

Military Families of Students Receiving Special Education Services Things to Know When Moving to Virginia School Systems

THERE ARE MANY BENEFITS TO MOVING TO VIRGINIA. AMONG THESE ARE STRONG LAWS AND REGULATIONS PROTECTING STUDENTS WITH DISABILITIES.



PARENTAL CONSENT

Virginia regulations go beyond federal regulations in terms of requiring parental consent for nearly all decisions made regarding children with an Individualized Education Program (IEP).

This gives families greater legal rights and authority in making decisions about their child's educational program.



RESTRAINT AND SECLUSION REGULATIONS

Unlike many other states, Virginia has specific regulations governing the use of restraint and seclusion in public and private schools.

This helps ensure that students are protected from the use of these techniques other than in emergencies when there is imminent risk of harm to the student or others. They also require that parents be provided same-day notice if a child is restrained or secluded.



REMOTE REGISTRATION

Virginia law § 22.1-3 Section B states that students of active-duty personnel residing in temporary housing may enroll in the school division of their intended permanent residence. Receiving school divisions may register these students remotely or in-person in the same manner as all students who reside in the local school division.

Students will not miss as much school during Permanent Change of Station (PCS) transitions if they can enroll remotely.



PROJECT SEARCH

Project Search is an international program that prepares young people with significant disabilities for success in competitive integrated employment. Currently, Project Search has nine sites on military installations. Three of those sites are in Virginia: Fort Eustis, Fort Lee, and Naval Air Station Oceana.

Virginia's Project Search sites have seen several military-connected students graduate from the program with federal jobs that are transferrable between duty stations.



TRANSITION PLANNING IN THE IEP

Virginia begins secondary transition planning in the student's IEP when the student turns 14 or enters high school (whichever comes first.)

Federal regulations do not require transition planning until age 16. Planning for the future should start as early as possible to ensure that students are able to meet their post-secondary goals.



LOCAL SEACS

Virginia requires each school district to have a Special Education Advisory Committee (SEAC). Federal law does not require this and many states do not have local SEACs.

Local SEACs give parents the opportunity to provide feedback on policies, practices, and programs affecting students with disabilities. It gives them a direct connection to school administrators and the local school board so that important issues can be addressed.



OPEN ENROLLMENT

Virginia Law § 22.1-7.2. states that school divisions that serve military housing must have an open enrollment policy for military families residing in these communities. Families wishing to select a school in a school division, other than the school zoned for the military housing community, must request an intra-district transfer. The school division may set additional conditions that must be met before considering an intra-district transfer. This may include grade and facility capacity, demonstration of hardship, or other needs of the student that cannot be met at the zoned school. Check with your incoming school district for specifics of their open enrollment policy.

Some schools may have better programs for students with disabilities. Open enrollment can provide military families with the ability to choose a school that best meets their child's needs.

MAKE SURE TO CHECK OUT

Guidance for Military Families with Students in Special Education Virginia Department of Education

Digital Portfolio for Military Families - PEATC

Special Education Virginia Department of Education

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