

# SPECIAL EDUCATION AND RELATED SERVICES

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Chapter 502 Enactment Clause 5 (Regular Session 2024)





# COMMONWEALTH of VIRGINIA

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November 1, 2024

The Honorable Ghazala F. Hashmi  
Chair, Senate Education and Health  
General Assembly Building, Rm 616  
P. O. Box 396  
Richmond, Virginia 23218

The Honorable L. Louise Lucas  
Chair, Senate Finance and Appropriations  
General Assembly Building, Rm 1404  
P. O. Box 396  
Richmond, Virginia 23218

The Honorable Sam Rasoul  
Chair, House Education  
General Assembly Building, Rm 910  
201 North 9th Street  
Richmond, Virginia 23219

The Honorable Luke E. Torian  
Chair, House Appropriations  
General Assembly Building, Rm 1223  
201 North 9th Street  
Richmond, Virginia 23219

Dear Delegate Rasoul and Senator Hashmi:

[Chapter 502 Enactment Clause 5 \(Reg Session 2024\)](#) requires the Virginia Department of Education (VDOE) to report on progress toward improving services to students with disabilities. This report is required to include information on the implementation of the Virginia Statewide IEP data system and template as well as the provision of guidance, technical assistance, and professional development to support high-quality instruction for students with disabilities in inclusive settings.

The VDOE has also prioritized a focus on high-quality instruction for students with disabilities and conducted the State Superintendent's Special Education Workgroup across the 2023-2024 school year to develop the [2024 Roadmap for Special Education](#). This workgroup, in conjunction with additional feedback from the State Special Education Advisory Committee, brought together over 40 members and stakeholders across public and private education, local school division staff and leadership, special education teachers, career and technical education teachers, transition and vocational rehabilitation staff, related service providers, parents and family members of students with disabilities, military connected families, local and national parent-teacher association representatives, members of Virginia's developmental disabilities network, disability advocacy organizations, the state parent and information training center,

other state agencies that serve individuals with disabilities, youth services and foster care youth team members, and self-advocates. These participants embraced the opportunity to create a Roadmap for Special Education in the Commonwealth. This roadmap includes increased support for the recruitment and retention of educators prepared to serve all students, with a focus on inclusive environments and practices, the provision of high-quality instruction for all students, adoption of strong systems of parent and family engagement, prioritized monitoring and support from the VDOE, as well as an emphasis on postsecondary pathways for all learners.

Among other requirements, House Bill 1089 and Senate Bill 220 require the VDOE to make several changes relating to special education and related services for children with disabilities in public elementary and secondary schools in the Commonwealth.

Specifically, [Chapter 502 Enactment Clause 5 \(Reg Session 2024\)](#) requires the VDOE to take the following action:

*“That no later than November 1, 2024, the Department of Education shall submit to the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations an initial report on its progress toward improving services to students with disabilities, including (i) the estimated costs, requirements, and timeline to implement the Virginia IEP data system and template; (ii) a plan for the Department of Education to begin providing technical assistance and coaching to local school divisions; (iii) the status of reviews, form updates, and worksheet development relating to referral, evaluation, reevaluation, and eligibility; and (iv) estimated costs and the timeline to develop and implement high-quality professional development to support (a) the implementation of referral, evaluation, reevaluation, and eligibility guidance, forms, and worksheets; (b) the effective utilization of the Virginia IEP data system and template; and (c) the implementation of instructional practices to support the provision of specially designed instruction in inclusive settings.”*

### **Virginia’s Report Progress**

In a letter dated March 13, 2024, the U. S. Department of Education’s Office of Special Education Programs (OSEP) acknowledged the improvements VDOE made to address the issues raised during federally required monitoring. In response, the VDOE articulated a clear plan to address specific regulatory and procedural improvements and has provided extensive evidence to the OSEP regarding the implementation of the required corrective actions including an extensive public notice and comment period to support the implementation of revisions to the state special education regulations.

