



# COMMONWEALTH of VIRGINIA


OFFICE OF CHILDREN'S SERVICES  
*Administering the Children's Services Act*

Scott Reiner, M.S.  
Executive Director

## Administrative Memorandum #23-10

**To:** CPMT Chairs  
CSA Coordinators

**CC:** Dr. Samantha Hollins, Virginia Department of Education

**From:** Scott Reiner, Executive Director 

**Date:** October 20, 2023

**Subject:** Eligibility for CSA Funding for Private Special Education Placements

The Office of Children's Services continues to receive inquiries concerning circumstances in which parents/legal guardians of students referred to local Children's Services Act ("CSA") programs for funding of private special education programs per their Individualized Education Programs ("IEPs") refuse to sign a consent to share information between the school and the local CSA office.

As with all CSA funding, a Community Policy and Management Team ("CPMT") must confirm that a child is eligible to receive funding under Virginia Code § 2.2-5212. Students who require private day or private residential special education are eligible for funding under CSA pursuant to Virginia Code § 2.2-5212(A)(3). A CPMT must verify eligibility for CSA funding as the State Executive Council is required to deny funding to a locality that does not provide services in compliance with any state law or policy or federal law. See Virginia Code § 2.2-2648(D)(20). Therefore, without the records that are necessary for the CPMT to verify the student's eligibility for CSA funds, CSA may not reimburse a locality's costs for providing private special education for the student. This is consistent with prior practice.

A local school division may still be responsible for the costs in order to provide a Free and Appropriate Public Education (FAPE) for these students under the federal Individuals with Disabilities Education Act (IDEA).

This supersedes and replaces Administrative Memo #18-01.