary Education Rehabilitation Transition (PERT) Assessment** is collaboratively administered by the Virginia Departments of Education and Rehabilitative Services at Wilson Workforce Rehabilitative Center in Fishersville, Virginia. PERT offers youth with disabilities the opportunity to discover individual strengths and abilities to help plan their transition services through a five to ten-day assessment done through vocational evaluations, as well as assessments in independent living, residential, and leisure skills.

Each school division in Virginia has a limited opportunity to access these services. Youth must meet certain eligibility requirements and be at least 16 years of age with at least one more year of high school remaining.

Students may return for supplemental follow-up assessments in their final two years, as needed. A comprehensive report is provided to the IEP team that includes recommendations for transition planning. Additional information can be found at <https://www.wwrc.net/PERT.htm>.

## **CTS 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 special education students at the high school level. WAT enables students to develop tentative career goals based on interests and aptitudes while building awareness and experience in job-keeping skills.

**Education for Employment (EFE):** This class is a modified Career and Technical Education (CTE) Career Connections course. EFE teaches students to make informed career and continuing education choices as they transition from school, gain technical skills, and adapt to the workplace. Students are taught ethical behaviors and career-research, job-acquisition, workplace-communication, self-awareness, self-advocacy, customer-service, and life skills. Students may also participate in community work experiences as part of this course.

**Education for Employment for the Office (EFEO):** Offered at four regional sites, this course teaches students to make informed career and continuing education choices as they transition from school, gain technical skills, and adapt to the workplace. Students are taught ethical behaviors and career research, job acquisition, workplace communication, self-awareness, self-advocacy, customer service, Microsoft Office applications, Google Apps for Education, basic coding and perform assignments essential to the operation of an office in a school or community business.

**Special Career Centers:** The S. John Davis Career Center and Earl L. Pulley Career Center provide career and independent living skills instruction to students with disabilities aged 18 to 22.

**Secondary Transition to Employment Program (STEP):** This is a collaborative effort where students aged 18 to 22 participate in career training in real work settings in the community. In addition to learning work skills, students receive instruction in applied academics, self-advocacy, and independent living skills.

Currently, FCPS has four STEP locations:

- Chantilly High School
- Marshall High School/Davis Career Center
- Mount Vernon High School
- South Lakes High School

The work-based learning provided through these programs allows students to gain valuable skills and knowledge while at the same time obtaining relevant, practical experience in business settings.

For additional information on course offerings, please refer to <https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services/career-instruction>

## **Work Experience and Transition Support**

**Employment and Transition Support:** Employment and Transition Representatives (ETRs) help facilitate students' transitions from secondary to postsecondary environments. ETRs serve as a school-based transition resource to students, staff members, parents, and the community. They offer instruction, community experiences, employment supports, and transition assessment to promote career and college readiness in accordance with IDEA and the district's Portrait of a Graduate initiative.

ETRs are assigned to all FCPS high schools, special career centers, and alternative education high schools

**Work-Based Learning:** This consists of a continuum of experiences which allow students to gain valuable skills and knowledge while obtaining relevant, practical experience in real work situations. These experiences are individualized and focused in the areas of career awareness, career exploration, and career preparation and training.

**Job Coach Services:** These are designed to support students' success as independent workers. Job coaches help students with disabilities who have the potential for independent employment but need specialized, short-term, on-the-job support and training to succeed.

**Transition Resource Services:** Central office provides transition specialists and resource teachers who provide information, resources, and training for parents, students, and school personnel related to transition, adult services, and postsecondary education. Areas of focus include curriculum development, training, transition planning, self-determination, postsecondary linkages, program evaluation, and the survey of graduates.

**Transition to Adult Services:** CTS participates on a regional interagency transition team and

has had a three-way formal cooperative agreement for more than 25 years with the Virginia Department of Aging and Rehabilitative Services (DARS) and the Fairfax-Falls Church Community Services Board (CSB). 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.

DARS provides support to students as they transition from high school to the world of work and adult life. They provide a variety of employment related services and resources that may include: career counseling, vocational evaluation, job placement and training, and assistive technology. Prospective clients must be Virginia residents, meet DARS eligibility criteria, and be legally eligible to work in the United States. Some DARS services require financial participation. Additionally, DARS provides pre-employment and transition services outside of school for younger students.

The CSB is a public agency that provides services for residents of Fairfax County and the cities of Fairfax and Falls Church who have mental illness, substance abuse disorders, and/or developmental disabilities. The CSB also provides early intervention services for infants and toddlers who have developmental delays. The CSB staff collaborates with FCPS to support students and their families as they transition from high school to adulthood by providing case management, employment and day services, residential services, crisis support, and medical and behavioral services.

For more information, contact the Office of Career and Transition Services at 571-423- 4150 or visit the web site: <https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services>

## 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:

<https://www.fcps.edu/sites/default/files/media/pdf/TransitionParentToolkit.pdf>. Copies are available at the FRC. A Spanish version is also available online.

**Tools for Self-Advocacy:** This 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.

**I'm Determined:** The *I'm Determined* project, funded by the VDOE, focuses on providing direct instruction, models, and opportunities to practice skills associated with self-determined behavior. *I'm Determined* provides resources for educators, parents, and youth on increasing student involvement in the IEP process as well as demonstrating self-determination. A youth and parent summit is also held each June. Additional information can be found on the website: <https://www.imdetermined.org/>.

**A Career Portfolio:** This should be included in each student's 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 Final Summary of Performance prior to graduation or the completion of his or her school program.

## **Transition Events**

Each year, CTS provides several learning opportunities for students, parents, and staff members on the transition process and postsecondary options. These events are open to students of any age and it is recommended that parents begin to learn about the options available as soon as possible. Please refer to the CTS website or the FRC for more information on these events.

## **Tips and Strategies for Transition Planning**

### **1. Be future oriented.**

Think about where your student wants to be in his or her early adult years and plan backward through all the steps necessary to get there. A future-oriented approach highlights the relevance of today's schoolwork for tomorrow's outcomes. This approach enables students to see what needs to be accomplished, to anticipate possible obstacles, and to initiate plans and overcome roadblocks.

### **2. Start transition planning early and review annually.**

The key to effective transition planning is to start early with a long-range plan and revisit the plan at least once a year to see if it continues to make sense.

### **3. Revise, Revise, Revise.**

Beginning transition planning early and reviewing plans regularly enables students and families to monitor the appropriateness of the plan and fine-tune goals as the student gets closer to graduation. Developing clear and realistic goals can be a process for some students but can be achieved through guidance from the IEP team.