The VDOE has worked to increase the supports and resources developed for parents. This includes publishing the revised and streamlined *Virginia’s Family Guide to Special Education* as well as collaborating with the state parent training and information center to offer specialized training for parents in a variety of topics such as transition, individualized education programs and early identification of students with disabilities. The VDOE has also developed a learning library that provides training video and resources to aid in understanding special education laws and regulations as well as strategies to encourage effective collaboration between parents and educators to ensure the provision of a free and appropriate public education for students with

disabilities.

As reported, the VDOE has and will continue to work in partnership with local school divisions to improve services to students with disabilities. The VDOE is focused on the provision of technical assistance and support to local school divisions based on the requirements of federal and state special education laws, regulations, and guidance to ensure best practices based on research and outcomes of students with disabilities. This report has been developed in alignment with the *Recruiting and Retaining Special Education Teachers* and *Statewide Plan to Ensure Effective Local Implementation of Secondary Transition Planning and Services* reports submitted to the Virginia General Assembly in 2024.

## **Statewide Individualized Education Program**

When students are identified as having an educational disability and require special education services to meet their unique learning needs, they are provided an Individualized Education Program (IEP) which is overseen by local public school divisions. An IEP is comprised of specially designed instruction that involves adapting the content, methodology, or delivery of instruction to address the needs of the student and accommodations, modifications, and other supplementary aids and services to ensure their access to the general curriculum so the child can meet the educational standards that apply to all children in the Commonwealth.

The VDOE gained a greater understanding of the IEP landscape by interviewing and surveying national and local leaders as well as conducting focus group meetings to gain local perspectives on the challenges that Virginia public school divisions face, to uncover best practices among divisions and states, and to capture recommendations for system capabilities and requirements. Virginia's Statewide IEP is referred to as Virginia IEP. The Virginia IEP system has emerged from the need for school divisions to have a streamlined IEP process. At its core, the Virginia IEP provides functionality as an IEP writer and compliance tool that affords educators the functionalities necessary to facilitate IEP meetings, develop IEPs, monitor student progress, and gather and submit data for state reporting purposes.

Currently, there are 117 local educational agencies as well as the Virginia School for the Deaf and Blind and the Department of Juvenile Justice and State Operated Programs using the Virginia IEP system. The VDOE works collaboratively with the divisions throughout the onboarding process and these divisions receive professional development on the use of the system. The VDOE provides ongoing support to administrators and teachers with a reference library of VDOE-approved guidance documents and online training modules. Administrators also have access to special education reporting data through the system and the ability to create tailored reports that meet the needs of their division. The Virginia IEP system is currently funded by federal special education funds at no cost to local school divisions and with no cost to state or local funds. Some school divisions choose to purchase supplemental programs for their systems that are not part of the Virginia IEP, meaning these programs are neither approved nor funded by the VDOE. In addition, these school divisions do not have seamless data sharing as a result. The VDOE is working with state leadership to explore additional supports and programmatic add-ons for local school divisions that could be supported by state funding to ensure each division utilizing Virginia IEP would have additional functionality and specialty modules. The current contract and vendor are established through 2027, in advance of this date

the VDOE will release an updated Request for Proposals to continue the provision of the Virginia IEP, and services associated with the program. The estimated cost for expansion to the remaining school divisions is as follows.

14 remaining school divisions onboarding (Year 1)	\$77,000
14 remaining school divisions Virtual Training	\$35,000
14 remaining school divisions (Year 2)	\$182,000

### Support for Local School Divisions

The VDOE has designed and in the process of delivering the provision of technical assistance and coaching to local school divisions by collaborating with its state-funded, allied professional organizations and partners to develop and provide high-quality professional development, training and resources to improve instructional implementation and leadership to support specially-designed instruction in inclusive settings. The VDOE is putting into action on-demand/virtual resources available now as well as plans for professional training and coaching throughout the 2024-2025 school year. This work will also be informed by practitioner input with real-time feedback from educators in the field and their needs in serving students with disabilities as started by the VDOE during 2024

