

# **Critical Decision Points for Families of Children with Disabilities**

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## **Virginia Board for People with Disabilities**

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## **Background**

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In its 2014 *Assessment of the Disability Services System in Virginia*, the Virginia Board for People with Disabilities (VBPD) identified the challenges that families have with respect to having the knowledge and information needed to inform key decisions that can affect their child's future. The decisions made regarding a child's assessment and diploma options are a key component of his/her success. The VBPD reported that many parents are not being educated in a timely manner on the implications and ramifications of options related to participation in the general curriculum, assessments, and diplomas. For example, many parents are unaware that if their child does not participate in the Standards of Learning (SOL) assessments, he/she will be unable to obtain a Standard or Advanced Diploma (a "high school diploma" for the purposes of employment, higher learning, continuing education, and financial aid). Public comment from a variety of arenas indicated that parents still struggle with perceived low expectations for their child's performance, and that too many children continue to be directed away from the SOL track. Families additionally voiced confusion regarding the State's accountability process. Families reported being told that they can switch back to the SOL track after being enrolled in an alternative curriculum track. It is clear however, that "catching up" with peers becomes more and more unrealistic the longer a child is not participating in the SOL curriculum. To address these issues, the Board made the following recommendation in the 2014 *Assessment* as follows:

"Develop and implement an adult education curriculum on the special education process for the parents and guardians of children with disabilities to help them understand their rights and their responsibilities. This training, which should be designed to improve partnerships between schools and families, could be offered through VDOE or local school divisions. Specific topics should include (a) the transition to secondary school and to adult services, including work incentives and identification of school division representatives, and (b) the role of community services boards (CSBs), centers for independent living (CILs), and other advocacy organizations. School divisions should conduct vigorous outreach and marketing to ensure families know about these education and information sessions once available."

In 2016, the VBPD determined that it would facilitate implementation of this recommendation by offering funds to the Virginia Department of Education (VDOE) to develop and implement a

training program on critical decision-making points for children with disabilities to include diploma options, assessment options and key grade level decision-making points, credit and credit accommodations, taking a long-term view, and more. The VBPD determined that direct funding to the VDOE would ensure that the most up-to-date information was included in written information and training, particularly in light of ongoing changes in the federal and state education landscape, as well as ensure that the initiative would be sustainable following the conclusion of the grant period.

## **Introduction**

Parents and caregivers have certain goals in mind when their children go to school. Regardless of whether children have disabilities or not, all parents want them to learn, explore, and experience as much as they possibly can. Parents strive for their children to complete their public education, obtain a diploma, and be fully prepared to move on toward their chosen path, whether that is immediate employment, higher education, or something else. In order for your child to achieve these goals, there are certain decisions that you, as a parent, will have to make along the way. Some of these decisions will occur as early as infancy and toddlerhood.

When parents and school divisions collaborate with one another, great things can happen for children. It is with collaboration in mind that this document seeks to assist all parties in working together positively and constructively to make the best decisions possible for children in Virginia.

The purpose of this guide is to assist you in understanding four things:

- What are some of the keys to your child's academic success?
- What decisions will you need to make regarding your child's educational path?
- At what point will you be making these decisions? In this guide, we refer to these as ***critical decision points***.
- What information will you need so that you can make the most well informed decisions possible for your child?

***This document is not meant to limit or replace state regulations.***

This guide is divided into sections. The first section provides you with terms and acronyms that you might encounter along your child's educational journey. This is information that all parents may need to know.

The second section is entitled *Keys to Academic Success*. This section will provide you with valuable information that will help you to assist your child with obtaining the very best education possible.

The third section contains the *Critical Decision Points*. In this section, you will find each of these points, general information that will help you to be well informed when making these decisions, and guidance regarding when you will need to consider each.

Additional information and resources may be found on the VDOE website at [Virginia Department of Education](http://www.virginia.gov/education) or by contacting VDOE at:

Virginia Department of Education  
Department of Special Education and Student Services  
James Monroe Building, 20<sup>th</sup> Floor  
P. O. Box 2120  
Richmond, Virginia 23218-2120  
Toll-free: 1-800-422-2083  
Text Users Dial: 711 (Relay)

We hope that you find this information both valuable and easy to understand. Best wishes to you and your child throughout your educational journey.

## Helpful Terms and Acronyms

**A 504 Plan** is a written plan that is required under Section 504 of the *Rehabilitation Act of 1973* (29 USC §701 et seq.), as amended. A child's 504 Plan details modifications, accommodations, and services that are needed for the child with a disability to participate in school programs at the same level as his/her peers without disabilities.

**Academic and Career Plans (ACP)** are documents that serve as roadmaps to choose the proper courses and activities that children need to ensure that they reach their goals for postsecondary education and careers. The ACP must include (but is not limited to) (1) a program of study for high school graduation and a postsecondary career pathway based on a child's academic and career interests, (2) a review and update, if necessary, prior to a child entering ninth and eleventh grades, and (3) the signatures of the child, the child's parent or guardian, and a school official designated by the principal.

**Accommodations** do not reduce learning expectations. They provide access. There are four types of accommodations: presentation (example; reading directions to a child), response (example; allowing for answers to be dictated to a scribe), timing/scheduling (example; allowing sub-tests to be taken in a different order), and setting (example; providing special lighting or acoustics). In contrast, modifications refer to practices that change, lower, or reduce learning expectations. Some examples may be providing below grade level reading material, grades being based on progress a child is making on (Individualized Education Program (IEP) goals rather than performance on grade level tasks, and significantly simplified vocabulary.

**Advanced Studies Diploma** currently requires 26 standard units of credit and 5 verified credits. (Refer to *Critical Decision Point 3* for additional information.) For children with IEPs, it should

be noted that after graduating with an Advanced Studies Diploma, children will no longer qualify for free appropriate public education (FAPE), and will not be able to receive ongoing services through the public school system after graduation.

**Applied Studies Diploma** is designed for children who have completed the requirements of their IEP and who do not meet the requirements for other diplomas. (Refer to *Critical Decision Point 3* for additional information.) Children who earn this diploma will be eligible for ongoing services, free appropriate public education (FAPE), through the age of 22.

**Career and Technical Education (CTE)** means organized educational activities that offer a sequence of courses that:

- Provides individuals with the rigorous and challenging academic and technical knowledge and skills the individuals need to prepare for further education and for careers in current or emerging employment sectors;
- May include the provision of skills or courses necessary to enroll in a sequence of courses; and
- Provides, at the postsecondary level, for a one-year certificate, an associate degree, or industry-recognized credential.

**Career and Technical Education (CTE) Credentials** are credentials earned, generally through testing, that verify skill mastery, educational attainment, and the authority to perform a task or operation.

**Computer Adaptive Test (CAT)** is an assessment that is customized to each child based on how the child responds to the test questions.

**Credit Accommodations** provide additional pathways to the Standard Diploma for children with disabilities who meet eligibility criteria. These pathways can be lumped into the following categories (buckets):

- Locally Awarded Verified Credits: In Mathematics and End-of-Course (EOC) English Reading and Writing
- Coursework: Providing standard credits (credits that are awarded for successfully completing a course) through the use of content divided into two parts (example: Algebra I Part 1 and Part 2) and replacing Economics and Personal Finance (6120) for Personal Living and Finance (3120)

For more detailed information, please refer to the following webpage: [VDOE Standard Diploma Credit Accommodations](#).

**Early Childhood Special Education (ECSE)** is special education and related services delivered to preschool aged children from age two (whose birthday falls on or before September 30) through five who experience a disability and require special education services. Educators, along with the child's family, develop an Individualized Education Program (IEP) with goals and

objectives to meet the child's developmental needs. The goals and objectives include a variety of skills and/or activities for the child to learn and use consistently.

**Elementary School** is defined as a nonprofit institutional day or residential school (including public elementary charter schools) that provides elementary education, as determined under state law. State law further defines an elementary school as a nonprofit institutional school that has an age appropriate curriculum. A nonprofit preschool facility may be considered an elementary school if it has an age appropriate curriculum and includes developmental activities and opportunities (pre-literacy, early numeracy, problem solving opportunities, and exploration of the child's environment) interfaced with age appropriate social interactions.

**End-of-Course (EOC)** refers to a test that is given at the end of a course for which children can earn credit toward a Standard or an Advanced Studies diploma. Examples include Algebra I and Earth Science.

**Equitable Services** Local Education Agencies (LEAs) are required to locate, identify, evaluate, and spend a proportionate share of *Individuals with Disabilities Education Improvement Act* (IDEA 2004) funds for equitable services for children with disabilities enrolled by their parents in private schools located in their district, including religious, elementary, and secondary schools. Parentally-placed private school children with disabilities are provided an opportunity for equitable participation in special education and related services through an Individualized Services Plan. School divisions determine how special education and/or related services will be apportioned to serve parentally-placed private school children with disabilities.