For younger students, it is important to focus on the process rather than being overly concerned with a realistic outcome. Students may adjust their goals and change their career choices many times.

## **Career Related Instruction**

Students with disabilities may be interested in opportunities for career and technical education that are not special education courses.

A high school academy is a center within an existing high school that offers advanced technical and specialized courses that successfully integrate career and academic preparation for postsecondary education and/or career fields. Students enrolling in academy elective courses will be provided with opportunities to participate in a variety of career experiences including shadowing, mentoring, and/or internships. The high school 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. At these locations, academy support teachers help students with disabilities and staff members regarding differentiated instruction and accommodations that support successful participation in the classes.

To learn more about the academies visit <https://www.fcps.edu/node/33835>.

To learn more about the academy support teams (CTS) visit <https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services/academy>.

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

Students with disabilities in the Commonwealth of Virginia include identified students under IDEA 2004 and under Section 504 of the Rehabilitation Act of 1973, as amended. IDEA and its implementing state and federal regulations require that all students with disabilities participate in the state's accountability system. More specifically, students with disabilities are expected to participate in all content area assessments that are available to students without disabilities.

For all students with disabilities identified under IDEA, the IEP team determines how the student will participate in the accountability system. For students identified under Section 504 of the Rehabilitation Act of 1973 as amended, the 504 committee determines how the student will participate. In Virginia, students with disabilities have several options for participating in the state accountability system. They may participate in the Standards of Learning (SOL) assessments without or with accommodations.

Students who have attended school in the United States for fewer than 12 cumulative 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. Assessment decisions for students who are dually identified as having limited English proficiency and a disability are made by the IEP team or 504 committee with input from the student'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 several ways. Some students participate 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 accommodation decisions. The VDOE has set criteria regarding which students may use specific accommodations on the reading and math assessments, and the IEP team 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 high school need to earn verified credits for a Standard or Advanced Diploma. A verified credit is earned when a student passes a course and the associated end-of-course SOL test. Eligible students with disabilities can use credit accommodations to earn a Standard Diploma.

Credit accommodations provide alternatives for students with disabilities in earning the

standard and verified credits required to graduate with a Standard Diploma. To access credit accommodations, students must be found eligible by the student's IEP team or 504 knowledgeable committee. For more information please access: <https://www.doe.virginia.gov/parents-students/for-students/graduation/graduation-requirement-resources/credit-accommodations> and <https://www.fcps.edu/sites/default/files/media/forms/SpecialEducationGraduationRequirementsEnglish.pdf>

Students with significant cognitive disabilities may participate in the state's assessment program using the Virginia Alternative 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. VAAP assessment is only available to special education students and only students who are working toward an Applied Studies Diploma. The VAAP is available for students in grades 3 through 8 and high school. School divisions have the option to either continue the submission of required VAAP content areas in grade 11 only or to develop a schedule in which one or more content areas are submitted in grades 9, 10, or 11.

#### Children Placed in Private Schools by Their Parents

Parents may place their children in a private school at their own expense or home-school their child. 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 need 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 school located in Fairfax County, or a student being home-schooled in Fairfax County, an 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 10 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 enough 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 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 students with disabilities do not have a right to receive some or all the special education and related services that public-school students would receive.*

Students who are residents of Fairfax County and attend a private school that is in a county other than Fairfax 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 Students with Disabilities

The Student Rights and Responsibilities booklet (Regulation 2601) is sent home at the beginning of each school year <https://www.fcps.edu/srr/>. The booklet contains a section titled, Guidance for Parents of Students with Disabilities Regarding Virginia Regulations Related to Student Discipline. Students with disabilities may be disciplined in the same ways as students without disabilities in most situations. For example, a student may be removed for short periods of time, if the removal does not constitute a change in placement. Change in placement occurs when a student is removed for more than 10 consecutive days or is subjected to a series of removals of more than 10 days in a school year that evidence a pattern.

If a student who receives special education services is removed for 10 or more days in a school year, FCPS must continue to provide services that enable the student to continue to work in the curriculum and progress towards meeting his or her IEP goals. This may be done through home-based services or another alternative instructional arrangement as proposed by the IEP team. In addition, a manifestation determination review (MDR) must be held as soon as possible, but no later than the tenth day of the removal. An MDR must also be held if the student is referred to the Division Superintendent (which could result in a long-term suspension, reassignment, or a recommendation for expulsion being forwarded to the School Board), with a recommendation for exclusion or a recommendation for reassignment. An MDR is the process of reviewing all relevant information and the relationship between the student's disability and the behavior subject to the disciplinary action.

The MDR team includes the parent and other relevant members of the IEP team. School staff must determine a response to two items:

- The conduct was caused by, or had a direct and substantial relationship to, the student's disability, or
- The conduct was a direct result of the school's failure to implement the IEP.

If the MDR team answers "yes" to either of the two questions, the finding is that there is a manifestation. If the answers to both questions are "no" then the finding is that there is not a manifestation. The findings of the MDR are sent to the Division Superintendent or designee and are reviewed as part of the hearing process. If the behavior in question is a manifestation of the student's disability, FCPS must convene the IEP team to develop an FBA and consider the need for a BIP. If the student's IEP contains a previously developed BIP, the IEP team must review the plan and modify the BIP as necessary to address the behavior.

### **Placement in an Alternative Educational Setting**

FCPS may move the student to an appropriate interim alternative educational setting for up to 45 calendar days, if he or she does one or 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 on school grounds 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.

### **Protections for Students Not Currently Eligible for Special Education**

At times, a student may not be receiving special education services at the time of the incident but may be eligible for protections given to students with disabilities if the school knew the student might be eligible for special education services before the incident occurred. The school is considered to have known the student might be eligible if:

- The parent expressed concern in writing to the teacher or a supervisor that the student might need special education services.
- The parents requested that the student be evaluated for eligibility for special education and related services.
- The student's teacher or other school personnel expressed directly to the special education department chair, special education lead teacher, or an FCPS administrator specific concerns about a pattern of behavior demonstrated by the student.

There are two important exceptions to the above. A student will not receive protections for

students with disabilities if:

- The parent refused to consent to have the student evaluated or refused services.
- The student was evaluated and determined not to have a disability.

### **Protections for Students Eligible under Section 504**

When a principal suspends a student who has a 504 plan for more than 10 days in a school year or refers the student to the Division Superintendent, the school will convene the knowledgeable 504 committee to complete a 504 Causality Hearing as soon as possible, but no later than ten days after the decision to suspend or refer to the Division Superintendent. In the event of a referral to the Division Superintendent, the results of the Causality Hearing are forwarded to the Division Superintendent for consideration at the hearing.

