



COMMONWEALTH of VIRGINIA
Department of Education

December 5, 2014

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: 2015-2016 Special Education Annual Plan/Part B Flow-Through Application

Under the provisions of the Individuals with Disabilities Education Act of 2004 (IDEA 2004), its implementing regulations, and the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (effective January 25, 2010), local educational agencies (LEAs) are required to submit an Annual Plan/Part B Flow-Through Application for providing special education and related services to children with disabilities. The 2015-2016 Special Education Annual Plan/Part B Flow-Through Application serves as the formal agreement between a local school board and the Virginia Department of Education (VDOE) for implementing federal and state laws and regulations governing these services. Accordingly, the disbursement of state and federal funds appropriated for the education of children with disabilities is contingent upon the approval of this plan and each of its components.

Each school division, state-operated program (SOP), and the Virginia School for the Deaf and the Blind (VSDB) shall maintain current policies and procedures and supporting documentation to demonstrate compliance with federal and state regulations governing the provision of special education and related services, licensure, and accreditation. Completion of the required certifications and assurances sections of the Annual Plan/Part B Flow-Through Application will verify adherence to the requirements of IDEA 2004, its implementing regulations, and the Virginia special education regulations.

The application includes the following required components:

- The Superintendent's Certification
- Policy Statements
- Statement of Assurances
- Special Education in Local and Regional Jails
- The Report on the Implementation of the 2013-2014 Plan
- Maintenance of Effort Eligibility
- Coordinated Early Intervening Services and Proportionate Set-Aside
- The Application for Use of Federal Funds for Sections 611 and 619

Prior to submission to the VDOE, each school division shall review its Annual Plan/Part B Flow-Through Application with its local special education advisory committee and submit it to its local school board for approval. State-operated programs (SOPs) are required to submit their Annual Plans/Part B Flow-Through Applications to the State Special Education Advisory Committee for review prior to submitting the plans to the VDOE for approval. The VSDB is required to submit its Annual Plan/Part B Flow-Through Application to its Board of Visitors for approval and then to the State Special Education Advisory Committee for review prior to submitting it to VDOE for approval.

The Annual Plan/Part B Flow-Through Application must be completed and submitted electronically. School divisions, SOPs, and the VSDB are required to submit the Annual Plan/Part B Flow-Through Application using the Excel document via the Online Management of Education Grant Awards (OMEGA) System. Local education agencies (LEAs) may already have approved access for all users in their approval queue. For those with new directors or others who would be new to the approval queue, however, an "OMEGA User Permission Form OP1," (OP1 form) must be on file with the VDOE's Fiscal Services Office to establish user access. Instructions for completing the OP1 form and online training opportunities are available at: http://www.doe.virginia.gov/school_finance/budget/grants_acct_reporting/omega/index.shtml. Unless previously completed, please mail a completed OP1 form for each individual in the LEA's approval queue to the following address no later than Friday, April 10, 2015:

Virginia Department of Education
Attn: Fiscal Services Office
P.O. Box 2120
Richmond, Virginia 23218-2120

School divisions, SOPs, and the VSDB must complete and successfully submit the Annual Plan/Part B Flow-Through Application electronically via OMEGA using the Excel workbook by Friday, May 15, 2015. The Excel workbook is located on the VDOE Web site at: http://www.doe.virginia.gov/special_ed/grants_funding/index.shtml. Official approval through OMEGA by school division superintendents, SOP directors, and the VSDB superintendent will serve as the confirmation that school divisions, SOPs, and VSDB have met all requirements, certifications, and assurances. Hard copies of these signed and dated documents, however, must be maintained locally.

To clarify provision of requirements for children with disabilities who are two-years-old and receive services under Part B Section 619, the *Code of Virginia* stipulates that the VDOE assures a free appropriate public education (FAPE) to eligible children with disabilities from age two (by September 30 of the school year) to 21, inclusive. Federal clarification has indicated that IDEA Part C (Early Intervention for Infants and Toddlers with Disabilities) regulations do not apply to any child with a disability who is receiving FAPE under Part B Section 619. This provision applies whether the services are fully or partially funded under Section 619.

Questions regarding the Annual Plan/Part B Flow-Through Application may be directed to the following staff at the Virginia Department of Education, P.O. Box 2120, Richmond, Virginia 23218-2120, or by e-mail or phone as follows:

- Annual Plan/Part B Flow-Through Application process:
Tracie Coleman, special education budget and finance manager, at Tracie.Coleman@doe.virginia.gov or (804) 225-2704;
- special education in local and regional jails:
Ellen Harrison, education coordinator, at Ellen.Harrison@doe.virginia.gov or (804) 225-2709;
- state-operated programs:
Merilee Fox, program specialist for state-operated programs, at Merilee.Fox@doe.virginia.gov or (804) 225-3161;
- application for Section 611 flow-through funding:
Sherry Hubbard, financial specialist, at Sherry.Hubbard@doe.virginia.gov or (804) 225-2339;
- application for Section 619 preschool funding:
Phyllis Mondak, special education specialist, at Phyllis.Mondak@doe.virginia.gov or (804) 225-2675; or

- uploading or entering data via OMEGA:
Omega Support at omega.support@doe.virginia.gov.

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