**Free Appropriate Public Education (FAPE)** means special education and related services that:

- are provided at public expense, under public supervision and direction, and without charge;
- meet the standards of the Virginia Board of Education (VBOE);
- include an appropriate preschool, elementary school, middle school, or secondary school education in Virginia; and
- are provided in conformity with an individualized education program.

***Individuals with Disabilities Education Improvement Act (IDEA 2004)*** The reauthorization of the *Individuals with Disabilities Education Improvement Act*, December 4, 2004, (IDEA 2004) and its implementing federal regulations, October 13, 2006, provides law and regulations for children with disabilities.

**Independent Education Evaluation (IEE)** means an evaluation conducted by a qualified examiner or examiners who are not employed by the local educational agency responsible for the education of the child in question.

**Individualized Education Program (IEP)** means a written plan for a child with a disability that is developed, reviewed, and revised in a team meeting. The IEP specifies the individual

educational needs of the child and what special education and related services are necessary to meet the child's educational needs.

**Individualized Services Plan (ISP)** Each parentally-placed private school child with a disability who has been designated to receive special education and/or related services must have an ISP. The ISP describes the specific special education and/or related services that the LEA will provide to the child, and must, to the extent appropriate, meet the applicable IEP content requirements. The ISP also must be developed, reviewed, and revised consistent with the requirements related to the IEP Team and parent participation.

**Least Restrictive Environment (LRE)** means that to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities, and that special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs 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.

### **LRE-Continuum of Placements**

Each school division must provide a wide variety, or continuum, of alternative placements so that each child with a disability will have an appropriate program. This continuum includes:

- general education classes
- special education classes
- special education schools (private/residential)
- home-based instruction
- homebound instruction when instruction is made available to children who are confined for periods that would prevent normal school attendance; and based on certification of need by a licensed physician or clinical psychologist
- instruction in hospitals and institutions, including state facilities

### **This continuum of alternative placements also:**

- must provide for supplementary services, such as a resource room or services or itinerant instruction, provided with general education classes;
- must include integrated service delivery, which occurs when some or all goals of your child's IEP are met in general education classes with similar-age children;
- must be based on the individual needs of your child, not a single model used for a specific population or category of children with disabilities;
- must be documented by the identification of each alternative considered and the reasons for the placement chosen; and
- must provide for a program, if appropriate, with similar-age children.

**Locally Awarded Verified Credits (LAVC)** A child with a disability who has an IEP or 504 and is eligible for credit accommodations may be considered for a LAVC in the areas of English, Reading, Writing, and Mathematics. Locally awarded verified credits in science and history/social science are available to all children pursuing a standard diploma who meet eligibility requirements.

**Modifications** are adjustments to an assignment or a test that change the standard of what the test or assignment is supposed to measure. Examples of modifications include a child completing work on part of a standard, or a child completing an alternate assignment that is more easily achievable than the original assignment. Please note that modifications on state assessments such as the SOL test are not permitted.

**Parent** is defined by *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* as:

- A biological or adoptive parent of a child;
- A foster parent, even if the biological or adoptive parent's rights have not been terminated. The local educational agency shall provide written notice to the biological or adoptive parents at their last known address that a foster parent is acting as the parent and the local educational agency is entitled to rely upon the actions of the foster parent until such time that the biological or adoptive parent attempts to act as the parent;
- A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not a guardian ad litem, or the state if the child is a ward of the state);
- An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- A minor who is emancipated; or
- If no qualified party from the list above can be identified, or those parties are unwilling to act as a parent, a surrogate parent who has been appointed in accordance with requirements detailed under 8VAC20-81-220.

**Postsecondary Goals** refer to what your child wants to do after high school. They are developed beginning when your child turns 14 or earlier, if determined appropriate by the child's IEP Team. These cover employment, education, training, and for some youth, independent living.

**Preschool** A school for children under the age of five that precedes attendance to kindergarten. Preschools may be public or private. Public preschool may be funded through federal, state, and/or local funds and opportunities vary among school divisions.

**School Readiness** describes the capabilities of children, families, schools, and communities that promote success in kindergarten and beyond. Each component—children, families, schools, and communities—plays an essential role in developing school readiness. School readiness for

children refers to children being prepared socially, personally, physically, and intellectually to meet literacy, mathematics, science, history/social science, and developmental standards.

**Self-determination** refers to a combination of skills, knowledge, and beliefs that enable a person to engage in goal-directed, self-regulated, autonomous behavior. An understanding of one's strengths and limitations, together with a belief of oneself as capable and effective are essential to self-determination. When acting on the basis of these skills and attitudes, individuals have greater ability to take control of their lives and assume the role of successful adults in our society. (*Field, Miller, and Wehmeyer, 1998*)

**Social Capital** refers to relationships and a network of people who can best assist a person in reaching future goals and researching the appropriate diploma option to reach those goals. Some examples of individuals who can provide knowledge and assistance in these areas are school counselors, special education teachers, general education teachers, employers, and parents and/or guardians.

**Standard Credits** are awarded for successfully completing a course.

**Standard Diploma** requires 22 standard units of credit and 5 verified credits. (Refer to *Critical Decision Point 3* and *Appendix 2* for upcoming changes.) For children with IEPs, it should be noted that after graduating with a Standard Diploma, children will no longer qualify for FAPE and will not be able to receive ongoing services through the public school system.

**Standards of Learning (SOLs)** are minimum expectations for what children should know and be able to do at the end of each grade or course in English, mathematics, science, and history/social science.

**Substitute Tests Approved for Awarding Verified Credit** the Virginia Board of Education (VBOE) has approved various “substitute” tests that can be used in lieu of the End-of-Course Standards of Learning test for the purpose of awarding verified credit to children.

**Transition Assessments** provide information that helps your child and the IEP Team write post-secondary goals. They help the child and the IEP Team understand strengths, preferences, and weaknesses. These goals often change as the child grows and matures. The school is not responsible for the successful completion of post-secondary goals; the school is responsible for coordinating services and activities that will move the child close to his post-secondary goals.

**Verified Credits** are awarded when the child successfully completes a course and achieves a passing score on the associated SOL test, or a substitute assessment approved by the VBOE.

**Virginia Alternate Assessment Program (VAAP)** is designed to evaluate the performance of students with significant cognitive disabilities in grades 3-8 and high school. Beginning in the 2021-2022 school year, the portfolio-based VAAP was replaced with a new multiple-choice assessment in the content areas of reading, mathematics, and science that was administered to students in an online or paper format. The new VAAP is based on academic content standards derived from the Standards of Learning (SOL) in reading, mathematics, and science that have

been reduced in depth, breadth, and complexity. These content standards are referred to as the Virginia Essentialized Standards of Learning (VESOL).

**Virginia Essentialized Standards of Learning (VESOL)** are academic content standards derived from the Standards of Learning (SOL) in reading, mathematics, and science that have been reduced in depth, breadth, and complexity.

**Virtual Course** is a class that is delivered virtually through an electronic device such as a computer.

**Work-Based Learning (WBL)** is a school coordinated, coherent sequence of on-the-job experiences that are related to children's career goals and interests. It enables children to apply classroom instruction in a real-world business or service-oriented work environment.

## **Keys to Academic Success**

**Prior to reviewing critical decision-making points, below are some key components to know that will help children be successful throughout their school careers, beginning in early childhood.**

### **Key number 1: Supporting continual learning and development**

The early childhood years are just as important for children with disabilities and developmental delays as they are for all children. All of your child's future development is based on the critical learning patterns laid down during this period. Many parents want to know the critical skills for their child to learn during their early developmental years.

It is never too early to think about school readiness. Much of this readiness can be developed inside your home. School readiness activities promote success in kindergarten and beyond. Many of us think of kindergarten and think of skills related to learning the alphabet, letter sounds, reading basic words, and counting. While these are important skills for all children entering kindergarten, there are other skills that are equally, if not more important. School readiness activities focus on phonological awareness, language, vocabulary, mathematics, science, and history/social science. School readiness also refers to children being prepared physically and socially. This includes a focus on physical and motor development, as well as social development. Social development includes self-regulation, communicating, interacting with others, problem solving, recognizing and expressing emotions, and other skills. These are skills needed in all settings and throughout our lives.