### **The Appeals Process**

FCPS involves parents in each step of the special education process. Parent input is strongly considered and is 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 student 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*. A copy of the Procedural Safeguards is provided to parents with the LSC notice letter. In addition, for special education eligible students, a copy of this document is also provided at least once a year at the student's annual IEP meeting; when the parent files the first state complaint or due process hearing request in a year; on the date on which the decision is made to make a disciplinary removal that constitutes a change in placement because of a violation of a code of student conduct; or when a parent requests a copy. Copies of the safeguards are available at your child's school, at the FRC, and on the FCPS website at <https://www.fcps.edu/sites/default/files/media/forms/se4.pdf> (revised September 2013). 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 Alternative Dispute Resolution 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 <https://www.doe.virginia.gov/programs-services/special-education/resolving-disputes>, or they may email [ODRAS@doe.virginia.gov](mailto:ODRAS@doe.virginia.gov) or 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.



In addition to the options described in the *Virginia Special Education Procedural Safeguards Notice*, FCPS has also instituted the administrative review process, to serve as a problem-solving mechanism for parents and staff members. The dispute resolution options available are discussed in greater detail below.

## **Administrative Review**

A parent or an FCPS principal may request an administrative review to resolve disputes. The parent or principal must submit a dated and signed written request specifically describing their concern to the coordinator of the FCPS [Due Process and Eligibility](#) office. 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 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 FCPS staff members who are knowledgeable regarding the issue under review. The committee may include a general education 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 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 Due Process and Eligibility specialist 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. Please note that voluntary participation in the FCPS administrative review process is **not** a prerequisite for access to any of the dispute resolution options outlined in the Virginia Department of Education (VDOE) Special Education Procedural Safeguards.

## **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 due process hearing is requested; 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 concludes 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 while maintaining or reestablishing a productive working relationship between the 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 work together to 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 non-adversarial atmosphere.

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

Additional information and the Virginia Special Education Mediation Services Request form is located at <https://www.doe.virginia.gov/programs-services/special-education/resolving-disputes/special-education-mediation>. FCPS and the Parent should jointly complete the form and submit it to the VDOE, ODRAS.

### **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, the name of the student, and 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. 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.

Additional information and the State Special Education Complaint Form is located at <https://www.doe.virginia.gov/programs-services/special-education/resolving-disputes/resolving-disputes>. A copy of the complaint, which includes the supporting documentation, must be simultaneously forwarded to VDOE and the coordinator of the FCPS Due Process and Eligibility office.

## 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.

An informal resolution meeting can be requested outside a DPH to resolve disputes locally. This informal resolution meeting can address issues related to special education or Section 504. An informal resolution meeting request can be made by contacting the coordinator of the FCPS, [Due Process and Eligibility](#) office at 571-423-4470.

## Due Process Hearing

A due process hearing is a formal administrative procedure conducted by an impartial special education hearing officer, appointed by the Supreme Court of Virginia, 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 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 student 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 VDOE. A copy of that request shall be delivered contemporaneously 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.

Additional information and the Parent Due Process form is located at <https://www.doe.virginia.gov/programs-services/special-education/resolving-disputes/special-education-due-process-hearings>. A copy of the request must be delivered by the parent, contemporaneously to the VDOE, Office of Dispute Resolution and Administrative Services (ODRAS) and to the coordinator of the FCPS Due Process and Eligibility office.

## 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 refer to 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 aged 18 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 school records may be needed to secure help such as Social Security benefits and postsecondary services through the Department for Aging and Rehabilitative Services (DARS). 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 <https://www.fcps.edu/sites/default/files/media/forms/Management%20of%20the%20Student%20Scholastic%20Record.pdf>

## Understanding Section 504 and the Americans with Disabilities Act Amendments Act (ADAAA) of 2008

Section 504 (504) of the **Rehabilitation Act of 1973** and the ADA Amendments Act of 2008 are federal statutes that prohibit any program or activity that receives federal financial assistance, such as FCPS, from discriminating against anyone based on a *disability*. FCPS Regulation 1454.7 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, based on 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 FAPE. A student who is 504-qualified may require a 504 Plan, which means that FCPS will provide the needed accommodations, adaptations, or modifications necessary for the 504-qualified student to have equal access and equal opportunity in the school's activities, which include learning.

The school's local screening committee 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 review and determine any necessary accommodations, adaptations, modifications, and/or services for the 504-qualified student to have equal opportunity and access to the school's activities.

Additional information about Section 504 and 504 Plans can be found in the Section 504 Procedures Manual <https://www.fcps.edu/sites/default/files/media/pdf/Section504Manual.pdf>

and on the FCPS website:

<https://www.fcps.edu/academics/academic-overview/special-education-instruction/special-education-procedural-support/Section-504-information>.

### 504 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 Section 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. A student with disabilities may not be eligible for special education under IDEA but may qualify with a disability under Section 504. If a knowledgeable committee determines that the student has a mental or physical impairment that substantially limits a major life activity, that student is considered to have a qualified disability under 504. A 504-qualified student's unique disability-related needs will be considered by the knowledgeable committee to determine any necessary accommodations, adaptations, or modifications to the environment or activity to participate.

**Student with a Disability:** A student with a disability is a person who has:

1. A physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such an impairment or is regarded as having such an impairment.

**Knowledgeable Committee:** A committee composed of the principal or his or her designee, the teacher(s), and other school staff members as appropriate.

**Major Life Activities:** Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, eating, bending, operation of a major bodily function, learning, thinking, communicating, reading, concentrating and working. This list of major life activities was expanded by the ADA, but it is not an exhaustive list.

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

The 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 (for example, 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, evaluated for Section 504 qualification, and/or recommended for another action. If the LSC does not believe that enough information is available, a 504 qualification should be deferred while additional data are collected. If formal, individualized testing is recommended by the LSC for possible Section 504 qualification, the school will seek parental consent for evaluation.

Formal assessments recommended by the LSC are provided at no cost to the parents.

When does a student qualify under Section 504?

The decision regarding whether a student qualifies under 504 is made on a case-by-case basis. The knowledgeable committee reviews relevant information and the student'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**.

If a child is found ineligible for special education services, should the committee make a referral for a 504 evaluation?

Decisions regarding the appropriateness of a 504 evaluation should be made on a case-by-case basis. Some students who do not qualify for special education under IDEA may meet 504 qualification criteria.

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

Section 504 of the Rehabilitation Act of 1973, as amended, is a civil rights law that applies to all students who meet the definition of disability under 504. 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.

