

VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND

Title: Eligibility

Policy S006

Policy Statement:

All students enrolled at the Virginia School for the Deaf and Blind (VSDB) have been evaluated and determined eligible for special education and related services by their placing local school division. VSDB decisions regarding a student's continued eligibility and procedures for determining eligibility for special education and related services shall comply with the *Individuals with Disabilities and Education Act (IDEA)* and the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia (State Regulations)*.

Procedures:

A student's eligibility team shall, at a minimum, be comprised of the student's the IEP team. This team shall include personnel representing the disciplines providing the assessments, a special education administrator or designee, the parent(s), a special education teacher, at least one general education teacher of the child, and at least one person qualified to conduct individual diagnostic examination. This team shall be qualified to conduct individual diagnostic assessments in the areas of speech and language, academic achievement, intellectual development, and social-emotional development, as appropriate, interpret the assessment and intervention data, apply critical analysis to the data, and develop appropriate educational and transitional recommendations based on the assessment data.

The team will review and analyze student evaluations, observations, and other information obtained from a variety of sources, including all of the assessments prescribed by the school-based team for the evaluation, aptitude and achievement tests, parent input and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior. Upon the completion of the administration of assessments and other evaluation materials or after determining that additional data are not needed,¹ a student's eligibility team, shall make an eligibility determination: determine whether the student has a disability, or continues to be a student with a disability, and requires special education and related services.

The group shall provide parent(s) procedural safeguards in making an eligibility determination and ensuring confidentiality of records. The VSDB shall provide parent(s) documentation of the eligibility determination at no cost, and include whether the child has a specific disability (autism, deaf-blindness, deafness, developmental delay, emotional disability, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment); the basis for the decision; the relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the child's academic functions; the educationally relevant medical findings, if any; the instructional strategies used and the student centered data collected if the child has participated in a response to a scientific research-based intervention process; for identification of a child with a specific learning disability, whether the student does not achieve adequately for the child's age or to meet

¹ See VSDB policy and procedures on "Evaluations and Re-evaluations."

Virginia-approved grade level standards; for identification of a child with a specific learning disability, the group's determination that its findings are not primarily the result of a visual, hearing, or motor impairment, intellectual disability, emotional disability, environmental, cultural, or economic disadvantage, or limited English proficiency.

Within 30 days of an initial determination of eligibility for a specific disability classification, an IEP must be developed for the student. If the eligibility group determines that there is not a change in the student's eligibility for special education and related services, and educational needs, the IEP team is not required to convene unless the parent(s) requests that the IEP team meet.

For a child found not eligible for a specific disability classification, information relevant to instruction will be provided to the child's teachers or any appropriate committee. In addition, prior written notice will be given to the parent(s) including the parent(s)' right to appeal the decision through the due process hearing procedures.

Termination of a student's eligibility for special education and related services shall be determined by the eligibility group, or the IEP team, if the team determines that the student is no longer a student with a disability who needs special education and related services. Written parental consent shall be required prior to any partial or complete termination of services.

<i>Rescission:</i> Revised: November 2010; Revised: September 16, 2015 BOV Approved: December 10, 2015