School readiness activities can guide parents toward better understanding the types of skills a young child should be learning. Keep in mind, however, that every child will develop at a different pace. A child with a disability may enter a formal school setting sooner than a child without a disability and the skills that a child with a disability needs to learn will be individualized based on his needs. The IEP Team will identify the goals and objectives

appropriate for the child to succeed. You, as the parent, are a critical part of the IEP Team and will help make these determinations.

### **Making the transition from Early Childhood Special Education (ECSE) to kindergarten**

You will also want to consider how best to help your child make the transition from Early Childhood Special Education (special education and related services delivered to preschool aged children from age two through five) to kindergarten, as this can present big changes for young children with disabilities and their families. The nature of the program, length of the school day, location of the school, and staff may all change. Preschool children make the transition into kindergarten more successfully when their schools and families prepare together. By coordinating transition efforts, preschool and elementary programs can help children maintain and maximize the gains they made in preschool.

It is important to understand that the transition from preschool to kindergarten is a process and not a “one size fits all” formula. The IEP Team may provide transition activities such as a school or classroom visit and may meet with your child’s new teacher to share information about your child. Discuss the transition with your child’s teacher and IEP Team. Share any concerns or ideas you may have. Additionally, plan to get to know your child’s new teacher and IEP Team as the transition to kindergarten is made. Sharing information about your child’s strengths and interests is an important part of this process. After all, you know your child best.

### **Key number 2: Regular attendance**

Attending school regularly helps children feel better about school—and themselves. If you build this habit early in preschool, your child will learn right away that going to school on time, every day is important. *Good attendance will help children do well in high school, college, and at work!*

A child is considered chronically absent if he/she misses only two days of school per month (18 days in a year), whether the absences are excused or unexcused. Even one year of chronic absence can cause a child to fall behind academically and decrease a child’s chances of graduating from high school, which can have long-term consequences on her financial independence, physical well-being and mental health. Attending school every day increases a child’s chances of success in school and in life.

Did you know?

- Beginning in kindergarten, too many absences can cause children to fall behind in school.
- Children can still fall behind if they miss just a day or two days every few weeks.
- That by sixth grade, high absences are one of three signs that a child may drop out of high school.
- Attendance is an important life skill that will help your child graduate from college and/or keep a job.

Here are some helpful tips to support good attendance and your child's success:

- Set a regular bedtime and morning routine.
- Introduce your child to teachers and classmates before school starts to help with the transition.
- If your child seems anxious about going to school, talk to teachers, school counselors, or other parents for advice on how to make her feel comfortable and excited about learning.
- Develop back-up plans for getting your child to school if something comes up.
- Avoid medical appointments and extended trips, if possible, when school is in session.
- Encourage meaningful afterschool activities, including sports and clubs.

Attendance habits influence grades and participation in school and community-related programs (i.e., teams, clubs, CTE, employment). Developing good attendance also impacts critical workplace skills well into the future.

Visit the [Attendance Works](#) website for more information.

Additional information can be found from the *Regulations Governing the Collection and Reporting of Truancy Related Data and Student Attendance Policies*, refer to [8VAC20-730](#).

### **Key number 3: Being engaged in my child's education**

Research has consistently shown that family engagement in a child's education leads to better educational outcomes. A child's chances of success go up when parents show an active interest in their child's school work, attend school events, and advocate for their child to the maximum extent possible. (*"Research Spotlight on," n.d.*)

If your child receives special education services, you have two important roles:

- Build and maintain a solid working relationship with all school personnel involved with your child so that the IEP Team can function at its most effective level.
- Ensure that your child receives FAPE (a free appropriate public education).

**The best way to attain these goals for your child is to remain engaged in your child's education through collaborating with your school division. Collaboration is a mutual responsibility between families and school divisions.**

What does all of that mean? Here are some definitions.

**Family Engagement:** Ideally, parents who are engaged may do any of the following:

- Encourage communication with a child
- Support and model enthusiasm for learning
- Assist with study habits
- Actively participate in meetings

- Understand a child's needs
- Understand the Special Education process and parent/child rights
- Advocate for a child's educational needs

**Collaboration:** When two or more parties are involved in a partnership with the purpose of working together toward a common goal, this is collaboration. It is a process which is fostered through all parties learning how to communicate effectively with one another as a means of building trust.

Family Engagement leads to better collaboration, which leads to better outcomes for your child.

#### **Key number 4: Understanding our rights**

It is important to develop an understanding of your Parental Rights. (The list below is not all-inclusive. Please refer to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* for complete information.)

You have the right to:

- advocate for your child without fear of retaliation.
- receive advance notice/invitation of meetings.
- have meetings at a mutually agreed upon date, time, and location.
- audio record eligibility, IEP, and manifestation determination meetings.
- request to video record. (If you are told that you cannot, ask to review the school division's policy on video recording.)
- discuss your concerns/input.
- bring and have reviewed any type of documentation.
- bring other individuals and have them assist you during meetings.
- receive a copy of a procedural safeguards document once per year and any time upon request.
- receive an independent educational evaluation (IEE) when you disagree with the results of a school-based evaluation, at no cost to you.

What is Prior Written Notice?

Prior Written Notice must be provided to you whenever the school division proposes or refuses any action related to the following:

- Identification
- Evaluation
- Educational Placement
- Provision of FAPE (free appropriate public education)

Prior Written Notice must contain the following seven elements:

- Description of the action proposed or refused by the school division
- Explanation of the school division's proposal or refusal to take action
- Description of other options considered and the reasons for their rejection
- Description of the evaluation, assessment, record, or report used as a basis for the action
- Description of other relevant factors
- Statement regarding procedural safeguards protections
- Sources for assistance

Understanding the rights of both you and your child will help you to be certain she is receiving the FAPE to which she is entitled.

### **Key number 5: Promoting my child's independence and self-determination**

Your child's role in education, as in life, grows as he matures and gains knowledge about himself and the world around him. Self-determination is an important attribute for all people to possess. It comes through acquiring a set of skills that help a person understand his strengths, preferences, and interests. Self-determined people are able to set goals and develop plans to meet those goals through making choices and decisions, learning to self-regulate, and advocating for themselves. They believe in themselves as capable and effective people who can take control of their lives.

Eventually, all children with IEPs will be expected to attend and provide input to the IEP. They will become team members. As parents, you may want to begin preparing your child to attend and participate in these meetings. He can talk about his strengths, interests, and preferences, and what supports or accommodations help him learn. The skills needed to do this fall under the term self-determination. When children participate, express what is important to them, and express their own goals to the team, they gain confidence. Children begin to understand that they have a right to be heard.

Being self-determined will help your child advocate for himself. However, this does not just happen when a child reaches the age for a secondary transition focused IEP. Your child can participate in the IEP process long before he reaches the age for secondary transition. Your child can invite people to attend the IEP meeting. The IEP is about your child. Who is better qualified to provide information about his learning and goals? There is an important phrase you might have heard which says, "Nothing about me without me." This means when the person with a disability is being discussed and plans are being made, that individual must be at the table.

Using a **One Pager**, found at [I'm Determined](#), your child can identify strengths, preferences, interests, and supports in a simple format using words, pictures, or video. It is powerful to have a young person present information to the IEP Team. As your child moves closer to graduation, he might stay in the IEP meeting to be part of the discussion on goals. **Goal Setting and Attainment** is another tool found on the I'm Determined website. Learning how to make plans

so goals can be attained is an important part of being successful in school and in life beyond school. Children can learn to identify people who can provide support. The **Good Day Plan**, also found on the I'm Determined website, helps a child know that he has some control over the events that influence his life. It's important for your child to know he has the ability and skills to work hard, complete important tasks, and reach his goals.

It is also important to note that beginning at least one year before your child turns eighteen, the IEP Team must inform you that educational rights will transfer to him upon his eighteenth birthday. This means that he will be able to make educational decisions without you. For example, as an adult your child would be able to grant consent for his IEP.

It is a good idea to allow him to begin making choices well before he turns eighteen. As he begins to make choices and understand the consequences of his choices, you can offer more opportunities for him to make decisions.

These experiences build confidence and maturity that will allow him to actively participate in his IEP meetings. Remember, during the IEP cycle when your child turns fourteen, he will be invited to attend the IEP meeting. The IEP Team want to hear from him about his strengths, interests, and preferences. It is your choice to determine whether he will attend until he is eighteen years old.

If you do not think that your child should be making these decisions at age eighteen, it may be possible to continue to be involved. The VDOE has prepared a booklet that will help you to understand this. It is called, *Transfer of Rights for Students with Disabilities Upon Reaching the Age of Majority in Virginia*, and can be found at the following link: [Transfer of Rights for Students with Disabilities Upon Reaching the Age of Majority in Virginia](#).