How are the parents involved in decisions?

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 will move forward to consider a 504 plan. As stated above, parents are welcome to share information regarding their child based on their observations of the child's development and current functioning in the home and community. Parents are often able to provide valuable insight about their child's early history that is typically unavailable from other sources.

How are 504 plans written?

A knowledgeable committee meets to determine what the 504-qualified student needs in order to receive equal access and FAPE. Members of the committee include the school's principal or his or her designee, and at least one teacher who works directly with the student. Other professional staff members from the school are included, as appropriate, and are identified based on the needs of the student. Parents may provide input to the committee when a 504 Plan is considered, developed, or reviewed. Once a 504 Plan is developed, it is up to the school to ensure faithful implementation.

Appropriate accommodations and/or services are identified based on the unique needs of the student as a result of the disability. Accommodations included on 504 Plans are designed to provide the opportunity for the student to access and receive benefit from the programs and activities offered by FCPS rather than to improve performance or scores.

## What areas should be addressed by a 504 Plan?

When developing a 504 Plan, the knowledgeable committee should consider the following:

- **The nature of the student’s disability and the major life activity it limits.** The knowledgeable committee must determine how the disability limits the student’s ability to access the school district’s programs and activities in order to develop a plan that contains appropriate accommodations and/or services that meet the student’s unique needs.
- **Necessary accommodations and/or supports.** 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 the school division’s programs and services. Knowledgeable committees need to be prepared to discuss accessibility needs, including those related to language and/or communication, mobility, transportation, assistive technology, testing, etc.

## If a student 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 requires classroom testing accommodations 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 provided to give the student an equal opportunity to demonstrate achievement, not an increased advantage to obtain a better score.

## When does a student qualify under Section 504?

The decision regarding whether or not a student qualifies under 504 is made on a case- by- case basis. The knowledgeable committee reviews relevant information and the student’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**.

## If a student is found ineligible for special education services, should the committee make a referral for a 504 evaluation?

Decisions regarding the appropriateness of a Section 504 evaluation should be made on a case-by-case basis. Some students who do not qualify for special education eligibility under the IDEA may meet 504 qualification criteria.

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

Section 504 is a civil rights law that applies to all students who meet the definition of disability under Section 504. Students who are eligible under IDEA also fall under the umbrella of Section 504 and developing an IEP is one way of meeting 504’s requirements.



What areas should be addressed by a 504 plan?

When developing a 504 Plan, the knowledgeable committee should consider the following:

- **The nature of the student's disability and the major life activity it limits.** The knowledgeable committee must determine how the disability limits the child's ability to access the school district's programs and activities in order to develop a plan that contains appropriate accommodations and/or services that meet the student's unique needs.
- **Necessary accommodations and/or supports.** 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 the school division's programs and services. Knowledgeable committees need to be prepared to discuss accessibility needs, including those related to language and/or communication, mobility, transportation, assistive technology, testing, etc.

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 SOL assessment(s) and the student requires classroom testing accommodations 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 provided to give the student an equal opportunity to demonstrate achievement, not an increased advantage to obtain a better score.

## Resources and Information

### Definitions

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

**STUDENT WITH A DISABILITY**—A student with a disability is a person who has (1) a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such an impairment, or (3) is regarded as having **such** an impairment.

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

**MAJOR LIFE ACTIVITIES**—Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, eating, bending, operation of a major bodily function, learning, thinking, communicating, reading, concentrating and working. This list of major life activities was expanded by the ADA, but it is not an exhaustive list.

Section 504 of the *Rehabilitation Act of 1973* and the ADA Amendments Act of 2008 are federal statutes that prohibit any program or activity that receives federal financial assistance, such as FCPS, from discriminating against anyone on the basis of a **disability**. FCPS Regulation 1454.7 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 accommodations, adaptations, or modifications necessary for the student to have equal access and equal opportunity in the school's activities, which include learning.

The school's 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 review and determine any necessary accommodations, adaptations, modifications, and/or services for the Section 504 qualified student to utilize in school.

Additional information about Section 504 and 504 Plans can be found in the Section 504 Procedures Manual <https://www.fcps.edu/sites/default/files/media/pdf/Section504Manual.pdf> and on the FCPS website: <https://www.fcps.edu/academics/academic-overview/special-education-instruction/special-education-procedural-support/Section-504-information>.

## The Family Resource Center (FRC)

The FRC of FCPS promotes parent awareness of the services provided by FCPS for students who receive special education services or who have Section 504 plans. The FRC encourages parent participation in the educational decision-making process by providing free workshops, confidential consultations, and a resource library that helps to foster the parent school partnership. The FRC also serves as a resource for educators and the community.

### Parent education program workshops

The FRC plans and develops a yearlong parent education program for all parents but also for parents who have children with disabilities or special needs. Workshops for parents related to special education, mental health, and other current educational topics are offered countywide through collaboration with the DSS, the DSS community, and local, regional, and national presenters. Workshop topics include the special education process, study and organizational skills, social skills, behavior management, postsecondary options, mental health, transition, and more. FRC sponsored events are offered to non-English speaking parents of students with the support of Language Services. Additional accommodations are supported through FRC and DSS staff members. All activity and workshop information is available on the FRC website <https://www.fcps.edu/resources/family-engagement/family-resource-center>. Additionally, there is an extensive library of past guest speakers maintained on the FRC YouTube channel located at: <https://www.fcps.edu/resources/family-engagement/parent-resource-center/workshops-youtube>.

### The FRC Library at Dunn Loring Center for Parent Services

The FRC maintains an extensive, free lending library for parents and educators containing over 6,000 titles including books, DVDs, CDs, videos, and on special education, 504 plans, behavior, areas of disability, mental health, parenting, curriculum support, and the latest trends in education. Some of the library resources are available in multiple languages. The library also houses publications from the VDOE, as well as information from local community resources and agencies. To use the FRC library catalog online, go to <https://www.fcps.edu/resources/family-engagement/family-resource-center>.

### **Resources available online and through *News You Choose***

The FRC publishes and distributes resources for parents, educators, and community members on the FRC website, which can be accessed at <https://www.fcps.edu/resources/family-engagement/family-resource-center/family-resource-center-library>. Subscribers to *the FRC News You Choose* can receive regular emails about workshops, activities, upcoming events, and news directly from the FRC. Parents, staff members, and community members may join the mailing list by signing up for *News You Choose* on the FCPS home page. Please indicate that you would like information from the FRC which is under the Office of Professional Learning and Family Engagement.

