### **Out of Home Placement and Education**

COMMONWEALTH OF VIRGINIA CSA CONFERENCE April 20, 2015

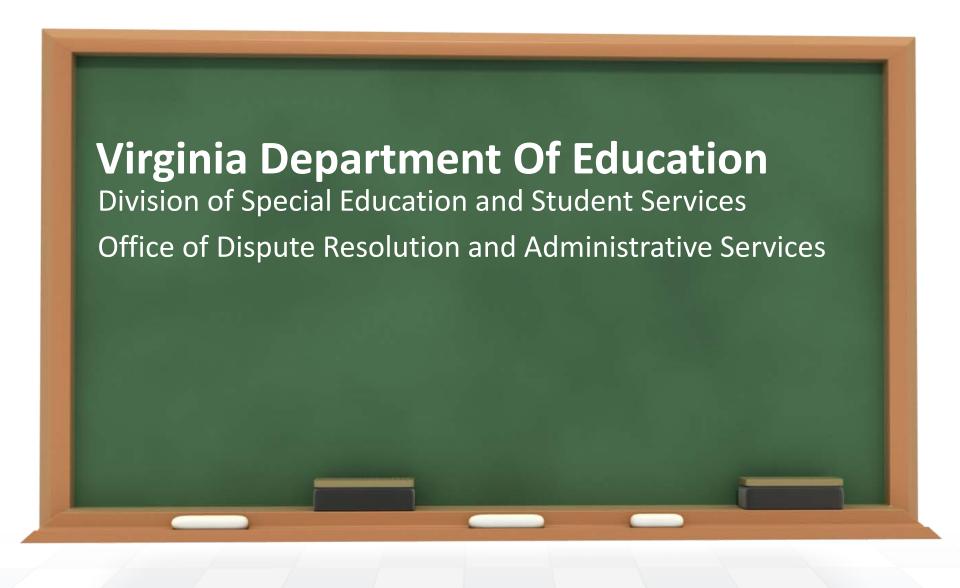
Renee Garnett
Virginia Department of Social Services

Patricia Haymes
Virginia Department of Education

Patricia A. Popp, Ph.D.
Project HOPE-Virginia, The College of William and Mary

## •Today's Agenda

Overview of Special Education Process and CSA
Children and Youth Experiencing Homelessness
Children and Youth in Foster Care
Navigating the Process





### **VDOE'S ROLE**

Supporting local school divisions in ensuring

That students with disabilities receive:

A free appropriate public education

**FAPE** 

In the least restrictive environment

**LRE** 

# •RESPONSIBILTY FOR DETERMINING FAPE IN THE LRE

Is vested in the student's IEP team. It determines the student's EDUCATIONAL NEEDS, including:

Present levels of Performance
Educational Goals
Accommodations and Modifications
Special Education and Related Services

ONLY AFTER THESE ITEMS ARE DECIDED DOES THE TEAM DETERMINE THE STUDENT'S LRE



### •CSA POOL FUNDS

Can be used to pay for

**Private Day School Placements** 

**Private Residential Placements** 

All Special Education and Related Services Provided in Either of These Settings

Except for Transportation – The School Division is Responsible for This

### •CSA FUND ARE NOT USED FOR:

### Services in the public school setting

- Counseling
- Behavioral Aides
- Anything else in the IEP included for purposes of providing FAPE

# NON-EDUCATIONAL RESIDENTIAL PLACEMENTS

 Students with IEPs may be placed in residential facilities by CSA for noneducational reasons. In that case, the school division is responsible for writing an IEP, but does not change the placement unless it determines that it is required for FAPE.

### **COMPARATIVE ROLES**

#### **IEP TEAM**

- Determines placement.
- May or may not specify a facility

#### **FAPT/CMPT**

- FAPT may or may not review the IEP and placement, but FAPT/CMPT has no authority to revise the IEP.
- CMPT may have the latitude to place restrictions on which school is used, so long as it is consistent with the IEP.
- CMPT should review the IEP to ensure that the placement is eligible for funding (i.e., the IEP actually states that the student requires a residential or private day placement.)

# Office of Dispute Resolution and Administrative Services (ODR/AS)

Division of Special Education and Student Services

### Patricia V. Haymes, Director

Hank Millward, Associate Director Ron Geiersbach, Coordinator of Due Process Services Art Stewart, Coordinator of Mediation Services

(804) 225-2013 Toll free: (800) 292-3820 Toll Free TDD: (800) 422-1098 Fax (804) 786-8520