## **Key number 6: Keeping long term goals in mind early in a child's educational career**

Parents often set goals for their children while they are very young. It is okay to dream big. In fact, your high expectations will be a major factor in your child's success.

If your goal is for your child to attend college, you need to know that IDEA ends at age 22 or at the time when your child obtains a Standard or an Advanced Studies Diploma. There is no Free Appropriate Public Education (FAPE) in post-secondary education. Like any college-bound child, your child will likely have both positive and negative experiences while in college. Being able to bounce back after negative events will play an important role in your child's ultimate success, so begin preparing him to do this early.

We know that learning beyond high school leads to better employment, but not everyone wants to attend college. Your child might want to seek employment that requires training beyond high school. She might learn while she earns money in an apprenticeship type program. Virginia has many quality postsecondary training programs. Some are on community college campuses. The Department for Aging and Rehabilitative Services (DARS) can assist eligible children with obtaining and maintaining employment or attending college if their employment goals require a

degree. The [Wilson Workforce and Rehabilitation Center](#) (WWRC) also has programs that lead to careers in manufacturing, health occupations, and other areas. There are many available resources and options available for your child.

Employment is a major part of life for most adults. Plan for a career; not just a job. Virginia is an Employment First state. That means that Virginia promotes and supports competitive, integrated employment as a first choice; in other words, a work setting that includes people with and without disabilities where she will earn a competitive wage that is similar to that of others doing the same work. A competitive wage means at or above the minimum wage.

As your child matures, she will likely have her own goals and her goals may not agree with your goals for her. Knowing and using the resources that are available in your community and providing support and opportunities for your child to exercise her skills will lead to better post school outcomes.

### **Key number 7: Understanding assessment options and their relationship to diplomas/long term goals**

For all children with disabilities identified under IDEA, the IEP Team determines how the child will participate in the state's accountability system and for children identified under Section 504, the 504 Committee determines how the child will participate.

A child's IEP must specify the child's participation in the state accountability system as follows:

- participation in the Standards of Learning (SOL) test (which assesses the minimum expectations for what children should know and be able to do at the end of each grade or course in English, mathematics, science, and history/social science) with no accommodations;
- participation in the SOL test with accommodations;
- participation in Virginia Alternate Assessment Program (VAAP) (evaluates the performance of children with significant cognitive disabilities in grades 3-8 and high school who are working on academic content standards derived from the Standards of Learning (SOL) in reading, mathematics, and science that have been reduced in depth, breadth, and complexity.) These content standards are referred to as the Virginia Essentialized Standards of Learning (VESOL).

Children with disabilities have access to three different diploma options. The diploma that the child will work toward is determined by the IEP Team. For children who started their ninth-grade year during the 2018-2019 school year and beyond, the diploma options follow:

- The Advanced Studies Diploma requires children to have 26 credits (5 verified). This diploma is Virginia's highest diploma and requires children to complete three years of a

foreign language and advanced math classes. This is the best diploma for children wishing to attend a four-year college.

- The Standard Diploma requires children to have 22 credits (5 verified). Although children can attend a four-year college with this diploma it is more suitable for children wishing to attend a community college or enter into a career after graduation.
- The Applied Studies Diploma is only available to children identified as having a disability who complete the requirements of their individualized education programs (IEPs), but do not meet the requirements for the diplomas above. The Applied Studies Diploma is not available for children with 504 Plans.

Children with disabilities who participate in the SOL assessments with or without accommodations and earn the verified credits may receive either the Standard or Advanced Studies Diploma. **However, if a child participates in the VAAP, he will not be able to obtain a Standard or Advanced Studies Diploma.** He or she may receive an Applied Studies Diploma.

Participation in the VAAP should only be considered after the SOL participation has been discussed and all possible accommodations have been fully examined. Failure to pass the SOL assessments does not provide justification for VAAP participation.

***It is absolutely critical that parents understand that agreeing to modifications of a child's curriculum means that their child will not be receiving the same instructional content as his peers. This means that the child will not be adequately prepared to take standardized assessments (such as SOL assessments) that lead to verified credits. Without these verified credits, the child will be unable to earn either a Standard or an Advanced Studies Diploma.***

An Applied Studies Diploma is not equivalent to a Standard Diploma, and it may not qualify a child for post-secondary opportunities for which a regular high school diploma is required, such as higher education, financial aid, and some employment opportunities.

For more detailed information on assessments, please refer to the appendix at the end of this document entitled, *What Parents Need to Know about State Assessments*.

## **Key number 8: Understanding diploma options and their relationship to post-secondary goals**

Think of your child's time in school as an educational journey and the career as the final destination on that journey. First, you have to determine where you want to go and then you have to map out the best way to get there. If the career is your destination, then the **diploma** is the vehicle that will get you to your destination. The last thing you want to do is plan a trip and then realize you don't have the necessary transportation to get there. In the same way, the

diploma your child chooses and the courses she takes in high school, and after high school, need to align with that career so the trip has the least number of roadblocks and detours possible.

Try planning with the end in mind. When your child knows what career path she wants to pursue it will be important for her to choose the courses necessary in middle and high school to earn the diploma that best prepares her for that career. The school counselor and IEP Team will be important partners in the planning. How can your child get the information and resources to choose the best career for herself? There is a lot of career information and there are many resources available to assist children and young adults with career exploration and your child will be engaged in career exploration from the moment she enters a classroom.

While in elementary and middle school your child will be exploring [career clusters and pathways \(CTE Career Clusters\)](#) and creating an [Academic and Career Plan](#). That Plan can serve as the roadmap to help your child meet her goals. Your child will also be receiving instruction in [Career Investigations](#). This instruction will be delivered in different ways by different schools but your child will be learning important skills for postsecondary education and a career that include: workplace skills, teamwork skills, career clusters and pathways, identifying short and long term goals, public speaking skills, and self-advocacy strategies. She will also examine labor market data, complete an interest assessment, and create her Academic and Career Plan through this instruction.

Make sure to speak to your school counselor when your child is very young about the best diploma option for your child's career goal, then start to get the necessary information about the job to know what courses she needs to take to be best prepared for that career. Have all of this information in the Academic and Career Plan and revisit the Plan often (at least once a year) to make sure your child is still on the right path. **Remember that if you choose the Applied Studies Diploma, it will be difficult, if not impossible, to reverse course later.**

## **Key number 9: Understanding modification of curriculum versus accommodations**

The terms “accommodations” and “modifications” are two words that many people tend to use interchangeably. In special education, however, it is critical to understand that these terms have completely different definitions. Mistaking a “modification” for an “accommodation” in your child's IEP can mean the difference between your child being able to earn a Standard Diploma and being unable to earn a Standard Diploma.

**Accommodations** provide adaptations for a child with a disability without setting different expectations. Accommodations help support access to the general curriculum. They do not change what is taught, change the strategies used or change how instruction is delivered to children. Children can receive accommodations and be fully prepared for and able to earn a standard or advanced standard diploma.

**Modifications** require that children with disabilities perform objectives that are different from those of the rest of the class. The content or task may be reduced in depth and complexity.

*Remember, if your child is on a modified curriculum, he is very unlikely to be able to obtain a Standard or Advanced Diploma, limiting his postsecondary and employment options.*

## **Critical Decision Points**

**Below, you will find information concerning decisions that you will be making throughout your child's educational journey, as well as information on when you will be making them and suggestions regarding questions that you may want to discuss with the IEP Team.**

### **1. Will an IEP or a 504 Plan be more appropriate for my child?**

Eligibility for an IEP is based on the fourteen categories of disability identified by the *Individuals with Disabilities Education Act* (IDEA). The child's impairment must have an educational impact and require specialized instruction for her to qualify as a child with a disability under IDEA. If the child qualifies with one of these disabilities, then an IEP would be developed that provides needed special education services. An IEP must meet certain requirements that are identified in Virginia's special education regulations. If, in addition to the protections provided under the IDEA, a child also needs services falling under Section 504 of the *Rehabilitation Act of 1973*, those services would be included in the IEP and only one plan would be provided for that child.

A 504 Plan is based on eligibility under the *Rehabilitation Act of 1973*, and not the IDEA. A child may be identified as a student with a disability under this statute if she has a mental or physical impairment that substantially limits a major life activity. A 504 Plan is provided for a variety of children who have mental or physical impairments rather than the limited categories provided under the IDEA. The life activity limitation may include a variety of substantial limitations to activities such as learning, reading, concentration, eating, walking, and a variety of others. If a child has a substantial limitation to one of these activities, then the 504 plan may include accommodations and special education services.

Parental input is important throughout the eligibility process in order to assist in determining which type of plan, if any, would be appropriate for the child.

**When to consider:** At your child's initial eligibility meeting or at subsequent meetings, should a change need to be made.