The FRC also provides support to parents through confidential consultations in person, by phone, or by email that may include information about education issues, community resources, and technical assistance. All FRC library materials, workshops, training programs, and consultations are provided free of charge to all community members and educators. Parents can call the FRC at 703-204-3941 or email at [FRC@fcps.edu](mailto:FRC@fcps.edu).

Fairfax County Public School Resources

| Resource   | Website   | Phone Number |
|--|---|--------------|
| Academy Support Services                               | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services/academy">https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services/academy</a>     | 571-423-4150 |
| Advisory Committee for Students with Disabilities      | <a href="https://www.fcps.edu/committee/advisory-committee-students-disabilities-acsd">https://www.fcps.edu/committee/advisory-committee-students-disabilities-acsd</a>   |              |
| Assistive Technology Services                          | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/assistive-technology-services-ats">https://www.fcps.edu/academics/academic-overview/special-education-instruction/assistive-technology-services-ats</a>               | 571-423-4867 |
| Attendance and School Engagement                       | <a href="https://www.fcps.edu/attendance">https://www.fcps.edu/attendance</a>   |              |
| Applied Behavior Analysis (ABA)                        | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/applied-behavior-analysis-aba-program">https://www.fcps.edu/academics/academic-overview/special-education-instruction/applied-behavior-analysis-aba-program</a>       | 571-423-4110 |
| Behavior Intervention Services                         | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/high-incidence-disabilities-team-k-12-20">https://www.fcps.edu/academics/academic-overview/special-education-instruction/high-incidence-disabilities-team-k-12-20</a> | 571-423-4106 |
| Bull Run Early Childhood Child Find                    | <a href="https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find">https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find</a>   | 703-456-2200 |
| Career and Transition Services                         | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services">https://www.fcps.edu/academics/academic-overview/special-education-instruction/career-and-transition-services</a>                     |              |
| Career and Technical Education                         | <a href="https://www.fcps.edu/academics/academic-overview/career-and-technical-education-cte">https://www.fcps.edu/academics/academic-overview/career-and-technical-education-cte</a>   |              |
| Child Find-Early Childhood Identification and Services | <a href="https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find">https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find</a>   | 571-423-4121 |
| Crisis Prevention and Policy Specialist                | <a href="https://www.fcps.edu/about-fcps/policies-regulations-and-notices/restraint-and-seclusion-policy">https://www.fcps.edu/about-fcps/policies-regulations-and-notices/restraint-and-seclusion-policy</a>   | 571-423-4470 |

| <b>Resource</b>                             | <b>Website</b>  | <b>Phone Number</b>   |
|---|---|---|
| Dunn Loring Early Childhood Child Find      | <a href="https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find">https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find</a>   | 703-204-6760  |
| Facilities and Transportation               | <a href="https://www.fcps.edu/department/department-facilities-and-transportation-services">https://www.fcps.edu/department/department-facilities-and-transportation-services</a>   | 571-423-2350  |
| Family Resource Center                      | <a href="https://www.fcps.edu/resources/family-engagement/parent-resource-center">https://www.fcps.edu/resources/family-engagement/parent-resource-center</a>   | 703-204-3941  |
| Graduation Requirements and Course Planning | <a href="https://www.fcps.edu/academics/graduation-requirements-and-course-planning">https://www.fcps.edu/academics/graduation-requirements-and-course-planning</a>   |   |
| Homeless Liaison Office                     | <a href="https://www.fcps.edu/resources/family-engagement/information-homeless-families">https://www.fcps.edu/resources/family-engagement/information-homeless-families</a>   | 571-423-4332  |
| Mental Health Resources                     | <a href="https://www.fcps.edu/resources/student-safety-and-wellness/school-psychology-services/mental-health-resources-and">https://www.fcps.edu/resources/student-safety-and-wellness/school-psychology-services/mental-health-resources-and</a> | Call 911 in case of a life threatening emergency;<br>TTY dial 711<br><br>CrisisLink Regional<br>Hotline: 703-527-4077<br>CrisisText: Text NEEDHELP to 85511 |
| Office of the Ombuds                        | <a href="https://www.fcps.edu/department/ombudsman">https://www.fcps.edu/department/ombudsman</a>   | 571-423-4014  |
| Pre-K Program                               | <a href="https://www.fcps.edu/registration/early-childhood-prek">https://www.fcps.edu/registration/early-childhood-prek</a>   | 703-208-7900  |
| Region 1 Office                             | <a href="https://www.fcps.edu/department/region-1">https://www.fcps.edu/department/region-1</a>   | 571-423-1110  |
| Region 2 Office                             | <a href="https://www.fcps.edu/department/region-2">https://www.fcps.edu/department/region-2</a>   | 571-423-1120  |
| Region 3 Office                             | <a href="https://www.fcps.edu/department/region-3">https://www.fcps.edu/department/region-3</a>   | 571-423-1130  |
| Region 4 Office                             | <a href="https://www.fcps.edu/department/region-4">https://www.fcps.edu/department/region-4</a>   | 571-423-1140  |
| Region 5 Office                             | <a href="https://www.fcps.edu/department/region-5">https://www.fcps.edu/department/region-5</a>   | 571-423-1150  |
| Region 6 Office                             | <a href="https://www.fcps.edu/department/region-6">https://www.fcps.edu/department/region-6</a>   | 571-423-1300  |
| School Age Child Care (SACC)                | <a href="https://www.fcps.edu/registration/school-age-child-care-sacc">https://www.fcps.edu/registration/school-age-child-care-sacc</a>   | 703-449-8989  |

| <b>Resource</b>                              | <b>Website</b>  | <b>Phone Number</b> |
|--|---|---------------------|
| Special Education Instruction                | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction">https://www.fcps.edu/academics/academic-overview/special-education-instruction</a>   | 571-423-4100        |
| Special Education Parent Teacher Association | <a href="http://www.fairfaxcountysepta.org">www.fairfaxcountysepta.org</a>  |                     |
| Special Education Procedural Support         | <a href="https://www.fcps.edu/academics/academic-overview/special-education-instruction/special-education-procedural-support">https://www.fcps.edu/academics/academic-overview/special-education-instruction/special-education-procedural-support</a> | 571-423-4290        |
| Special Services Department                  | <a href="https://www.fcps.edu/department/department-special-services">https://www.fcps.edu/department/department-special-services</a>   | 571-423-1300        |
| Student Registration                         | <a href="https://www.fcps.edu/registration">https://www.fcps.edu/registration</a>   | 703-204-6740        |
| Student Rights and Responsibilities (SR&R)   | <a href="https://www.fcps.edu/srr">https://www.fcps.edu/srr</a>   | 571-423-4274        |
| Substance Abuse Prevention Specialists       | <a href="https://www.fcps.edu/resources/student-safety-and-wellness/alcohol-tobacco-and-other-drug-programs">https://www.fcps.edu/resources/student-safety-and-wellness/alcohol-tobacco-and-other-drug-programs</a>                                   | 571-423-4270        |
| Virginia Hills Early Childhood Child Find    | <a href="https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find">https://www.fcps.edu/registration/early-childhood-prek/early-childhood-child-find</a>   | 703-317-1400        |



