

HB1089/SB220

Special Education Omnibus Legislation with Requirements for Local School Divisions and the Virginia Department of Education Focused on Special Education and Related Services for Students with Disabilities



Bill Patron: Delegate Carrie Coyner/Senator Barbara Favola

WHAT THE BILL DOES:

Makes several changes relating to special education. Requires the Virginia Department of Education to develop, establish, review, and update as necessary a statewide IEP system. The VDOE will also develop and publish a data dashboard for the annual public reporting of special education data. School divisions will need to assign a parent liaison who serves as an expert in due process and IEP procedures. School divisions will need to ensure appropriate personnel complete professional development and technical assistance to local school divisions focused on serving students with disabilities with a focus on inclusive education and specially designed instruction to include special education and general education teachers and school administrators.

HOW DOES THIS IMPACT SCHOOL DIVISIONS?

This bill requires local school divisions to:

- Ensure designated staff members complete professional development in specially designed instruction and IEP processes (see training timelines and recommendations below).
- Select a staff member to serve as a special education parent family liaison to be a resource to families to understand and engage in the special education referral, evaluation, reevaluation, and eligibility and Individualized Education Program (IEP) process.
- Serve as the liaison to the parent training and information center for special education to develop and implement outreach and support to parents of children with disabilities in their region and track and report data to the Special Education Parent Ombudsman at the VDOE.
- Update VAIEP system within new statutory timelines.
- Update records retention policies.

WHAT RESOURCES ARE AVAILABLE?

- The VDOE will provide additional professional development and technical assistance to support special education with a focus on high-quality instruction and materials and specially designed instruction to increase inclusive learning in alignment with the [2024 Roadmap for Special Education](#).
 - On-demand and virtual eight-part training series focused on identification, evaluations, reevaluation, and eligibility on VDOE website:
 - [VDOE Special Education Evaluation Process Video Guide](#)
 - On-demand and virtual three-part training series focused on specially designed instruction available on TTAC Online:

- [VDOE Specially Designed Instruction Initiative](#)
- [VDOE Content Teaching Academies Summer 2024](#)

WHAT ADDITIONAL ITEMS WILL BE RELEASED?

- The VDOE will create additional on-demand professional development for teachers and administrators to use as a component of division-level professional development activities along with guidance to school divisions.
 - On-demand professional development modules designed for paraprofessionals, teachers, and administrators focused on specially designed instruction, instructional practices to support specially designed instruction in inclusive settings, and identification/evaluation/eligibility to be used to augment division-level professional development are available.
 - Support and coaching are available for school divisions from regional training and technical assistance centers (TTAC).
 - In-person administrator focused training and professional development will be available December 1, 2024.
 - In-person Content Teaching Academies with expanded offerings will be available June 1, 2025.
 - Additional on-demand professional development modules will be available June 1, 2025.

SCHOOL DIVISION NEXT STEPS:

A. Identification of Special Education Parent and Family Liaison

1. Prior to the start of the 2024-2025 school year, local school divisions must identify a staff member to serve as a special education parent/family liaison who will also communicate with regional parent support centers staffed by the state parent and training information center (PEATC).
2. The VDOE recommends that this representative be a school counselor, social worker, or special education leader. This leader should have experience in supporting students with wraparound needs and should have knowledge of special education practices including due process and IEP meetings, as well as a working knowledge of the PEATC organization.
3. Use VDOE training and support for the PEATC liaison to support staff member with the additional role and ensure that the name and contact information for the identified staff member is provided via the survey that will be emailed to local division directors of Special Education on September 30, 2024.
4. Consider developing a division-specific communication protocol/package for families, educators, and students within the school community.

B. Provision of high-quality professional development by local school boards

1. Create a plan by July 1, 2027, for professional development to provide the required training for required staff members, with full implementation beginning in the 2027-2028 school year (see example professional development plan and timeline below).
 - a. Required Timeline: local school divisions may want to consider developing this plan sooner with a start date of required training in summer of 2025 to ensure they are in

compliance with the full implementation date of the beginning of the 2027-2028 school year. School divisions may want to consider training a group in the summer of 2025, the summer of 2026, and the summer of 2027.