### **Questions to ask the school:**

What impairment or disability was considered when determining whether my child was eligible for accommodations or services?

Are there additional areas of need that should be considered for my child? If there are additional areas of suspected need, what additional testing will be needed to determine if my child needs services in those areas?

What information (progress reports) will I receive from the school to assist me in understanding if my child is making appropriate progress?

When will another meeting be held to review my child's progress and to update the 504 Plan or IEP? How can I request that a meeting be held if I have concerns about my child's progress in meeting her educational goals?

**2. Will my preschool-aged child receive an Individualized Education Program (IEP) or an Individualized Service Plan (ISP)?**

Parents will typically make decisions about their child's participation in an early childhood program, including child care and/or preschool. Some children may attend child care for part of a day or the whole day. Preschool may be considered when a child turns three or four. Reasons for selecting a specific child care center or preschool for the child to attend vary and are personal. For example, one family may select a child care center due to its proximity to the parent's work place while another may select a center where a sibling attended.

When decisions regarding participation in an early childhood program are made, parents often do not know their child has a disability. Both the type of early childhood program and the location of the program are important and may impact the services a child, who is found eligible for special education and related services, may be able to receive. To better understand how this can impact the services your child receives, let us compare an ISP and an IEP.

School divisions are required to locate, identify, evaluate, and spend a proportionate share of IDEA funds for equitable services for children with disabilities enrolled by their parents in private schools located in their divisions, including religious, elementary and secondary schools. School divisions are also required to consult with private schools within their jurisdictions when making their decisions regarding which services to offer parentally placed private school children with disabilities. These children are provided an opportunity for equitable participation in special education and related services through an ISP. The ISP describes the specific special education and/or related services that the school division will provide to the child. School divisions have limited budgets for these equitable services and are able to determine which special education and/or related services will be offered to children with disabilities parentally-placed in a private school.

There are similarities and differences between an ISP and an IEP. An ISP must be developed, reviewed, and revised consistent with the requirements related to the IEP Team and parent participation; however, an ISP typically provides limited special education and related services to the child. For example, a child with an ISP may be eligible to receive speech therapy every other week. An IEP on the other hand is to provide a free and appropriate public education and may provide more comprehensive educational services for the child.

Whether a child is eligible for an IEP or ISP depends on two primary factors.

1. Consider the type of early childhood program your child is attending. If the program is considered a preschool and has a curriculum that includes developmental activities (e.g., early literacy, early math, and exploration of the environment) then it may meet the definition of a private elementary school. Many preschools will have curriculums with a focus on early educational skills and would be considered private schools. Child care centers typically provide care and do not have curriculums that focus on early education; therefore, they would not qualify as private schools.
2. Consider the location of the early childhood program and whether the program is in the same city or county where you, the parents, reside. If your child is in a preschool (and determined to be a private school) outside of the home city or county, and is found eligible for special education services, then he may receive an ISP instead of an IEP.

If your child attends an early childhood program and is determined to be a child with a disability and eligible for special education and related services, be sure to talk to your child's IEP Team and ensure that you understand the services your child may receive.

**When to consider:** When you are making decisions regarding your child's daycare/preschool placement.

#### **Questions to ask the school:**

What are the services that my child would be receiving with an IEP versus services that my child would be receiving with an ISP?

How often would my child be receiving these services with an IEP versus an ISP?

What would the benefits be to my child of having an IEP versus an ISP?

If my child has an ISP and I am not satisfied, can I change schools in order to have an IEP implemented?

### **3. What diploma will help our child move toward his post-secondary goals?**

The VDOE offers a number of diploma options for children. It is important to know the requirements of each and set goals in elementary and middle school to achieve the best diploma to meet your child's goals for the future. Participation in state assessments will determine your child's eligibility for the various diploma options. **Critical information on state assessments is included in Appendix 1 of this document.**

- The [Advanced Studies Diploma](#) requires children to have 26 credits and five verified credits. Children are responsible for completing three years of a foreign language and

Algebra II or above for this diploma. This is the best diploma for children wishing to attend a four-year college.

- The [Standard Diploma](#) requires children to have 22 credits and five verified credits. Although children can attend a four-year college with this diploma it is more suitable for children wishing to attend a community college or enter into a career after graduation.
- The [Applied Studies Diploma](#) is only available to children identified as having a disability who complete the requirements of their individualized education programs (IEPs), but do not meet the requirements for the diplomas above.

Other Diplomas or Certificates offered by the Virginia Department of Education are below:

- The General Achievement Adult High School Diploma (GAAHSD) is intended for individuals who are at least 18 years of age and not enrolled in public school or not otherwise meeting the compulsory school attendance requirements set forth in the *Code of Virginia*. Refer to [General Achievement Adult High School Diploma \(GAAHSD\) Program](#) for requirements.
- The General Educational Development Certificates (GED) is available to children and consists of a battery of four tests that measure the skills considered to be the major outcomes of a high school education. The tests' questions focus on the general abilities to analyze, evaluate, and draw conclusions. Refer to [General Educational Development \(GED\) Certificate](#) for requirements.
- The Certificate of Program Completion is available to children who complete prescribed programs of studies defined by a local school board but who do not qualify for diplomas.

Additional information including adult programs and diplomas can be found at this link [Additional Programs and Diploma Information](#).

Please Note:

The above diploma requirements are for children that graduate through 2021-2022. New requirements that take effect for first-time ninth-grade children in 2018-2019 and will reduce the verified credit requirement to five for each diploma. **Information on requirements are included in the charts in Appendix 2 of this document.**

### **Applied Studies Diploma (requires children to complete the requirements of their IEP)**

The Applied Studies Diploma is a diploma option available to children identified as having a disability who complete the requirements of their [individualized education programs \(IEPs\)](#) and meet certain requirements prescribed by the Board of Education pursuant to regulations, but do not meet the requirements for any named diploma.

The [Applied Studies Curriculum Map](#) consists of a guide, and six domains that outline skills and competencies that IEP Teams can use to identify the need for additional instruction to assist children in meeting their postsecondary goals. The domains include English, mathematics, science, history and social science, employment, and independent living.

**When to consider:** In elementary school. It is important to begin thinking about your child's diploma options as soon as she enters school and to continue to consider throughout the educational career. The diploma that your child earns should be the one best suited to meet the goals she has for life after high school. Although you can change your mind on what diploma to earn, you will want to explore all options to maintain the goal of achieving the highest diploma as possible. Depending on your child's disability, you may feel that she might not be able to obtain a Standard or an Advanced Studies Diploma or go to college. However, having strong expectations in the early years will help your child obtain her greatest potential. High expectations by both parents and school staff are critical to future success. Many children with significant disabilities are able to obtain a Standard or an Advanced Studies Diploma when they received needed accommodations. You can always change course later.

Middle school is also an important time because the transition plan and academic and career plan are living, working documents that keep you on the path to meeting your goals and should be updated and maintained to ensure you reach your desired destination. Remember, however, that middle school is likely too late to switch from an Applied Studies Diploma to a Standard or an Advanced Studies Diploma. It will not be too late to move in the other direction, should you determine that to be appropriate.

### **Questions to ask the school:**

How do the decisions that we are making in elementary school about my child's participation in state assessments relate to the diploma options that will be available to her?

What are the key factors I should consider in making decisions about diploma options?

When is the latest point at which I will be able to change my mind about my child's diploma option?

How can credit accommodations help my child earn a Standard or an Advanced Studies Diploma?

What courses can my child take in middle school that will count for high school credit?

If my child does not do well on the middle school course that counts for high school credit, what procedure can I follow to make sure the grade doesn't appear on the high school transcript?

What is an industry certification and is my child required to earn one?

#### **4. Where will my child's IEP be implemented?**

First, it is important to note that decisions about your child's placement are made by the IEP Team. You, as your child's parent, play a vital role on this team, as do all the other members. The entire team will meet, discuss options, and make a placement decision for your child based upon his individual needs and the level of support he needs.

When determining placement, the IEP Team must consider the Least Restrictive Environment (LRE) and a variety of placement options that will provide your child an appropriate educational program. The IEP Team must identify each placement considered and the reasons for the placement chosen. The general education classroom is considered less restrictive and a self-contained special education is considered to be more restrictive.