## Fairfax County Government Resources

| <b>Resource</b>                               | <b>Website</b>  | <b>Phone Number</b> |
|---|---|---------------------|
| Bicycle and Pedestrian Program                | <a href="https://www.fairfaxcounty.gov/transportation/bike-walk">https://www.fairfaxcounty.gov/transportation/bike-walk</a>   | 703-877-5600        |
| Child Care Assistance and Referral            | <a href="https://www.fairfaxcounty.gov/office-for-children/ccar">https://www.fairfaxcounty.gov/office-for-children/ccar</a>   | 703-449-8484        |
| Child Supervision Guidelines                  | <a href="https://www.fairfaxcounty.gov/familyservices/children-youth/child-supervision-guidelines">https://www.fairfaxcounty.gov/familyservices/children-youth/child-supervision-guidelines</a>                 | 703-324-7500        |
| Community Corrections Services                | <a href="https://www.fairfaxcounty.gov/juvenile-domestic-relations/community-corrections">https://www.fairfaxcounty.gov/juvenile-domestic-relations/community-corrections</a>                                   | 703-246-3040        |
| Community Health Care Network                 | <a href="https://www.fairfaxcounty.gov/strategic-management/thhs/community-health-care-network-transition">https://www.fairfaxcounty.gov/strategic-management/thhs/community-health-care-network-transition</a> | 703-324-4444        |
| Coordinated Services Planning                 | <a href="https://www.fairfaxcounty.gov/neighborhood-community-services/coordinated-services-planning">https://www.fairfaxcounty.gov/neighborhood-community-services/coordinated-services-planning</a>           | 703-222-0880        |
| Department of Family Services                 | <a href="https://www.fairfaxcounty.gov/familyservices/">https://www.fairfaxcounty.gov/familyservices/</a>   | 703-324-7500        |
| Adult Protective Services                     | <a href="https://www.fairfaxcounty.gov/familyservices/older-adults/adult-protective-services">https://www.fairfaxcounty.gov/familyservices/older-adults/adult-protective-services</a>                           | 703-324-7450        |
| Child Protective Services Hotline             | <a href="https://www.fairfaxcounty.gov/familyservices/">https://www.fairfaxcounty.gov/familyservices/</a>   | 703-324-7400        |
| Developmental Disabilities Services           | <a href="https://www.fairfaxcounty.gov/community-services-board/developmental-disabilities">https://www.fairfaxcounty.gov/community-services-board/developmental-disabilities</a>                               | 703-324-4400        |
| Fairfax Area Disability Services Board        | <a href="https://www.fairfaxcounty.gov/familyservices/disabilities/fairfax-area-disability-services-board">https://www.fairfaxcounty.gov/familyservices/disabilities/fairfax-area-disability-services-board</a> | 703-324-5421        |
| Fairfax-Falls Church Community Services Board | <a href="https://www.fairfaxcounty.gov/community-services-board/">https://www.fairfaxcounty.gov/community-services-board/</a>   | 703-383-8500        |

|   |   |              |
|---|---|--------------|
| Foster Care and Adoption                              | <a href="https://www.fairfaxcounty.gov/familyservices/children-youth/foster-care-adoption">https://www.fairfaxcounty.gov/familyservices/children-youth/foster-care-adoption</a>         | 703-324-7500 |
| Health Department                                     | <a href="https://www.fairfaxcounty.gov/health/">https://www.fairfaxcounty.gov/health/</a>   | 703-246-2411 |
| Homelessness Resources and Information:               | <a href="https://www.fairfaxcounty.gov/homeless/">https://www.fairfaxcounty.gov/homeless/</a>   | 703-324-9492 |
| Human Services Resource Guide                         | <a href="https://www.fairfaxcounty.gov/hserg/">https://www.fairfaxcounty.gov/hserg/</a>   | 703-324-7164 |
| Infant and Toddler Connection of Fairfax/Falls Church | <a href="https://www.fairfaxcounty.gov/office-for-children/infant-and-toddler-connection">https://www.fairfaxcounty.gov/office-for-children/infant-and-toddler-connection</a>           | 703-246-7121 |
| Recreation and Parks                                  | <a href="https://www.fairfaxcounty.gov/topics/recreation-and-parks">https://www.fairfaxcounty.gov/topics/recreation-and-parks</a>   | 703-324-8700 |
| School Age Child Care (SACC)                          | <a href="https://www.fairfaxcounty.gov/office-for-children/sacc">https://www.fairfaxcounty.gov/office-for-children/sacc</a>   | 703-449-1414 |
| Therapeutic Recreation Services                       | <a href="https://www.fairfaxcounty.gov/neighborhood-community-services/therapeutic-recreation">https://www.fairfaxcounty.gov/neighborhood-community-services/therapeutic-recreation</a> | 703-324-5532 |

Additional information on Fairfax County Government Resources is available at <https://www.fairfaxcounty.gov/>.