- b. Required Staff: This plan should include the required staff members (principals with an administrative endorsement, general and special education teachers preschool-12, and paraprofessionals).
 - i. School divisions may want to consider training special education teachers and paraprofessionals during the first summer.
 - ii. The following two summers could be used for training for licensed administrators and general education teachers.
2. VDOE has created on-demand, virtual, and in-person professional development modules and opportunities that local school divisions can use to train the required staff (see example professional development plan and timeline below).
 - a. Online and on-demand virtual professional development tools provided by VDOE
 - i. [3-part module series focused on specially designed instruction.](#)
 - ii. [8-part module series focused on referral, evaluation, reevaluation and eligibility](#) as well as [VDOE guidance](#) for special education teachers.
 - b. Participate in VDOE's annual administrator in-person training beginning December 1, 2024, and occurring annually.
 - c. Participate in VDOE's annual in-person educator and paraprofessional training through the Content Teaching Academies continuing June 1, 2025, and occurring annually.
 - d. Contact and plan collaboration with your regional Training and Technical Assistance Centers to support coaching and ongoing professional development in specially designed instruction and instructional practices to support specially designed instruction in inclusive settings for administrators, general education teachers, special education teachers, and paraprofessionals.
3. Example school division level professional development plan and timeline
 - a. Special Education Teachers and Paraprofessionals
 - i. Online on-demand modules completed during 2024-2025 school year
 1. [3-part module series focused on specially designed instruction.](#)
 2. [8-part module series focused on referral, evaluation, reevaluation, and eligibility.](#)
 - ii. In-person participation and training during the 2024-2025 school year
 1. Content Teaching Academies sponsored by VDOE occur annually.
 2. Division-led professional development (in collaboration with regional Training and Technical Assistance Center) throughout the 2024-2025 school year.
 - b. Administrators
 - i. Required modules completed during 2025-2026 school year
 1. [3-part module series focused on specially designed instruction.](#)

2. [8-part module series focused on referral, evaluation, reevaluation, and eligibility.](#)
- ii. In-person participation and training during the 2025-2026 school year
 1. VDOE sponsored administrator focused training available on December 1, 2024, and annually thereafter.
 2. Content Teaching Academies sponsored by VDOE occur annually.
 3. Division-led professional development (in collaboration with regional Training and Technical Assistance Center) throughout the 2025-2026 school year.
- c. General Education Teachers
 - i. Required Modules completed during the 2026-2027 school year
 1. [3-part module series focused on specially designed instruction.](#)
 2. [8-part module series focused on referral, evaluation, reevaluation, and eligibility.](#)
 - ii. In-person participation and training during the 2026-2027 school year
 1. Content Teaching Academies sponsored by VDOE occur annually.
 2. Division-led professional development (in collaboration with regional Training and Technical Assistance Center) throughout the 2026-2027 school year.

C. Statewide Individualized Education Program

1. By January 1, 2028, local school divisions should adopt the Statewide Individualized Education Program (VAIEP) or ensure their adoption of policies that utilize the components of VAIEP.
2. Create a plan for professional development for staff effective July 1, 2027, to provide required training, and plan for full implementation beginning in the 2027-2028 school year.
3. For local school divisions who are new to the VAIEP, VDOE will provide onboarding and high-quality professional development in implementing VAIEP in coordination with each school division onboarding plan prior to the 2027-2028 school year.
4. School divisions who do not adopt VAIEP will need to develop their own training and ensure alignment with the components of VAIEP to comply with the requirements effective 2027-2028.

D. Records Management

- a. By October 31, 2024, local school divisions will receive guidance from the Library of Virginia and the Virginia Department of Education regarding record retention requirements for student special education files.

WHO IS THE VDOE CONTACT:

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