#### **LRE-Continuum of Placements**

Each school division must provide a wide variety, or continuum, of alternative placements so that each child with a disability will have an appropriate program. This continuum includes:

- general education classes
- special education classes
- special education schools (private/residential)
- home-based instruction
- homebound instruction when instruction is made available to children who are confined for periods that would prevent normal school attendance; and based on certification of need by a licensed physician or clinical psychologist
- instruction in hospitals and institutions, including state facilities

#### **This continuum of alternative placements also:**

- must provide for supplementary services, such as a resource room or services or itinerant instruction, provided with general education classes;
- must include integrated service delivery, which occurs when some or all goals of your child's IEP are met in general education classes with similar-age children;
- must be based on the individual needs of your child, not a single model used for a specific population or category of children with disabilities;

- must be documented by the identification of each alternative considered and the reasons for the placement chosen; and
- must provide for a program, if appropriate, with similar-age children.

In order for your child to graduate with a standard or advanced standard diploma, your child must be provided access to the general education curriculum. Your child should be taught and assessed based on the Standards of Learning regardless of the setting in which your child receives educational services. Your child may receive supports and accommodations to access the curriculum and content standards.

The standards of learning guide the content for what your child is expected to learn in each grade. These apply to reading, math, science, and social studies. **Modifications** change these expectations.

*It is very important to determine if your child's curriculum, assignments or assessments will be modified. A modification of a child's curriculum means that your child will not receive the same instructional content as his or her peers. A modified curriculum means your child will not be adequately prepared to take SOL assessments that lead to verified credits. Your child will not be able to earn a standard or advanced standard diploma without the required verified credits.*

## **Examples of Modifications**

Curriculum modifications allow a child to:

- Learn different material (such as continuing to work on multiplication while classmates move on to fractions)
- Get graded or assessed using a different standard than the standard for classmates
- Be excused from particular projects

Assignment modifications allow a child to:

- Complete fewer or different homework problems than peers
- Write shorter papers
- Answer fewer or different test questions
- Create alternate projects or assignments

For additional examples of modifications and accommodations check out the following document from PACER (the parent training and information center for Minnesota): [PACER Modification and Accommodations](#).

**When to consider:** At the first and each subsequent IEP meeting

**Questions to ask the school:**

Is my child being educated in the least restrictive environment? What factors have been considered with respect to this placement decision and can it be reconsidered as needed?

Is my child receiving access to the general curriculum and how?

Is my child participating in the general curriculum and taking SOL assessments? If not, why not?

What accommodations will be listed in my child's IEP for him and who will they be delivered by in the classroom and, if appropriate, during state assessments?

Can these accommodations be carried into the general education setting? If not, why not? Are there other accommodations that can be used in the general education setting?

Is my child's curriculum being modified and how will this impact his diploma options upon graduation?

Will my child be able to meet the requirements of a Standard or Advanced Studies Diploma in his current placement?

If my child is being pulled out of the classroom for certain services, will that affect his ability to access the general curriculum and can that impact be minimized?

If this is a placement that focuses on addressing the behavioral needs of my child, will my child be able to return to her home school? If so, when? How will we plan an effective transition so that my child can be successful when he returns?

**5. I disagree with an Eligibility team/IEP Team decision. How should I proceed?**

If you and the school division come to a place where you disagree and are having trouble moving beyond it, there are dispute resolution options outlined below available to you through the Virginia Department of Education.

- **Facilitated IEP** uses a neutral and impartial person who is well-versed in the IEP process to model effective communication and listening techniques during the meeting.
- **Mediation** can assist parents and school staff when they are in negotiations. A mediator can convene and conduct a meeting to clarify issues, focus on the needs of a child, and explore and evaluate possible solutions in a confidential setting.
- **Due Process** uses an informal administrative hearing process before a hearing officer to resolve disagreements over such issues as related to a child's eligibility for special education and related services, evaluation of a child with a disability, appropriateness

of a child's services and/or placement, or any other matter under free appropriate public education, including disciplinary matters.

- **Complaints** are generally expressions of some disagreement with a procedure or a process regarding special education programs, procedures, or services.

For more information on resolving disputes, please refer to the [Resolving Disputes webpage](#) on the Virginia Department of Education website.

**When to consider:** Immediately once a disagreement occurs and cannot be resolved at the local level.

**Questions to ask the school:**

What are my rights regarding dispute resolution?

How can we settle this disagreement so that my child's needs and best interests are being met?

If the IEP Team cannot resolve this disagreement, what is my next course of action?

**6. What options should we begin discussing and implementing with respect to overall transition planning, including pre-employment transition services?**

At age 14, your child's IEP Team must begin transition planning. Your child's transition plan will include transition goals and objectives, as well as the services that will be provided to help achieve them. Your child's transition plan may change over time as he makes decisions regarding his post-school plans for higher education and/or employment. If your child's school has a transition coordinator, that individual will likely participate in developing the transition plan. You will want to talk about opportunities such as work internships, benefits planning, and independent living goals throughout the course of this planning. There are additional resources available, as well. With the passing of the federal *Workforce Innovations and Opportunity Act* (WIOA), Virginia's vocational rehabilitation agencies, the Department for Aging and Rehabilitative Services (DARS) and the Department for Blind and Vision Impaired (DBVI) are required to offer Pre-Employment Transition Services, often called Pre-ETS. These services can be offered to children who are potential clients of these agencies beginning at age fourteen. It is not required that the child be determined eligible for services through these agencies. Children in public schools, private schools, and those who are home schooled may be involved in the activities listed below.

The following are Pre-ETS services:

- **Job exploration counseling**  
Includes job shadowing and activities that assist in exploring career interests and abilities, as well as investigating careers

- **Counseling on opportunities for enrolling in comprehensive transition or postsecondary education**  
Includes investigating career paths, as well as referrals to college resources, campus visits, and financial aid processes
- **Work-based learning experiences**  
Includes informational interviews, job shadowing/mentoring, employer presentations, job fairs, and work-site tours
- **Workplace readiness training**  
Includes the development of soft skills, such as workplace communication, independent living skills, and accessing transportation
- **Instruction in self advocacy**  
Includes training on rights and responsibilities, requesting accommodations on the job, and participating in youth leadership activities in the community

There is a website devoted to providing technical assistance to people seeking information about WIOA. The website is [Workforce Innovation Technical Assistance Center](#). The acronym WINTAC stands for Workforce Innovation Technical Assistance Center. Please check this website for additional information.

Please note that in order to receive Pre-ETS services, it will be necessary for you to provide written consent for the rehabilitation agency to know your child's name and confidential information included in school records. This information includes the IEP, past testing, and other pertinent information. Remember, if your child is eighteen years of age and education rights have transferred, he may provide written consent.

The best way to find out what is happening in your school division is to speak with your child's special education case manager and the Pre-ETS counselor working in your local rehabilitation office. You can find the location of DARS offices on their website's homepage using the "find an office" feature at [Virginia Department for Aging and Rehabilitative Services Website](#). The DBVI office information can be found at [Virginia Department for the Blind and Vision Impaired Website](#).

**When to consider:** When the child reaches the age of fourteen.

#### **Questions to ask the school:**

How do I access transition planning services?

What are the key steps we should be following as a team to assist with my child's successful transition from high school to post-school goals?

Is my child's transition plan part of the IEP or it is a separate plan?

What should be included in my child's transition plan?

What if my child changes his mind about what he wants to do?

What are the Pre-ETS services and opportunities that are available to my child?

Will my child be pulled out of class or will these activities take place after school or on weekends/during summers?

Are services offered to groups or to individuals?

**7. How will we discuss disability with our child, including the transfer of rights at age eighteen?**

Many older children with disabilities report that they knew something was different for them when they struggled in school and their peers did not. When parents attended school meetings but did not talk about those meetings, children reported feeling fearful that something was wrong with them. Helping children understand that we all have strengths and that we all have areas where we need help to be successful is a good first step toward helping your child understand her disability. Not talking about your child's disability may lead your child to jump to incorrect conclusions such as, "I am not smart," or "I am not likeable."

Being open, naming the disability, and providing information will help your child know that having a disability is not something shameful or embarrassing. Your response to the disability influences how your child deals with her differences and learning difficulties. You can send a powerful message that your child has many characteristics and that the disability is only one part of who she is. One young person describes herself as a sister, friend, soccer player, member of the choir, community volunteer, student, and someone with dyslexia. Conversations with young children do not need to be overly detailed; your conversations can be accurate and age appropriate. Respond to your child's questions, and if you don't have answers, assure her that you will find the answers. You can also help your child answer questions that other people might have. What does your child want other people to know about the disability? Your child has interests, strengths, and preferences. Help her identify these and emphasize them.

The I'm Determined website, [I'm Determined](#), provides tools and examples of how parents can help their child identify preferences, strengths, and interests, as well as information about how others can help her to be successful. In addition, there are regional representatives of the program who can talk to you and show you how to navigate the website and use the tools that are available. Please refer to the I'm Determined website for more details.