## Community and Other Resources

| Resource  | Website   | Phone Number |
|---|---|--------------|
| 2-1-1   | <a href="http://www.211virginia.org">http://www.211virginia.org</a>   | 2-1-1        |
| ADHD Resource Group of Northern Virginia  | <a href="http://www.adhdnova.com/">http://www.adhdnova.com/</a>   | 703-738-9984 |
| American Council of the Blind   | <a href="http://www.acb.org/">http://www.acb.org/</a>   | 202-467-5081 |
| American Speech and Hearing Association   | <a href="https://www.asha.org/">https://www.asha.org/</a>   | 800-638-8255 |
| The Arc of Northern Virginia  | <a href="https://thearcofnova.org/">https://thearcofnova.org/</a>   | 703-208-1119 |
| Autism Society of America- Northern Virginia Chapter  | <a href="https://www.asnv.org/">https://www.asnv.org/</a>   | 703-495-8444 |
| Brain Injury Association of Virginia  | <a href="https://www.biav.net/">https://www.biav.net/</a>   | 804-355-5748 |
| Children and Adults with Attention Deficit/Hyperactivity Disorder (C.H.A.D.D.) –Northern Virginia Chapter | <a href="https://www.meetup.com/nova-chad/">https://www.meetup.com/nova-chad/</a>   | 703-829-6129 |
| Center for Parent Information and Resources   | <a href="https://www.parentcenterhub.org/">https://www.parentcenterhub.org/</a>   | 973-642-8100 |
| Council for Exceptional Children (CEC)  | <a href="https://www.cec.sped.org/">https://www.cec.sped.org/</a>   | 888-232-7733 |
| Crisis Link   | <a href="https://prsinc.org/crisislink/">https://prsinc.org/crisislink/</a>   | 703-527-4077 |
| Down Syndrome Association of Northern Virginia  | <a href="https://www.dsanv.org/">https://www.dsanv.org/</a>   | 703-621-7129 |
| Fairfax Futures   | <a href="https://fairfax-futures.org/parents-%20resources.htm">https://fairfax-futures.org/parents-%20resources.htm</a>   | 703-324-8126 |
| Formed Families Forward   | <a href="https://formedfamiliesforward.org/">https://formedfamiliesforward.org/</a>   | 703-539-2904 |
| INOVA Care Connection for Children  | <a href="https://www.inova.org/about-inova/inova-your-community/community-access-care/care-connection-children">https://www.inova.org/about-inova/inova-your-community/community-access-care/care-connection-children</a> | 703-698-2450 |

| <b>Resource</b>   | <b>Website</b>  | <b>Phone Number</b> |
|---|---|---------------------|
| Jewish Social Service Agency of Maryland, DC and Northern Virginia  | <a href="https://www.jssa.org/">https://www.jssa.org/</a>   | 703-204-9100        |
| Learning Ally   | <a href="https://learningally.org/">https://learningally.org/</a>   | 800-221-4792        |
| National Alliance on Mental Illness (NAMI)—Northern Virginia  | <a href="https://www.nami-northernvirginia.org/">https://www.nami-northernvirginia.org/</a>                       | 571-458-7310        |
| National Institute of Child Health and Human Development  | <a href="https://www.nichd.nih.gov/">https://www.nichd.nih.gov/</a>   | 1-800-370-2943      |
| Northern Virginia Family Services   | <a href="https://www.nvfs.org/">https://www.nvfs.org/</a>   | 571-748-2500        |
| Northern Virginia Regional Commission Quick Guide: An Index of Public and Private Agencies Offering a Wide Variety of Services to Northern Virginia | <a href="https://www.novaregion.org/281/Quick-Guide-Online">https://www.novaregion.org/281/Quick-Guide-Online</a> | 703-642-0700        |
| Northern Virginia Resource Center for Deaf and Hard of Hearing Persons  | <a href="https://nvrc.org/">https://nvrc.org/</a>   | 703-352-9055        |
| Organization for Autism Research (OAR)  | <a href="https://researchautism.org/">https://researchautism.org/</a>   | 866-366-9710        |
| Parents of Autistic Children of Northern Virginia   | <a href="https://poac-nova.org/">https://poac-nova.org/</a>   | 703-249-5099        |
| Parent Education Advocacy Training Center   | <a href="http://www.peatc.org/">http://www.peatc.org/</a>   | 703-923-0010        |
| Regratifying Foundation   | <a href="https://www.regratifyingfoundation.org/">https://www.regratifyingfoundation.org/</a>                     | 703-585-7239        |
| SCAN of Northern Virginia   | <a href="https://www.scanva.org/">https://www.scanva.org/</a>   | 703-820-9001        |
| Virginia Department of Education  | <a href="http://www.doe.virginia.gov/">http://www.doe.virginia.gov/</a>   | 1-800-292-3820      |
| Virginia Department of Behavioral Health and Developmental Services   | <a href="http://www.dbhds.virginia.gov/">http://www.dbhds.virginia.gov/</a>                                       | 804-786-3921        |
| Virginia Department for the Blind and Vision Impaired   | <a href="https://www.vdbvi.org/">https://www.vdbvi.org/</a>   | 804-371-3151        |

## Appendix

### Appendix A – IEP Forms

#### Forms Related to Special Education

#### Appendix B – Glossary of Terms

**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 FCPS. (Also see Section 504.)

**ACCOMMODATION**- Changes HOW the student will learn or demonstrate his/her knowledge, keeping content expectations the same.

**ADAPTIVE PHYSICAL EDUCATION**- Adapted physical education teachers provide support, consultation, and collaboration for students requiring specialized instruction.

**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.)

**BEHAVIOR INTERVENTION TEACHER (BIT)**- Teachers provide assistance to schools within his/her assigned Region on the design and implementation of behavioral prevention and intervention strategies and support services.

**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 aged 2 through 21 years 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.

**DEAF/HARD OF HEARING SERVICES**- Educational services for hearing-impaired students are provided through itinerant services and site-based programs to eligible students.

**DEPARTMENT OF AGING AND REHABILITATIVE SERVICES (DARS)**—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.)



**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 student 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 psychoeducational tests.
- **Sociocultural 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 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 (for example, includes activities such as lunch or job training in which a student is participating with general education peers).

**HOME-BASED INSTRUCTION**- Home-based instruction may be provided to special education students who have been removed from school due to disciplinary or other reasons. The goal of home-based instruction is to keep the student current with classroom instruction until the student is allowed to return to a classroom setting.

**HOMEBOUND INSTRUCTION**- Homebound services may be provided to students who have a medical condition preventing them from participating in classroom instruction because they are confined to home or a health care facility.

**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.

**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 (for example, 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 student, 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.

**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.

**OMBUDSMAN**- The Office of the Ombudsman provides an independent, confidential resource for students, families, employees, and community members, offering informal help to resolve concerns, problems, complaints, and other student-related issues.

**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 student lives or who is legally responsible for the student’s welfare. This term includes a number of qualifiers and exceptions; for further details, see the glossary in the *2010 Virginia Special Education Handbook*:  
<https://www.doe.virginia.gov/home/showpublisheddocument/890/638235414823330000>

**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 FCPS. 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).

**PUBLIC LAW 108-446**—The federal law that mandates that FAPE be available to all school-age children with disabilities. It is also known as 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.