In May 2024, the VDOE and the Collaboration for Effective Educator Development Accountability and Reform Center (CEEDAR), a national technical assistance funded by the United States Department of Education, developed the Virginia High-Leverage Practices (HLPs) Priority Survey to collect data from relevant stakeholders (principals, general and special education teachers, paraeducators, central-office administrators, and other service providers) about statewide needs to support struggling learners. This survey was also developed with learned experience in best practices from other states across the nation. Data from this survey will be used to assist the state leadership team in determining priority areas and focus for the HLPs in future educator preparation and professional development. The survey was distributed utilizing statewide and regional subscriber communication tools, VDOE presentations to a wide variety of audiences and stakeholders, targeted emails, and multiple professional learning events. The survey closed on September 6, 2024 and is in the process of being analyzed by department staff. Early reviews demonstrate a need for support in the topic areas of increased collaboration with families, use of assessment data and provision of explicit and intensive instructional support and strategies.

The data from this survey will inform the VDOE in its work toward fulfilling the goals of the *Individuals with Disabilities Education Act* and addressing the state’s critical performance and outcome gaps for students with disabilities. Services for children and youth with disabilities should aim to foster students’ access to the general curriculum and to high-quality instructional materials, achievement in the least restrictive environment, and knowledge and skills to make progress toward graduation. The infrastructure for this requirement will include professional development and training offered to various audiences systemically/statewide, regionally, and

targeted support based on the identification of federally identified schools with improvement needs in special education and the special education indicators.

### *Training and Technical Assistance Centers*

The VDOE partners with institutions of higher education across the Commonwealth to create the Training and Technical Assistance Center (TTAC) network. The VDOE's statewide projects and collaboration with TTACs provide professional development and support designed to assist schools in addressing accountability and improvement goals for students with disabilities with resources deployed regionally to schools. The VDOE has instituted planning with the TTAC network to focus on high-quality instruction, instructional materials, inclusive education settings for all educators, and the provision of specially designed instruction by special education teachers utilizing the approach and data discussed above. The provision of technical assistance and coaching to local school divisions will include this regional approach to boots on the ground assistance, as well as annual events aimed at increasing the skills of administrators, teachers, and early-career special education teachers.

The VDOE sponsors yearly content teaching academies (CTAs) which focus on school-based administrators, general and special education teachers, related service providers, and paraprofessionals. The CTAs are designed to provide professional development to participating Virginia educators to enhance the outcomes of students with disabilities using high-quality instruction and to promote inclusive practices. During the 2023-2024 school year, over 550 educators attended eleven professional development academies. Beginning in the 2024-2025 school year the CTAs will be expanded with a focus on supporting school principals and assistant principals on how to support, coach, and ensure the provision of high-quality services and support to students as well as expanded professional development for general education teachers during the CTA expansion in the summer of 2025. Additional funding is needed to support further growth and a focus on training for general education teachers which would use existing state approved (and Virginia General Assembly approved) resources with a focus on inclusion and the use of high-leverage practices for instruction and supports for students with disabilities to ensure the provision of a best in class education with high-quality instructional materials.

During the 2024-2025 school year, VDOE will also expand the offerings of the Special Education Teacher Support Academy (SETSA). The SETSA is a yearlong opportunity that focuses on building the capacity and efficacy of early-career special education teachers by improving teacher effectiveness and reducing teacher attrition in K-12 classrooms. Over 111 teachers and 18 instructional coaches attended this academy during the 2023-2024 school year. The SETSA is designed for early-career (beginning year through year three) special education teachers and experienced special educators interested in being trained as instructional coaches. The SETSA provides learning opportunities in professional knowledge, learning environment, instructional planning, instructional delivery, and assessment for and of learning. The program provides learning opportunities in instructional coaching for educators identified as coaches; participants are taught practical strategies and tools around topics that include disability awareness, inclusive practices, IEP development, student and parent involvement, specially designed instruction, differentiation, universal design for learning, and classroom management. All topics are couched in the Council for Exceptional Children's High-Leverage Practices.