**Transfer of rights**

At age eighteen, education rights transfer to the child. If your child cannot make decisions on his own, you will need to take steps to continue to be involved. If your child

will be able to handle this automatic transfer of rights, it will be important for you to prepare him for this important responsibility over a period of time.

The IEP Team must include a statement in your child's IEP (beginning at least one year before your child turns 18) that you and your child have been advised that the educational rights transfer to the child upon reaching 18.

For more information regarding transfer of rights, visit the following link: [Transfer of Rights](#).

**When to consider:** As soon as your child is found eligible for special education services

**Questions to ask the school:**

How can I begin explaining my child's disability and its potential impacts to her?

How can my child participate in the development of her IEP to the maximum extent?

Can my child effectively exercise her right to make educational decisions when she turns 18 and whom should I consult for advice in this area if I feel that I still need to be involved in educational decision-making on behalf of my adult child?

Will I be able to attend IEP meetings after my child's eighteenth birthday?

Will I be able to assist my child in making informed decision or serve as my child's advocate after her eighteenth birthday?

## **Agency Resources**

Below, you will find the names, web addresses and phone numbers for different agencies and organizations that you may find useful. Unfortunately, web addresses and phone numbers often change. If you find that one of these listed is no longer valid, please contact the Virginia Department of Education for assistance with finding new contact information.

- **Center for Family Involvement (CFI) at Virginia Commonwealth University (VCU)**  
The Center for Family Involvement (CFI) at the Partnership for People with Disabilities at VCU works with families to increase their skills as advocates, mentors, and leaders so that families, children and young adults can lead the lives they want. For more information call (877) 567-1122 or visit [Center for Family Involvement at Virginia Commonwealth University Website](#).
- **Center on Transition Innovations (CTI) at Virginia Commonwealth University (VCU)**  
The mission of the Center on Transition Innovations (CTI) is to provide information, resources, demonstration, and research on pathways to employment that support youth with disabilities to gain access to integrated competitive employment to the fullest extent

possible. Through participation in evidence-based employment and work experience models, higher education or postsecondary education training, youth can become integral members of their communities. For more information call (804) 828-1851 or visit the [Center on Transition Innovations at Virginia Commonwealth University Website](#).

- **Community Services Board (CSB)**

The Community Services Board (CSB) in your area may provide prevention, treatment, employment and support services for individuals and families with mental health, substance use, and intellectual disabilities. They work collaboratively with schools, law enforcement, and social services. They can also assist you with case management, counseling, crisis services, and general parenting education. **The CSB is the point of entry for DD/ID Medicaid Waivers.** For more information call (804) 786-3921 or visit the [DBHDS Community Services Board Website](#).

- **Department of Behavioral Health and Developmental Services (DBHDS)**

The Virginia Department of Behavioral Health and Developmental Services (DBHDS) manages Virginia's public mental health, developmental disability, and substance abuse services system. Services are provided for children, families, and adults with mental illness, intellectual or developmental disabilities or substance abuse disorders, as well as for veterans. For more information call (804) 786-3921 or visit the [Department of Behavioral Health and Developmental Services Website](#).

- **Department for the Blind and Vision Impaired (DBVI)**

The Virginia Department for the Blind and Vision Impaired (DBVI) offers a wide array of specialized services, supports, resources and programs for Virginia residents of all ages who are experiencing significant visual disabilities. The DBVI is committed to providing quality services to assist Virginia's citizens who are blind, deaf/blind, or vision impaired in achieving their maximum level of employment, education, and personal independence. For more information call (804) 371-3140 or visit [Virginia Department for the Blind and Vision Impaired Website](#).

- **Department of the Deaf and Hard of Hearing (DDHH)**

The Virginia Department for the Deaf and Hard of Hearing (VDDHH) works to reduce the communication barriers between persons who are deaf or hard of hearing and those who are hearing, including family members, service providers, and the general public. For more information call (804) 662-9502 or visit the [Virginia Department for the Deaf and Hard of Hearing Website](#).

- **Department of Social Services (DSS)**

The Virginia Department of Social Services (DSS) and the CSB work very closely together to serve you, your child, and your family. They help to ensure that thousands of Virginia's most vulnerable citizens have access to the best services and benefits available

to them, such as: Financial Assistance, Medicaid Waivers, Health Financial Assistance, Family and Individual Services, Services for Children, and Services for Adults. The DSS is the point of entry for the EDCD Medicaid Waiver. For more information call (804) 726-7000 or visit the [Department of Social Services Website](#).

- **Department for Aging and Rehabilitative Services (DARS)**

The Virginia Department for Aging and Rehabilitative Services (VDARS) can assist you with many things. They collaborate with schools in providing Transition Services. Their Employment Services help people with disabilities get ready for employment and find and retain employment. They have a residential training and medical rehabilitation center known as *Wilson Workforce and Rehabilitation Center*, and they process disability claims for benefits under the Social Security Disability Insurance and Supplemental Security Income Disability Programs. For more information call (800) 464-9950 or visit the [Virginia Department for Aging and Rehabilitative Services Website](#).

- **disAbility Law Center of Virginia**

The disAbility Law Center of Virginia (dLCV) is the designated Protection and Advocacy organization of Virginia. Using funding received from federal grants, they help clients with disability-related problems like abuse, neglect, and discrimination. For more information call (800) 552-3962 or visit the [disAbility Law Center of Virginia Website](#).

- **The Infant & Toddler Connection of Virginia**

The Infant & Toddler Connection of Virginia is Virginia's system of early intervention supports and services for infants and toddlers from birth through age two who are not developing as expected or who have a medical condition that can delay normal development and their families. This program is based at the Virginia Department of Behavioral Health and Developmental Services (DBHDS). Early intervention services are designed to meet the full range of developmental needs of each child, and the needs of their families related to their child's development. Services are provided through both public and private agencies in Virginia, and are designed to include a wide range of family-centered services, resources and supports. For more information call (800) 234-1448 or visit the [Infant & Toddler Connection of Virginia Website](#).

- **Parent Education Advocacy Training Center (PEATC)**

The Parent Educational Advocacy Training Center (PEATC) is the parent information and training center serving families and professionals of children with disabilities in the Commonwealth of Virginia. The PEATC promotes respectful, collaborative partnerships between parents, schools, professionals, and the community that increase the possibilities of success for children with disabilities. For more information call (800) 869-6782 or visit the [Parent Education Advocacy Training Center Website](#).

- **Training and Technical Assistance Centers (TTACs)** provide professional development and support designed to assist schools in addressing accountability and improvement goals for students with disabilities throughout Virginia. There are seven TTACs housed in various universities throughout Virginia (Virginia Commonwealth University, Old Dominion University, the College of William and Mary, George Mason University, James Madison University, Virginia Tech, and Radford University). For more information on TTACs, visit the [Training and Technical Assistance Centers Website](#).

## References

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*Finn, J.D. (1993). School engagement and students at risk. Washington, DC: National Center for Education Statistics.*

*Lamborn, S.D., Brown, B.B., Mounts, N.S., & Steinberg, L. (1992). Putting School in perspective: The influence of family, peers, extracurricular participation, and part-time work on academic engagement. Chapter 6 in Student engagement and achievement in American secondary schools.*

*Research spotlight on parental involvement in education. (n.d.). Retrieved from [Research spotlight on parental involvement in education](#).*

## Appendix 1

### What Parents Need to Know about State Assessments

(Please refer to the **Students with Disabilities: Guidelines for Assessment Participation: A Guide for Educators and Parents** at [VDOE Standards of Learning \(SOL\) & Testing](#).)

- Children with disabilities in the Commonwealth of Virginia include identified children under the ***Individuals with Disabilities Education Improvement Act of 2004 (IDEA)*** and under **Section 504 of the *Rehabilitation Act of 1973***.
- IDEA and its implementing state and federal regulations require that all children with disabilities participate in the state's accountability system.
- Children with disabilities are expected to participate in all content area assessments that are available to children without disabilities.
- If the parent decides not to have the child participate in the Virginia assessment program, the decision will be considered a refusal to participate and the child, the school, and the school division will receive a score of zero for each test that is refused.

## **How Children with Disabilities Participate in Virginia's Accountability System (Statewide Assessments)**

- For all children with disabilities identified under IDEA, the IEP Team determines how the child will participate in the accountability system.
- For children identified under Section 504, the 504 Committee determines how the child will participate.
- A child's IEP must specify the child's participation in the state accountability system as follows:
  - participation in the SOL test with no accommodations;
  - participation in the SOL test with accommodations; or
  - participation in VAAP.
- If the IEP Team determines that the child must participate in the VAAP instead of the SOL test, a statement that addresses each of the following must be included in the IEP:
  - why the child cannot participate in the SOL assessment;
  - why the particular assessment selected is appropriate for the child, including how the child meets the criteria for the alternate assessment; and
  - how the child's participation in VAAP will impact the child's promotion and/or graduation and with which diploma.
- In considering possible participation in the VAAP, IEP Team members need to be sure that all possible SOL test accommodations and other alternative assessments, have been examined as options to provide access to state assessments.