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

**SOCIOCULTURAL 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 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 (for example, 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

| <b>Acronym</b> | <b>Meaning</b>  |
|----------------|---|
| 2E             | Twice Exceptional   |
| 504            | A section of the Rehabilitation Act of 1973                                       |
| AAC            | Augmentative and Alternative Communication  |
| ABA            | Applied Behavioral Analysis   |
| ACSD           | Advisory Committee for Students with Disabilities                                 |
| ADA            | Americans with Disabilities Act   |
| ADD            | Attention Deficit Disorder, now replaced by “ADHD predominantly inattentive type” |
| ADHD           | Attention Deficit Disorder  |
| APD            | Auditory Processing Disorder  |
| ASD            | Autism Spectrum Disorder  |
| ASL            | American Sign Language  |
| ATS            | Assistive Technology Services   |
| AYP            | Adequate Yearly Progress  |
| BCD            | Basis for Committee Decision  |
| BD             | Behavior Disorder   |
| BIP            | Behavior Intervention Plan  |
| CAPD           | Central Auditory Processing Disorder  |
| CSA            | Comprehensive Services Act  |
| CSB            | Community Services Board, Fairfax- Falls Church                                   |

| <b>Acronym</b> | <b>Meaning</b>                                       |
|----------------|--|
| CST            | Child Study Team                                     |
| CTS            | Career and Transition Services                       |
| DARS           | The Department for Aging and Rehabilitative Services |
| DD             | Developmental Delay                                  |
| DRS            | Department of Rehabilitative Services                |
| DSM-V          | Diagnostic and Statistical Manual, 5th ed            |
| DX             | Diagnosis  |
| ECSE           | Early Childhood Special Education                    |
| ECIDS          | Early Childhood Identification and Services          |
| ED             | Emotional Disability                                 |
| ESOL           | English Speakers of Other Languages                  |
| ESY            | Extended School Year                                 |
| FAPE           | Free Appropriate Public Education                    |
| FBA            | Functional Behavior Assessment                       |
| FCPS           | Fairfax County Public Schools                        |
| FERPA          | Family Educational Rights and Privacy Act            |
| FOIA           | Freedom of Information Act                           |
| FRC            | Family Resource Center                               |
| HI             | Hearing Impaired                                     |
| IAES           | Interim Alternative Education Setting                |
|                |  |

A list of acronyms relevant to public education in the State of Virginia and FCPS

| <b>Acronym</b> | <b>Meaning</b>                              |
|----------------|---|
| ID             | Intellectual Disability (replaces MD)       |
| IDEA           | Individuals with Disabilities Education Act |
| IEE            | Independent Educational Evaluation          |
| ITC            | Infant Toddler Connection                   |
| EFE            | Education for Employment                    |
| EFEO           | Education for Employment for the Office     |
| ETR            | Employment & Transition Support             |
| IEP            | Individualized Educational Program          |
| ISP            | Individualized Services Plan                |
| IQ             | Intelligence Quotient                       |
| KIT            | Keep in Touch                               |
| LD             | Learning Disability                         |
| LEA            | Local Education Agency                      |
| LEP            | Limited English Proficiency                 |
| LRE            | Least Restrictive Environment               |
| LSC            | Local Screening Committee                   |
| MD             | Multiple Disabilities                       |
| MDR            | Manifestation Determination Review          |
| MR             | Mental Retardation (now ID)                 |
| MTSS           | Multi-Tiered System of Supports             |
| NCLB           | No Child Left Behind Act of 2001            |

| <b>Acronym</b> | <b>Meaning</b>  |
|----------------|---|
| NVLD           | Nonverbal Learning Disability   |
| OSEP           | Office of Special Education Programs, (U.S. Department of Education), and Office of Special Education Procedural Support (FCPS) |
| OSERS          | Office of Special Education and Rehabilitative Services (U.S. Department of Education)  |
| OT             | Occupational Therapy  |
| PAC            | Preschool Autism Class  |
| PBA            | Positive Behavior Approach  |
| PDD            | Pervasive Developmental Disorder (sometimes used as a synonym for Autism Spectrum Disorder)                                     |
| PE             | Physical Education  |
| PECS           | Picture Exchange Communication System   |
| PDC            | Preschool Diagnostic Center   |
| PLOP           | Present Levels of Performance   |
| PSL            | Procedural Support Liaison  |
| PT             | Physical Therapy  |
| PTSD           | Post-Traumatic Stress Disorder  |
| PWN            | Prior Written Notice  |
| RTI            | Response to Intervention  |
| SD             | Severe Disability   |
| SEA            | State Education Agency (in Virginia, the Virginia Department of Education)  |



| <b>Acronym</b> | <b>Meaning</b>                             |
|----------------|--|
| SI             | Sensory Integration                        |
| SLD            | Specific Learning Disability               |
| SLI            | Speech-Language Impairment                 |
| SLP            | Speech-Language Pathologist                |
| SOL            | Standards of Learning Test                 |
| S/L            | Speech Language                            |
| SPD            | Sensory Processing Disorder                |
| SPED           | Special Education                          |
| SR&R           | Student Rights and Responsibilities        |
| STEP           | Secondary Transition to Employment Program |
| TBI            | Traumatic Brain Injury                     |
| T/TAC          | Training/Technical Assistance Center       |
| USDOE          | United States Department of Education      |

| <b>Acronym</b> | <b>Meaning</b>                          |
|----------------|---|
| VAAP           | Virginia Alternative Assessment Program |
| VDOE           | Virginia Department of Education        |
| VI             | Vision Impairment                       |
| VR             | Vocational Rehabilitation               |
| VSDB           | Virginia School for the Deaf and Blind  |
| VSEP           | Virginia Substitute Evaluation Program  |
| WAT            | Work Awareness and Training             |
|                |   |

## Special Education Referral to Eligibility Meetings and Timeline

### **Make a Referral**

Complete Multi-purpose Referral Form, pages 1 and 2 (SS/SE-5)  
Immediately inform Local Screening Committee (LSC) chair to be put on the LSC agenda



### **Local Screening Committee (LSC) Meeting**

*Must be held within 10 business days of the referral*  
If testing is recommended and permission granted:



### **Special Education Evaluation**

*Assessment is completed before the eligibility meeting*

**Student Testing**-Student is assessed in all areas addressed on the Notice and Consent for Evaluation (SS/SE-2)

**Social History**-Parent meets with school social worker to discuss academic, developmental, and family history

**Interpretive Conference**-Optional parent meeting with school psychologist to review evaluation results



### **Eligibility Meeting**

*Must be held within 65 business days of the referral*

The eligibility committee determines if student is eligible for special education services

Reevaluation eligibility meetings are held within 65 business days of the date the request was received by school-based designee



### **Individualized Education Program (IEP) Meeting**

*Must be held within 30 calendar days of the eligibility meeting if student is found eligible*

Parent and teachers develop a plan for goals and services