Alongside these institutions, VDOE and TTACs also provide TTAC Online, a resource for professionals and family members of children and youth with disabilities housed in a comprehensive website designed to offer a wide range of resources, events (training, conferences, webinars and webcasts), and free online training opportunities. From October 2023 to June 2024, 43,785 views were made to these resources. Leveraging TTAC Online to support implementation of this legislation, the VDOE has created on-demand virtual professional development modules that local school divisions can use to support the delivery of instruction related to specially designed instruction for students with disabilities.

The estimated cost for additional staff and training capacity to be provided at each of the seven regional TTACs for general education teachers and administrators is as follows. Any additional staff funded and assigned to fulfill state training and coaching requirements would be augmented by current TTAC budgets and workplans funded by federal special education funds.

Eight total FTE staff positions. Addition of one FTE for each of the seven regional TTACs that cover all eight superintendent’s regions (two at VCU to cover both Region 1 and 8) to focus on general education teacher technical assistance and coaching	\$1,080,000
Eight total FTE staff positions. Addition of one FTE for each of the seven regional TTACs that cover all eight superintendent’s regions (two at VCU to cover both Region 1 and 8) to focus on administrator technical assistance and coaching	\$1,080,000
Six trainings per year \$300 per general education teacher participant including materials and supplies	\$21,991,800
Six trainings per year \$300 per administrator participant including materials and supplies	\$612,000

### **Guidance in Special Education and Related Services**

The *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* address requirements for evaluation and eligibility decision-making as well as related services decision-making by the student’s IEP Team. Recently, the VDOE has updated its guidance on evaluation and eligibility for special education with a focus on supporting teams of educators in high-quality implementation of identification, evaluation, and eligibility of students with disabilities. Updates for educator resources include revised versions of the *Evaluation and Eligibility For Special Education and Related Services: Guidance Document*, and the *Supplemental Guidance for Evaluation and Eligibility in Special Education*. In addition, the VDOE’s Division of Early Childhood and Care and the Department of Special Populations have collaborated to provide a three-part webinar series titled *Best Practices for Assessment of Young Children* to support the implementation of high-quality referral, identification, and eligibility practices with a focus on young children.

Additional funding is also needed to support training to support local school divisions, and most importantly, teams in ensuring accurate and consistent eligibility determinations and access to

special education services. For example, the VDOE has conducted training for local school division staff on eligibility, examining thresholds, and the identification of specific disability categories in the past however, with staff turnover and the new revisions to the materials these training events need to be provided again. School divisions would be required to send teams of staff who are responsible for the identification, evaluation and eligibility determination of students with disabilities to attend and serve as points of contact in their local school communities

The VDOE has focused on ensuring parents understanding and access to information and support around these topics by recently updating the *Virginia Family's Guide to Special Education*, a resource designed for parents to assist in understanding the special education process as well as creating the [Video Guide to the Special Education Evaluation Process for Families](#). The video guide is a series of video modules that provide parents, families, and other stakeholders with a brief but comprehensive overview of the special education process on the following topics: *Introduction, Identification, Evaluation, Eligibility, IEP, Reevaluation, Early Intervention, and What's Next*. Each module is designed to be viewed as a stand-alone resource or viewed in succession.

The estimated cost for additional regional training of special education led teams to be provided in each of the eight superintendent's regions and focused on evaluation and eligibility including updates to guidance is below. Any state training requirements would be augmented by current budgets and work plans funded by federal special education funds.

Evaluation and Eligibility Training across all eight Superintendent's Regions includes a two-day training event, purchased services, participant support costs, and materials and supplies	\$516,503.75
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The VDOE looks forward to supporting the improvement of the services and supports for students with disabilities and their families across the Commonwealth, as well as providing additional resources for the local school communities that serve them.

If you require additional information, please contact Dr. Samantha Marsh Hollins, Assistant Superintendent, Department of Special Populations at (804) 750-8738 or [Samantha.Hollins@doe.virginia.gov](mailto:Samantha.Hollins@doe.virginia.gov).

Sincerely,

Dr. Lisa Coons  
State Superintendent of Public Instruction