

Answers from Dr. Moody to Questions from AdvoChat: Championing Educational Success Part 1: Special Education 101 on 2/12/26

1. What services are provided for children educated in a private school placement?

Private schools are not required to provide FAPE.

All private school students may access special education services through the public school system. Typically, private schools inform parents of this support and provide information to parents and to the public school's eligibility committees if Special ed support is sought. If a child is found eligible for services as a student with a disability, the public school will work with parents to schedule these services. (i.e. child receives speech and language services at the neighborhood school.)

2. How often are IQ tests provided?

SWD (students with disabilities) receive a triennial evaluation every three years. IEP teams decide what tests should be administered or readministered for this triennial review- often a "collapsed evaluation" is conducted which can include some testing, student records reviews, IEP data review, teacher input- the eligibility committee can determine eligibility using "old and new" data- to determine if the student continues to be eligible for special ed services. Often a formal IQ assessment is NOT a component of the triennial evaluation. Best practice is to conduct an IQ assessment several times during the child's educational program.

3. Are children over 18 eligible for special education if they are diagnosed with autism?

Student 2-21 are eligible to receive special ed services. The IEP determines if a student (18+) is eligible for a post-graduation placement.

4. Is severe dyslexia grounds for an IEP? If so, does this affect all learning areas?

SWD are found eligible for special ed services based on specific criteria, these criteria can be reviewed at the [link](#) below. Dyslexia is generally covered under the Learning Disability category. Data from testing conducted during the evaluation process – and student learning data determine what instructional areas require specialized instruction.

<https://www.doe.virginia.gov/programs-services/special-education/specific-disabilities>

5. **Comment from Participant:** FASD (Fetal Alcohol Spectrum Disorder) is more prevalent than Autism yet isn't as readily recognized in the IEP Process (or in the world generally), but I have found it can be listed under Other Health

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Impairment. It is estimated 1 in 20 children have an FASD (so one in every classroom) and the rate is higher for children in foster care.

I do not have this data on prevalence of FASD and autism.

SWD are found eligible for special ed services based on specific criteria, these criteria can be reviewed at the [link above](#). FASD is a medical term – not an educational term used to determine a student’s eligibility for special ed services. Students diagnosed with FASD may receive special ed services under “Other Health Impairment” or “Intellectually Disabled” or other categories if test data show evidence of weaknesses in learning as documented in these criteria [linked above](#).

- 6. Will federal law for special education services continue given reduced federal DOE special education employees? Will services become more state-dependent?**

IDEA for students with disabilities is currently intact...my “sources” believe IDEA will remain as authorized.

- 7. How do you minimize or even break down the negative stigma that their child might need an IEP to their parent who does not want their child to be assessed for an IEP because they do not think their child needs one?**

Research shows parental attitudes make or break the transition and successes of a special ed placement. School Counselors may be the best resource here.

- 8. I have a child with ADHD and an Emotional Behavior Disability who can sometimes get overwhelmed and would benefit from headphones to decrease noise in the classroom. She is failing most of her classes (living with a foster parent) Is this something that an IEP can cover? Or would it be better addressed in a 504 plan (she only has an IEP). She is a sophomore in HS. Thanks!**

This is an accommodation that should be available to any student – an IEP or 504 plan is not typically required for this accommodation!! Guardians should start by asking for a meeting with the student’s academic team of teachers – include the student if possible.

- 9. What determines whether a biological or foster parent has educational rights?**

Educational rights are covered in court order, and education rights are not often terminated. Foster parents -under Virginia law- can sign consent forms.

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10. Who is an authorized surrogate who can sign the IEP for a child in a group home if both parents are deceased?

Foster parents -under Virginia law- can sign consent forms.

11. Are private schools held to the same FAPE standards?

NO

12. Can someone older than 18 - not in school- be referred for an evaluation.

Many factors here that need answers – BUT if the student has special education services prior to graduation – a meeting can be requested to review all factors. Post graduation placement is an IEP decision.

13. I have a young mom with special needs at age 20

Again, many factors - need answers- start with the Department of Social Services. They may guide you back to the school system – or likely have other resources available to this adult.

14. Do schools accept “outside” evaluations?

YES, schools must consider private evaluations as the eligibility committee makes eligibility decisions.