## **Non-Participation of Children with Disabilities in the Virginia Assessment Program**

- Neither the IEP Team nor the 504 Committee can make decisions that a child will not participate in state assessments.
- If a parent requests that a child not participate in one or more state assessments, then the IEP Team or 504 Committee must convene to explain the consequences associated with non-participation.
- Consequences for refusing to participate in state assessments may include the following:
  - When refusing to have a child participate in grades 3-8 assessments, the teachers, parents, and child will not receive information on child progress contained in the assessment score reports; and
  - The child may not have an opportunity to experience an assessment in the content area prior to taking assessments required for graduation.
- When refusing to have a child participate in SOL End of Course assessments, the child may not be able to meet graduation requirements. If the parent decides not to have the child participate in the Virginia assessment program, the decision will be considered a refusal to participate and the child, the school, and the school division will receive a score of zero for each test that is refused. Additionally, a decision by a parent to have a child not participate in state assessments can have negative consequences for the local school division. Ninety-five percent of children with disabilities need to participate in state assessments in order for school divisions to meet participation requirements. If a school

division does not meet this threshold, there is potential for a school division to lose its accreditation if enough parents choose not to have their children participate in state assessments.

- Documentation indicating that the consequences of the decision have been fully explained to and are understood by the parent, guardian, surrogate, or child must be attached to or become part of the child's IEP or 504 Plan.

**State assessment programs available to children with disabilities are:**

- **Standards of Learning (SOL) with or without accommodations**
  - Administered in the content areas of English (reading and writing), mathematics, science, and history/social science
  - Administered as online tests unless a child has a documented need for a paper assessment
  - Administered to children enrolled in grades 3-8 and in certain courses
    - **Grade 3 SOL Assessments**
      - Reading and Mathematics SOL tests are administered online using a Computer Adaptive Test (CAT)
      - ❖ **What is a Computer Adaptive Test (CAT)?** A CAT is an assessment that is customized for every child based on how the child responds to the test questions. **(Refer to the Computer Adaptive Test Resources at [VDOE Standards of Learning - Computer Adaptive Testing \(CAT\)](#))**
    - **Grade 4 and 5 SOL Assessments**
      - Grade 4 and 5 Reading and Mathematics SOL tests are administered online using a Computer Adaptive Test (CAT)
      - Grade 5 Science SOL test
      - Virginia Studies SOL test is administered in either fourth or fifth grade depending on the school division.
    - **Grades 6-8 SOL Assessments**
      - Grades 6, 7, and 8 Mathematics SOL tests are administered using a Computer Adaptive Test (CAT).
      - Grade 6, 7, and 8 Reading SOL tests are administered using a Computer Adaptive Test (CAT).
      - Grade 8 Writing SOL test
      - Grade 8 Science SOL test
      - Civics and Economics is administered in either seventh or eighth grade depending on the school division.
    - **End-of-Course (EOC) Assessments**
      - Children enrolled in specific courses that have an associated EOC Assessment are required to take the EOC tests.

- EOC History-Virginia and United States History, World History I, World History II, World Geography
  - EOC Mathematics-Algebra I, Geometry, Algebra II
  - EOC Science-Earth Science, Biology, Chemistry
  - EOC Reading
  - EOC Writing
- Accommodations are available to children with disabilities as outlined in their IEP or 504 Plans.
- If a child requires an accommodation that is not documented in the current SOL Test Implementation Manual, a Special Assessment Accommodation Request can be completed by the IEP Team or 504 Committee and submitted by the Division Director of Testing for review by VDOE.
- Accommodation Resources available online at [VDOE Standards of Learning - Participation & Inclusion](#)
  - **Explanation of Testing Accommodations for Students with Disabilities: Assistive Technology**
  - **Students with Disabilities: Guidelines for Special Test Accommodations**
- Substitute Tests for Verified Credit
  - As permitted by the Standards for Accrediting Public Schools (8VAC20-131-110), the Virginia Board of Education (VBOE) has approved various “substitute” tests and set the minimum score that must be achieved for the purpose of awarding a verified credit to children. [Substitute Tests for Verified Credit](#)
  - The VBOE also has approved a schedule of career and technical examinations for licensure or certification that may be substituted for SOL tests to earn child-selected verified units of credit. Tests for licensure or certification that require the demonstration of knowledge and skills beyond what is associated with a single course may result in the awarding of two units of verified credit. [The Path to Industry Certification: High School Industry Credentialing](#)
- **Virginia Alternate Assessment Program (VAAP)**
  - The VAAP is an alternate assessment based on alternate achievement standards and is specifically designed to evaluate the achievement of children with significant cognitive disabilities.
  - The VAAP is available to children in grades 3-8 and high school who are working on academic content standards derived from the Standards of Learning (SOL) in reading, mathematics and science that have been reduced in depth, breadth, and complexity.
  - These content standards are referred to as the Virginia Essentialized Standards of Learning (VESOL).

- Only children with significant cognitive disabilities who meet the VAAP guidelines for participation may be assessed through the VAAP. Visit the following guidance document at [VAAP Guidelines](#).
- In making an assessment decision for a child to participate in the VAAP, teams must review, consider, and discuss a variety of sources of information, including:
  - psychological assessments;
  - observations;
  - achievement test data;
  - curricular content for evidence of a significant cognitive disability and the decision is made on an individual basis.
- Because reliance on Intelligence Quotient (IQ) scores alone is insufficient, IEP Teams shall review all information available pertaining to the cognitive abilities of the child, including:
  - ability tests; and
  - adaptive behavior measures.
- Children with disabilities served by 504 Plans are not eligible for VAAP.
- Children who participate in the VAAP participate in all content areas.
- **Children who participate in the VAAP will not receive a Standard or Advanced Studies Diploma.**

## Appendix 2

### Graduation Requirement Charts

Graduation Requirements for children who begin the ninth grade in 2018-2019 and beyond

Advanced Studies Diploma (requires 26 standard units of credit and 5 verified credits)

<b>Discipline Area</b>	<b>Standard Credits: effective with first-time ninth graders in 2018-2019 and beyond</b>	<b>Verified Credits - effective with ninth graders in 2018-2019 and beyond</b>
<b>English</b>	<b>4</b>	<b>2</b>
<b>Mathematics</b>	<b>4</b>	<b>1</b>
<b>Laboratory Science</b>	<b>4</b>	<b>1</b>
<b>History and Social Sciences</b>	<b>4</b>	<b>1</b>
<b>Foreign Languages</b>	<b>3</b>	
<b>Health and Physical Education</b>	<b>2</b>	
<b>Fine Arts or Career and Technical Education</b>	<b>1</b>	
<b>Economics and Personal Finance</b>	<b>1</b>	

<b>Discipline Area</b>	<b>Standard Credits: effective with first-time ninth graders in 2018-2019 and beyond</b>	<b>Verified Credits - effective with ninth graders in 2018-2019 and beyond</b>
<b>Electives - Advance</b>	<b>3</b>	
<b>Student Selected Test</b>		
<b>Total</b>	<b>26</b>	<b>5</b>

**Standard Diploma (requires 22 standard units of credit and 5 verified credits)**

<b>Discipline Area</b>	<b>Standard Credits: effective with first-time ninth graders in 2018-2019 and beyond</b>	<b>Verified Credits: effective for first-time ninth graders in 2018-2019 and beyond</b>
<b>English</b>	<b>4</b>	<b>2</b>
<b>Mathematics</b>	<b>3</b>	<b>1</b>
<b>Laboratory Science</b>	<b>3</b>	<b>1</b>
<b>History and Social Sciences</b>	<b>3</b>	<b>1</b>

<b>Discipline Area</b>	<b>Standard Credits: effective with first-time ninth graders in 2018-2019 and beyond</b>	<b>Verified Credits: effective for first-time ninth graders in 2018-2019 and beyond</b>
<b>Health and Physical Education</b>	<b>2</b>	
<b>Foreign Language, Fine Arts or Career and Technical Education</b>	<b>2</b>	
<b>Economics and Personal Finance</b>	<b>1</b>	
<b>Electives - Standard</b>	<b>4</b>	
<b>Student Selected Test</b>		
<b>Total</b>	<b>22</b>	<b>5</b>