

***Special Ed recap**

***Advocating** for

educational, behavioral,

and familial needs

CASA COLLEGE

ADVO CHAT MARCH 12. 2026

starts with **Child Find**

§ VAC 20-81-50

“...maintain...active and continuing child find program designed to identify, locate and evaluate those children residing in the jurisdiction who are birth to 21, inclusive, who are in need of special education and related services...”

Public Awareness

- Annual campaign/advertise
- Make community aware of the nature of disabilities, warning signs and need for early intervention

Referral for Initial Evaluation

§ VAC20-81-60

All children, 2-21years, **suspected** of having a disability based on data shared during the Child Study Process shall be evaluated

All children, 2-21years, with a **reason to suspect** there is a disability shall be evaluated.

Before a child's eligibility under IDEA can be determined, a full and individual evaluation must be conducted

❖ ***Parents may request their child's evaluation.***

If the school agrees that an evaluation is needed, *it must evaluate the child at no cost to parents.*

❖ ***The school system may ask to evaluate the child.***

The school system must ask parents for permission to evaluate the child, and parents must give their informed written permission to conduct an evaluation.

Students found Eligibility for Special Education **are entitled to**

*FAPE: Free Appropriate Public Education

*LRE: Least Restricted Environment

*IEP: development of an Individual Education Plan focusing on specialized instruction and necessary related services

*Related Services (to include transportation)

*Procedure Safeguards: for parents and guardians

Desired Outcomes of IEP *OR* § 504

IEP: Modifications - change WHAT a student is expected to learn ensuring access to the general education curriculum, modifications adjust grade-level standards impacting diploma paths

§ 504: Accommodations – change HOW a student learns, while maintaining grade-level standards

consider a § 504 plan when a student

is chronically absent due to medical/ health issues;

develops a medical condition that may need help, especially a chronic health condition;

requires more time for homework and in- school assignments;

has substantial difficulty organizing, planning, and completing assignments;

is identified as “at risk” or exhibits the potential for dropping out of school;

a disability of any kind is suspected ????

anew building or remodeling is being considered.

§ 504 is not

as prescriptive as an IEP.

sets a higher standard for students' access to *equal opportunities*. 504 focuses on opportunity, not results.

Parents are not required member (best practice supports their involvement).

§ 504 exclusions- when a student is

- * a current drug users
- * experiencing psychoactive substance use disorders resulting from current use of illegal drugs
- * experiencing transvestitism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders
- * a compulsive gambler, kleptomaniac, or pyromaniac

Advocate for SWD's rights to

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*Transportation (related service) to/from school

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Support based on **Educational Needs** Not **Medical Needs**

Each decision by the eligibility / IEP committee is based on students access to the **general education curriculum**

A doctor's diagnosis is considered by the eligibility / IEP committee.

Schools provide services when students' disabilities impact their access to the **general education curriculum**

Austism, ASD, PDD

Children are eligible for special education and related services as a student with autism **if there is an adverse effect on the student's educational performance due to documented characteristics of autism spectrum disorder (ASD)** and the child requires specially designed instruction to meet their educational needs (they cannot access the general education curriculum.)

Educational Services for a child with **Autism** is provided when

There is an adverse effect on the child's educational performance due to documented characteristics of autism AND when

The child has any of the Pervasive Developmental Disorders, also referenced as autism spectrum disorder, such as Autistic Disorder, Asperger's Disorder, Rhett's Disorder, Childhood Disintegrative Disorder, Pervasive Developmental Disorder – Not Otherwise Specified including Atypical Autism as indicated in diagnostic references.

Students diagnosed with Asperger's Disorder demonstrate

- (1) Impairments in social interaction, such as marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction; failure to develop peer relationships appropriate to developmental level; a lack of spontaneous seeking to share enjoyment, interests, or achievements with other people (i.e., by a lack of showing, bringing, or pointing out objects of interest); or lack of social or emotional reciprocity are noted; and
- (2) Restricted repetitive and stereotyped patterns of behavior, interests, and activities such as encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus, apparently inflexible adherence to specific, nonfunctional routines or rituals, stereotyped and repetitive motor mannerisms, persistent preoccupation with parts of objects.

Students diagnosed with an **Autistic** Disorder demonstrate

(1.) impairments in communication, such as delay in, or total lack of, the development of spoken language (not accompanied by an attempt to communicate through alternative modes of communication such as gesture or mime).

(2.) in individuals with adequate speech, marked impairment in the ability to initiate or sustain a conversation with others, stereotyped and repetitive use of language or idiosyncratic language, or lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level is noted.

Students diagnosed with **Pervasive Developmental Disorder - Not Otherwise Specified** (PDD NOS) may demonstrate

any of the characteristics discussed earlier without displaying all of the characteristics associated with either Asperger's Disorder or Autistic Disorder.

Special Education **criteria for eligibility** as a student with Autism include:

Across multiple contexts a student with ASD demonstrates

**Impaired social interactions*

**Restricted, repetitive, stereotypic patterns of behavior, activities, interests*

**Impaired communications*

AND there is *documentation* of the effect on educational performance due to one or more of the above characteristics AND not primarily because of an emotional disturbance

Behavioral Supports for all SWD

Staff must teach SWD with predictable, contextually relevant routines and expectations – consistently prompting and correcting targeted behaviors – while treating SWD respectfully

These may include instruction and reinforcement in the following areas:

school expectations, violence prevention, anger management, mental health counseling, life skills, social skills

If a SWD continues to be excluded from class, programs, school – **Consider how to strengthen Behavioral Supports**

Supplementary Supports and Services

Includes aids (not aides) and services including supports provided in

- ❖ general education classes, or the setting determined to be appropriate placement in the LRE
- ❖ extracurricular settings
- ❖ non academic settings

School personnel may need training, coaching, tools to appropriately address behavioral needs

Serious behavior / patterns of behavior resulting in exclusion from school

For a child with serious behavioral concerns, IEP meeting should include parents and student, and may include advocates, attorney

the IEP Team should develop and adopt a protocol of **individualized, positive** behavioral interventions and supports

Hope to avoid -except in extreme circumstances- police, juvenile court referral

Student Suspensions

Removal from FAPE occurs when a student is excluded from school or denied access to instruction. It is illegal under IDEA

IDEA defines how many days a student can be denied FAPE- and what to do when exclusions occur

Advocate for the child by having the family request an IEP meeting **each time** a SWD is denied access to school (suspended.)

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Advocate for SWD's rights by

- *encouraging foster parents, DSS, or parents to attend meetings

- *helping foster parents, DSS, or parents prepare for school meetings

- *understanding what to address when a child is excluded from FAPE (suspension)